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Unveiling the Harrowing Realities

Kenyan Women Domestic Workers' Struggles for Freedom in Saudi Arabia

Catheline Bosibori N, 2024

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**Kenyan Women Domestic Workers' Struggles for
Freedom in Saudi Arabia**



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Abstract

Amidst economic challenges and soaring unemployment rates in Kenya, a significant number of young individuals have turned to migration in pursuit of temporary employment opportunities in Middle Eastern countries such as Dubai, Saudi Arabia, Qatar, and Jordan. Facilitated by employment agents who broker deals with Gulf-based employers, many of these migrants, predominantly comprising women, undergo brief, clandestine training periods in secluded Kenyan locations before assuming roles as domestic workers in the Gulf. Saudi Arabia has emerged as a primary destination for Kenyan women seeking domestic employment within the region. However, this trend has brought attention to the prevalent issues of abuse and dehumanizing treatment faced by foreign workers in the Kingdom. This paper delves into the journey of Kenyan women transitioning to employment in Saudi Arabia, documenting their work experiences, prevailing conditions, and the endurance of these slave-like circumstances. Emphasis is placed on the plight of Kenyan women engaged in domestic labor within Saudi Arabia. Employing a descriptive research design, this paper scrutinizes the exploitation of Kenyan women in the Gulf, utilizing firsthand accounts from returned victims of labor exploitation alongside secondary sources such as books, articles, newspapers, and video interpretations. The study contends that the ordeals faced by Kenyan women in Saudi Arabia constitute a violation of their freedom from exploitation. Using the globalization theory, dependency theory, and neo-Marxist perspectives, the article posits that the kafala system, coupled with the failure of both Kenyan and Saudi Arabian governments to safeguard these migrant domestic workers, perpetuates this form of modern labor exploitation. Moreover, ineffective bilateral labor agreements between Kenya and Saudi Arabia exacerbate the situation. To combat this egregious exploitation, the paper recommends fostering a cohesive partnership between the Kenyan government, recruitment agencies, and Gulf-based embassies. This alliance aims to proactively address and eliminate the systemic factors contributing to the perpetuation of exploitation experienced by Kenyan women in Saudi Arabia.

Key terms: *Freedom from exploitation, Women, Saudi Arabia, Kenya, Abuse*

Résumé

Face aux défis économiques et à la montée en flèche des taux de chômage au Kenya, un nombre important de jeunes se sont tournés vers la migration pour trouver des emplois temporaires dans des pays du Moyen-Orient tels que Dubaï, l'Arabie saoudite, le Qatar et la Jordanie. Aidés par des agents de placement qui négocient des contrats avec des employeurs basés dans le Golfe, nombre de ces migrants, essentiellement des femmes, suivent de brèves périodes de formation clandestine dans des endroits isolés du Kenya avant d'assumer des rôles d'employés de ménage dans le Golfe. L'Arabie saoudite est devenue la principale destination des femmes kenyanes à la recherche d'un emploi domestique dans la région. Toutefois, cette tendance a attiré l'attention sur les problèmes de maltraitance et de traitement déshumanisant auxquels sont confrontées les travailleuses étrangères dans le Royaume. Cet article se penche sur le parcours des femmes kenyanes en transition vers un emploi en Arabie Saoudite, en documentant leurs expériences de travail, les conditions qui prévalent et l'endurance de ces circonstances qui s'apparentent à l'esclavage. L'accent est mis sur le sort des femmes kenyanes employées comme domestiques en Arabie Saoudite. Utilisant un modèle de recherche descriptif, ce document examine l'exploitation des femmes kenyanes dans le Golfe, en utilisant des témoignages des victimes de l'exploitation, ainsi que des sources secondaires telles que des livres, des articles, des journaux et des interprétations de vidéos. L'étude révèle que les épreuves auxquelles sont confrontées les femmes kenyanes en Arabie Saoudite constituent une violation de leur droit à l'absence d'exploitation. S'appuyant sur la théorie de la mondialisation, la théorie de la dépendance et les perspectives néo-marxistes, l'article postule que le système de la *kafala*, associé à l'incapacité des gouvernements kenyan et saoudien à protéger ces travailleuses domestiques migrantes, perpétue cette forme d'exploitation moderne de la main-d'œuvre. En outre, l'inefficacité des accords bilatéraux sur le travail entre le Kenya et l'Arabie saoudite ne fait qu'aggraver la situation. Pour lutter contre cette exploitation flagrante, le document recommande de favoriser un partenariat cohérent entre le gouvernement kenyan, les agences de recrutement et les ambassades basées dans le Golfe. Cette alliance vise à aborder et à éliminer de manière proactive les facteurs systémiques qui contribuent à la perpétuation de l'exploitation dont sont victimes les femmes kenyanes en Arabie saoudite.

Mots clés: Absence d'exploitation, femmes, Arabie saoudite, Kenya, abus

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Unveiling the Harrowing Realities

Kenyan Women Domestic Workers' Struggles for Freedom in Saudi Arabia

Catheline Bosibori N

1 Introduction

I left Kenya to go to Saudi Arabia with the hopes of getting a better life, and to be honest, mine was just the tip of the iceberg. People are suffering there. My friends are suffering. I plead with the government to rescue our people. They are psychologically and mentally tortured. It's a shame being told that there is nothing the government can do. (Diana Chepkemai, Media Interview September 22, 2022)

The above are media interview remarks of Diana Chepkemai, a 24-year-old Kenyan who was reported to have been detained in Saudi Arabia, once she landed at the Jomo Kenyatta International Airport. Her statement reveals a state of hopeless and helpless situation for the Kenyan domestic workers in Saudi Arabia. Diana's images emerged on Kenyan social media sites TikTok, X, and Facebook, triggering widespread outrage and sparked a lot of protest from online users. There was a strong demand to repatriate her back to Kenya, all this happening just two months after she started working as a domestic worker in Saudi Arabia. Speaking to the Nation Media, Diana revealed that the employer not only mistreated and beat her but also denied her medical access and assured her that she, the recruitment agency, or the Kenyan government would do nothing for her rescue.

Diana's case is not an isolated one. In the last decade, Kenya has recorded several cases of Kenyan women domestic workers in Saudi Arabia (Murangiri, 2016). While fortunate individuals like Diana were rescued alive, others tragically perished, their bodies recovered,

while some remain unaccounted for, as noted by Mwaniki (2020). These cases have sparked a lot of reactions from Kenyans. For example, the Central Organization of Trade Union (COTU) boss, Mr. Francis Atwoli, called on the government to ban employment agencies from taking Kenyan women to Saudi Arabia. However, even with such calls, the cases of abuses of Kenyan women domestic workers in Saudi Arabia continue to hit Kenyan headlines.

This article argues that Kenyan women working as domestic workers in Saudi Arabia endure conditions tantamount to modern-day slavery. Their exploitation, lack of rights, and abuse reflect a grim reality reminiscent of historical slavery, exposing an egregious violation of human rights in the 21st century's supposedly progressive landscape. Three major questions are explored: What are the conditions on the route from Kenya to Saudi Arabia? What are the experiences of these Kenyans in Saudi Arabia? Why does this exploitation endure? Before examining the experiences of Kenyan women domestic workers in Saudi Arabia, it is important that we go back to the history of the slave trade as a reference point to the current situation of foreign laborers in Saudi Arabia.

2 Labor relation between Africa and the rest of the world: the 16th and 17th centuries Transatlantic slave trade

The Migration of Africans from Africa to the rest of the world for economic purposes is not new. However, the willingness and voluntariness in these migrations have changed over time. Between the 16th and 19th centuries, Africans were shipped from the continent to Europe and America to offer free labor in European Plantations in the famous transatlantic slave trade (Kanu, 2013). In this trade, millions of Africans were forcefully shipped from the continent, and several died on the passage route to the final destinations in the Americas and Brazil (Rodney, 1972; Rawley and Behrendt, 2005. Rodney (1972) documents that over six million healthy and productive Africans were shipped out of the continent in this trade. Basically, at this time, Africans were traded as commodities for exchange with other items from Europe, America, and Asia (Rawley and Behrendt, 2005). At this time, their labor was highly valuable and sought for the sustenance of plantation production in the new world. Africa surfaced as the marginalized participant in trade, disproportionately favoring Europe's gains at the detriment of the African continent. The Labour relations between Africa and the European trade merchants were skewed in a way that the latter were powerful and major drivers over the former. Moreover, the individuals sold as enslaved people could not negotiate their freedom or protest the trade.

While some Africans were kidnapped or arrested during raids for the slave trade, African kings and chiefs at the time also played a vital role in this slave trade (Acemoglu and Robinson, 2010; Alpern, 1995; Rodney, 1967). Specifically, powerful African kings captured and sold enslaved people to Portuguese, French, and British merchants. The enslaved people were usually men, women, and children from rival tribes. Prisoners of war and raids were also sold as enslaved people. With the existence of the African slave merchant, it is apparent that Africans also contributed to the enslavement of their own either deliberately or out of fear. Centuries later, these African slave merchants can be likened to the sophisticated recruitment and employment agents engaged in the 21st-century trade of labor between Africa and the Middle East, as expounded upon in subsequent sections of this article.

While the slave trade in Africa was abolished in January 1808, in East Africa, it was formally ended in 1909. However, in the 21st century, the movement of Africans outside the African continent in what is akin to this slave trade cannot be ignored. Harsh economic conditions and high levels of unemployment are forcing most Africans out of the continent to Europe, the Americas, and Middle East countries (Fargues and Bonfanti, 2014). While some of these migrants voluntarily use dangerous ways like boats crossing the sea, some fall prey to unscrupulous recruitment agents who promise them greener pastures outside Africa (Kassar and Dourgnon, 2014; Fargues and Bonfanti, 2014). The 'greener pasture' analogy, in this case, is fostered by international wage differentials. However, Munania, Odhiambo, & Kimokoti (2022) contend that most end up being trafficked for their body organs, sex, and labor in households as watchmen, babysitters, maids, and housekeepers.

In the 21st century, many Africans seeking casual jobs end up in oil-rich countries in the Gulf, such as Saudi Arabia, Qatar, and the United Arab Emirates (UAE). The majority of these are women (Keenan and Rugene, 2019; Mong'ina, 2018). The categorization of labor along gender lines explains why a majority of the domestic workers in these countries are women. Domestic chores – housekeepers, managers, cooks, nurses, and babysitters, just to mention a few are associated with femininity and thus have attracted a lot of women (Mong'ina, 2018). Nonetheless, the experiences of these women both in the passage to the Gulf and in the new lands reveal significant labor exploitation. Specifically, the Kingdom of Saudi Arabia has been in the limelight due to its 'ill-treatment' of foreign workers.

3 Saudi Arabia, the 21st-century new world

The Kingdom of Saudi Arabia is one of the countries in the Middle East, normally called the Gulf region. The region includes countries like Bahrain, Kuwait, Qatar, Saudi Arabia, and the United Arab Emirates (The Guardian, 2022). Like many other countries in the region, Saudi Arabia has attracted a lot of foreign laborers since the early 1950s due to the discovery of oil in the region. As of 2014, it was estimated that there were 100,000 migrant workers in the Gulf (Manji, 2017). Allinson (2020) contends that almost 1/3 of Saudi Arabia's 34 million people are migrant workers whose legal statuses in the country are controlled by an employer, leaving them exposed to abuse and exploitation. The Kingdom's *kafala system* is the most restrictive in the Gulf, trafficking labor that amounts to modern labor exploitation. *The kafala system* was established in the 1950s to regulate the relationship between foreign employees and their employers in Saudi Arabia and other countries in the region (Rödl & partner, 2021). This came at the height of oil discovery in the Gulf when a lot of cheap labor was needed to boost the country's economic growth. Despite the Kingdom abolishing slavery in 1962, over half a century later, migrant workers in this supposedly modern society still endure labor exploitation, occasionally reaching conditions akin to slavery. Migrant workers face added complexities in their lives due to entrenched biases related to gender, religion, and race. Within the predominantly Islamic Kingdom, African, non-Muslim women endure heightened exploitation compared to both African men, non-African and Muslim counterparts (refer to Esim & Smith, 2004).

The Guardian (2022) reports that Saudi Arabia is known for its poor labor and human rights record and is widely considered one of the most dangerous places for migrants to work in the

world. The country has been in the limelight for human trafficking, which is portrayed in the mode of acquisition and ill-treatment of foreign workers, including females and minors (Mong'ina, 2018). It is against this context that the US Department of Security, in its 2005 trafficking human report, ranked the country as a tier 3 country. Such ranking implies that the country does not comply fully with the lowest standards of trafficking of victim protection Acts (Mong'ina, 2018). Additionally, there is no set minimum pay in Saudi Arabia. Mong'ina (2018) notes that the monthly salary of a worker depends on ethnicity, skin color, and religious inclinations.

It is against this backdrop that a comprehensive study investigating the experiences of Kenyan women domestic workers in Saudi Arabia is crucial, beginning from their treatment at the preparatory centers in Kenya. The focus of such research would extend beyond this initial phase to delve deeper into Saudi Arabia's portrayal as a destination country for labor exploitation in the 21st century, akin to a modern-day hub for labor slavery. This study is essential to uncover the systemic issues and challenges faced by Kenyan women from the onset of their journey to Saudi Arabia, shedding light on the circumstances, conditions, and treatment they encounter, ultimately contributing to a more comprehensive understanding of the exploitation and hardships faced by migrant domestic workers in this context.

4 Methodology

The study employed a descriptive research design. Data was collected through firsthand accounts from former Kenyan female domestic workers in Saudi Arabia, and secondary sources like books, newspapers, media narratives, and reports. The sampling technique involves purposive and snowballing techniques, interviewing women who returned from Saudi Arabia and reported instances of maltreatment. The interviews were conducted in Nairobi County, allowing for a diverse representation of experiences. The study used a qualitative approach involving thematic analysis, systematically reviewing and coding the collected data into themes and patterns. The findings are presented in a comprehensive narrative, highlighting prevalent themes and insights from the experiences of Kenyan women working as domestic workers in Saudi Arabia. Quotes and case studies are used to enhance the presentation of the study's findings, providing a nuanced understanding of the challenges faced by these individuals. This comprehensive understanding of the experiences of Kenyan female domestic workers in Saudi Arabia is crucial for addressing the challenges faced by these women.

5 Findings

Women in Labour relations and agreement between Kenya and Saudi Arabia

Kenyans constitute a good portion of the source of inexpensive and well-educated labor in Saudi Arabia. Since 2008, the number of Kenyans leaving Saudi Arabia has increased. By 2011, there were approximately 3000 Kenyan female domestic workers in Saudi Arabia (Wangu, 2011). For Kenyans, unemployment at home and limitations to access Europe and Western countries motivate their Migration to Saudi Arabia. Accordingly, semi and low-skilled workers have dominated Kenyan Migration to the Gulf. Many are recruited as domestic workers, construction laborers, and hospitality workers. In the context of the globalization theory, labor migration and

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global capital globalization have created a global labor market where individuals from developing countries seek employment opportunities in wealthier nations or regions (Light, 2000). The movement of Kenyan women to the Gulf countries represents this global flow of labor, driven by economic disparities and the search for better livelihoods. Successful stories have been reported about these migrants, and their contributions to Kenya's GDP cannot be overlooked. However, cases of vulnerability and exploitation cannot be assumed. Mukobi (2021) and Ngatia (2003) note that cases of unpaid wages, long working hours, passport confiscation, and Physical and sexual abuse have been reported. Following the media coverage of this abuse and criticism of the lack of government protection, the Kenyan government banned several recruiting agencies.

Despite this ban, unscrupulous recruiters use unregulated routes to traffic Kenyans to the Gulf. As of 2017, over 300,000 Kenyans were working in the Gulf; one-third of them have been trafficked (Manji, 2017). The Ministry of Human Resource and Social Development (2017) reports that in 2017, Kenya signed a bilateral deal with Saudi Arabia to recruit 100,000 Kenyans for jobs. However, there are concerns that such deals prioritize national economic interests at the expense of individual human rights (Manji, 2017). These were evident in 2021 when the social protection docket was removed from the Ministry of Labor in Kenya (Oketch, 2021). Bhalla (2021) notes that there was also a surge in cases of mistreatment of Kenyan women domestic workers in Saudi Arabia.

However, it should be noted that these exploitation cases can be traced back to the early 2000s. As early as 2010, Kenya had reported cases of their citizens being exploited and abused in the Kingdom of Saudi Arabia. In 2010, 24-year-old Rose Odhiambo tragically died after facing abuse from her employers in Saudi Arabia (Kabii, 2022). Jane Njeri Kamau met a similar fate in 2014 while working as a house help in the same country (Kabii, 2022). Kabii (2022) further contends that between 2019 and 2021, the nation recorded 93 deaths of its citizens in Saudi Arabia under ambiguous circumstances. Ben-hur (2021) notes that these 93 migrant workers were among the 87,784 individuals whom the Kenyan government had assisted in securing jobs in Middle Eastern countries such as Qatar, the United Arab Emirates, Saudi Arabia, and Bahrain.

During the Covid 19- pandemic, in 2020 and 2021, the number of reported abusive cases expanded. For example, at least 89 cases of Kenyan domestic workers who died in Saudi Arabia were reported in 2020 and 2021 (The Guardian, 2022). In 2022 alone, Haki Africa received 51 complaints of abuse from Kenyan domestic workers in Saudi Arabia (The Guardian, 2022). A number count by the researcher in Kenya's media houses reveals over 29 cases of women who survived exploitation and survived by luck in Saudi Arabia. Many show the scars gained from the beatings and burns by their employers in Saudi Arabia. These categories of survivors are just lucky individuals whose cry for help reached the Kenyans on social media on time and thus were able to get help back home due to social media pressure and protests from Kenyans. With such experiences, horror stories about the treatment of migrant workers in Saudi Arabia continue to hit the Kenyan headlines.

Nonetheless, the Migration to Saudi Arabia continues due to hard economic times at home and sometimes enticement by the employing agents. Gikiru (2013) contends that despite the potential risks of abuse, Kenyan women are likely to continue migrating to Saudi Arabia since

international wage differentials lure them. Mong'ina (2018) contends that annually, recruitment agents organize roughly 16000 visas for Kenyans working in Saudi Arabia. While the cases reported reveal abuse by employers, oral stories and accounts of survivors of these violation reveals that exploitation of the Kenyan migrant women workers in Saudi Arabia starts in Kenya by their recruitment agents in the preparation houses (see Wanjohi 2021).

6 Passage to the Gulf

The deplorable and inhumane treatment experienced by Kenyan individuals deployed to Saudi Arabia as domestic workers originates in Kenya, primarily under the management of recruitment agencies. Globalization has enabled the proliferation of labor brokerage agencies that facilitate the movement of workers across borders. These agents often exploit the vulnerabilities of individuals seeking opportunities, as seen in the clandestine training and subsequent exploitation of Kenyan women by these intermediaries. During the preparatory stages, these agencies provide orientation sessions covering the usage of domestic appliances and conduct medical checkups as part of the process. The preparatory process takes place in highly secretive houses in various places in Nairobi. Oral accounts of survivors also revealed that these preparatory houses or dorms have restricted access and are closed all the time. Cynthia had aspired to go to Saudi Arabia, but the dorm experience made her run away before the flight dates. In an interview with the researcher in Nairobi in January 2022, she noted that

When we were at the agent's house in Nairobi, our phones were constantly monitored, and the agency held our passports. We had no freedom to leave the agent's premises unless escorted for medical examinations before our departure to Saudi Arabia. The restrictions were suffocating. Eventually, I felt compelled to run away, leaving my passport behind with the agent due to the harsh and restrictive living conditions. (Cynthia, Oral Interview, January 2022)

Cyntiah's recollection portrays a deeply concerning and distressing situation faced by many migrant workers. The stringent control imposed by the employment agency on their communication devices and vital documents such as passports echoes a disturbing level of surveillance and restriction of basic freedoms. The fact that they were confined to the agent's premises, only allowed to leave under strict supervision for medical examinations, underscores the severe limitations imposed on their mobility and autonomy. The emotional weight behind Cyntiah's decision to escape despite leaving her passport behind highlights the dire nature of the circumstances they were subjected to. Her story agrees with Wanjohi (2021), who reports restricted mobility, abuse, and mistreatment from the recruiting agencies in these houses. The passports are only given back to these women on the travel date. For example, in 2021, 10000 Kenyans were stranded in Nairobi Hotels because their agents could not secure discounted tickets to the Gulf (Wanjohi, 2021). Some of these were destined for Saudi Arabia, where they were to work as domestic workers. Also, cases of harassment in the Hotels where they were held were reported (Wanjohi, 2021). Additionally, in 2021, a recruitment agency in Kiambu, Kenya, detained women domestic workers awaiting transfer to the Gulf against their will (Ndungu, 2021). The women detained decried poor hygiene, lack of privacy, crowded living conditions, and being short-changed by the agents (Ndungu, 2021)

Also, in 2021, a group of Kenyan women rose in rebellion and protested after being held in a house in Kiambu for two months, hoping to be flown to Saudi Arabia for informal jobs (Marangu, 2021). They reported that the agents had locked them up and confiscated their formal documents and phones, making it hard to leave and even see their families (Marangu, 2021). Efforts by the media to reach the agent were futile as her phone was always off. To rescue themselves, these women chose rebellion to attract the public for help. Some reported being lied to about the type of work they were to do in Saudi Arabia, stating that before being confined to the house, they had signed a document to work as nurses. However, once they were confined to the preparatory house, they were given another document to sign stating that they would work as housemaids. Efforts to quit the deal were received by arrogance, opposition, and futility from the recruitment agents.

In an interview with Shiro, one of the women who survived this conviction, she noted that

She (the agent) told me I cannot quit unless my family gives them Ksh. 160,000 that they claimed to have spent on me for the one month I had trained and stayed with them (Shiro, Oral interview, May 2022).

Upon further investigation, it was discovered that the sum designated for her release covered expenses such as passport and visa processing, medical examinations, a flight ticket—allegedly already arranged by the agents—and the hostel fee for her month-long stay in the house. Nonetheless, an interview with an employee in one of the recruitment agencies revealed that normally, this refund fee is exaggerated by the agents to discourage people from opting out of the deal. This is because losing one domestic worker implies losing the monthly income that the agency gets from the employers in Saudi Arabia as part of their labor trade deal. The more workers the agency successfully takes to Saudi Arabia, the more the agents will earn from it. It is a type of trade where individual human rights and freedoms are subordinate to the financial interest of the recruitment agents.

7 Experiences in Saudi Arabia

The experiences of Kenyan female domestic workers in Saudi Arabia are diverse. They are told by either the victims themselves, their families, or media investigative stories of the abusive state of foreign workers in the country. In this section, these accounts are used to explore these experiences in relation to labor and the right of freedom from exploitation.

Physical abuse

Experiences in the Gulf range from restricted mobility to low or unpaid wages, physical abuse, and long working hours (Keenan and Rugene, 2019). In an interview with the researcher, Elizabeth, a survivor, recounted her ordeal, revealing that she was permitted only two hours of sleep per night and provided with scant nourishment, primarily limited to noodles. After enduring over nine years of both financial and physical abuse, she was ultimately thrown down a flight of stairs by her employer, resulting in a broken right leg that rendered her incapable of continuing her work. (Elizabeth, Oral Interview, May 2022). Her sentiments agree with those of

another woman who escaped Saudi Arabia in 2021 as documented by Ruto (2021). She noted that;

One time, I was beaten so badly after my boss asked me to bring a cup, and I brought a spoon, yet I didn't understand the language. I also used to have one meal in a day, which is a strong tea. (Rutto, 2021, 4/01/2021).

Addressing *Tuko Talks*, a YouTube program spotlighting the struggles of oppressed individuals in society, Faith, another survivor, asserted that her employer scalded her with hot water, causing a significant burn mark on her left hand. She also remarked,

Allow us to sign our death certificates before leaving for Saudi Arabia. (Faith, Tuko Talks: 08/07/2021)

The shared experiences recounted by these women who escaped Saudi Arabia offer a chilling insight into the appalling mistreatment and abuse faced by many domestic workers. The harrowing narratives echo a pattern of severe physical and emotional abuse, highlighting the vulnerability and lack of protection these women encountered while working in foreign households. The incident where one woman was severely beaten for a simple misunderstanding due to language barriers underscores the unreasonable and cruel treatment meted out by some employers. The deprivation of adequate food and sustenance, reduced to just one meal a day, paints a distressing picture of the dire conditions these workers endure.

Faith's account of being scalded with hot water by her employer adds another layer of brutality, illustrating the extent of physical harm inflicted on these vulnerable workers. Faith's plea to "allow us to sign our death certificates before leaving for Saudi Arabia" is a stark and haunting statement, encapsulating the sense of hopelessness and peril faced by many migrant workers. This sentiment speaks volumes about the desperation and lack of agency experienced by those subjected to such inhumane treatment. It highlights a pervasive feeling of helplessness, where individuals are trapped in situations of abuse without recourse or protection. These women also contend that any policy from Kenya cannot change the deep-rooted racism and abuse of casual foreign workers in the Gulf. The employers see the workers as enslaved people.

Trade commodities and unpaid or underpaid wages and overworking

In addition to physical beatings, these domestic workers have reported being traded from one employer to another. A survivor of this ordeal in 2014 noted that she was changed from one employer to another. Burns (2015) notes that the woman experienced harassment from her first employer, who refused to pay her wages and threatened her death. The police helped recover unpaid wages, but she was forced to sign an Arabic document (Burns, 2015). The author further notes that the lady was sexually abused and sold for 4000 USD to her second boss, who threatened her with iron hooks and a knife. Okwach (2021) recounts the story of another woman who managed to survive slavery in Saudi Arabia. Not only was she compelled to perform catering duties that were beyond her contractual obligations, but she also endured a mere four hours of sleep and subsisted on nothing more than noodles for sustenance. The woman vividly

remembers being physically assaulted three times simply for attempting to rest after toiling for 19 consecutive hours (Okwach, 2021).

Employers find excuses for not paying the salaries of these women. In an interview with the researcher in Nairobi, Kenya, Magret, once a worker in Saudi Arabia, remarked that

During my time in Saudi Arabia, although I was never denied food, I only received my salary for seven months out of the two years I served as a housemaid. When I persisted in requesting my dues, my employers threatened me with a gun. Fearing for my safety, I fled and sought refuge among other Kenyans before finally being assisted to return to Kenya. (Magret, Oral Interview, May 2022).

Her story is not an isolated case. Bett (2021) gives an account of Manga, a survivor who suffered unpaid labor. The survivor recounted an incident where her employer demanded that she use an already defective washing machine that was present in her employer's household. Subsequently, her employer physically assaulted her, falsely accused her of damaging the machine, and declared that she wouldn't receive payment until she purchased a new one. When she voiced her grievances to the agency that had placed her there, she was forcibly taken and placed in a deportation center, where the treatment she received was dehumanizing and akin to that of animals (Bett, 2021). Delayed or no payment further enhances the mobility limitations of these workers (Chimbi, 2022). Keenan and Rugene (2019) further contend that despite the government claiming they agreed on a Minimum wage of Ksh. 40,000 Kenyans in Saudi Arabia still decry, earning as little as Ksh.18,000.

Killings

Aside from facing physical assault, restricted mobility, and enduring long working hours, some Kenyan women working as domestic workers in the Middle East have tragically been either killed by their employers or neglected to the point of death when they fell ill. In 2020 alone, 48 Kenyans died in Saudi Arabia, and out of this, 29 were housekeepers (Keenan and Rugene, 2019). In 2020 and 2021, Kenya registered at least 89 deaths in Saudi Arabia due to cardiac arrest (Njaaga, 2021). The *Standard Media Group* noted that the National Assembly Committee on Labour and Social Welfare report revealed that many of these died of road accidents and heart diseases (see Oruko, 2021). Reporting on these deaths, the Middle East Monitor (2021) contended that there was suspicion over the causes of these deaths. However, the Kenyan government accepted the report as given by the Saudi government despite this suspicion (Bwana, 2021). Kenyan authorities never performed any autopsies on the bodies independently to ascertain the causes of the deaths (Middle East Monitor, 2021). Such raises concern about the readiness and willingness of the Kenyan government to protect its people and safeguard their human rights in foreign countries. It also raises concerns about how 89 people could all die from one disease. Pragmatically, this reveals some foul play in the causes of their death. With rampant physical assault cases of these workers, all evidence points to fatalities resulting from physical assault by their employers or lack of medical attention when they needed one.

Accounts of some domestic workers who have survived these ordeals point toward deaths caused by their employers. Kenyans dying mysteriously in Saudi Arabia cannot be overlooked

(Oruko, 2021). In a compelling interview conducted with the researcher in Kiambu, Kenya, in 2022 with Mary, who had recently returned from Saudi Arabia, she shared a harrowing account of her experience. Mary recounted the tragic fate of two friends who had accompanied her on the journey to Saudi Arabia in 2018, both of whom had tragically passed away. Reflecting on her survival, Mary revealed a chilling episode where her initial employer had attempted to end her life due to her insistence on changing an employer. Fearing for her safety, she courageously fled and sought refuge with the employment agent. However, her ordeal didn't end there, as she was subsequently placed with another employer. Remarkably, the second employer proved to be better, providing Mary with a safer and more tolerable work environment compared to her previous distressing circumstances. Her story sheds light on the grave challenges faced by migrant workers in foreign countries and the life-threatening dangers that many endure in pursuit of better opportunities.

Mary's account is echoed by Bhalla (2021), who writes about one Alice who died in Saudi Arabia. However, the author goes further to reveal that these workers complain about death threats from their employers before they are reported dead a few days later. For example, 30-year-old Alice wanted to change her employer. Nevertheless, the employer informed her that she would only depart from their household in coffin. After sharing this information with her family online, three days later, Alice was discovered deceased in her bedroom, a situation the employer described as a "normal death" (Bhalla, 2021). Alice's story is not different from that reported by Okwatch (2021). The author documents a Kenyan lady whom the employer poisoned in fear that the lady would disclose that their son- a security officer had raped her. The poison she ingested damaged her liver, and today, she cannot work properly or even afford medication.

Also, a Kenyan driver in Saudi Arabia explained how his friend was killed intentionally in an accident by the employer while she was running away. Okwatch (2021), documenting the story, notes that the friend had called the driver for help to the Kenyan embassy. As a driver in Saudi Arabia, he accepted the call. Little did he know that the employer was following them. The employer caught up with them, hit the car from behind, killed the friend instantly, and fled away. The driver was arrested and detained without any trial in Court.

These narratives reveal the profound power imbalances that exist between migrant workers and their employers in foreign countries. This aligns with dependency theory and neo-Marxist perspectives, which contend that there are imbalances of power and economic disparities between developed and developing nations, often resulting in exploitation and dependency. The employers in Saudi Arabia, often wielding significant influence and authority, can resort to violence, threats, and even fatal actions to maintain control over their employees. The lack of protection and support for these vulnerable workers exacerbates their vulnerability, making them susceptible to exploitation and abuse. Furthermore, these stories highlight systemic issues within the labor migration system, including inadequate legal protections, insufficient oversight, and a lack of accountability for the mistreatment of migrant workers. The tragic outcomes faced by these individuals reflect not just isolated incidents but potentially systemic failures in safeguarding the rights and safety of workers abroad.

From a historical perspective, these accounts resonate with patterns of exploitation and mistreatment faced by migrant laborers throughout history. They evoke echoes of past injustices and struggles faced by individuals seeking livelihoods in unfamiliar territories, often subjected to exploitation, abuse, and violence. In the context of labor and history, it is crucial to contextualize these contemporary narratives within broader historical patterns of labor migration, exploitation, and the struggles for workers' rights. These stories serve as a stark reminder of the urgent need for stronger international frameworks, improved regulations, and enhanced support mechanisms to protect the rights and safety of migrant workers globally.

Confiscation of travel documents and communication gadgets.

The first greetings I received from my employer in Saudi Arabia was a demand to surrender my passport, national identity card, and phone to her (Jane, Oral interview March 2022)

The above statement by Jane, a former domestic worker in Saudi Arabia, in an oral interview with the researcher in Nairobi, reveals how employers highly value these documents. Jane's case is not an isolated one. In an interview with the researcher in Nairobi in January 2022, Maureen, a mother of three from Bungoma County, recounted,

My employers took away my passport on the second day, stating I'd only regain possession after my contract ended. Additionally, they demanded I surrender my phone. (Maureen, Oral Interview, January 2022).

Maureen and Janes' statements reflect the alarming and unjust conditions faced by Kenyan women working in Saudi Arabia. The confiscation of their passport and the demand for surrendering phones highlight a pattern of severe control and exploitation by employers. By withholding passports, the employers effectively restricted their freedom and mobility, a common tactic used to limit a worker's ability to seek help or leave abusive situations. The confiscation of personal documents such as passports is a grave violation of basic human rights and is often used as a tool of coercion and control over migrant workers. It leaves them vulnerable to exploitation, as they become trapped in their employment with limited recourse if subjected to mistreatment or abuse. Similarly, demanding the surrender of phones is another tactic aimed at isolating women workers from external support networks, further increasing their vulnerability.

These actions illustrate the power dynamics at play, where employers wield control over essential documents and communication devices, exacerbating the already precarious situation faced by migrant workers. Such practices contribute to a cycle of exploitation and make it incredibly challenging for individuals like Maureen and Jane to assert their rights or seek assistance in situations of abuse or unfair treatment. The story of Maureen echoes a broader issue of exploitation and vulnerability experienced by many Kenyan women and other migrant workers in Saudi Arabia. Without legal documents, it is hard to move from one place to another without risking arrest by immigration officers and the police. Hussein (2021) reports that

Kenyan female domestic workers in the Gulf countries are cut off from the rest of the world. This sends many of them into depression and suffering in the darkness. The employer controls the workers as subjects who must do what the employers say by confiscating their documents. This takes away the freedom of movement, communication, and association. The individual becomes a silent, enslaved person in a household.

8 Why Does the exploitation of Kenyan Women Domestic Workers Thrive in The Gulf?

The instances of exploitation reported in Saudi Arabia raise concerns about the adherence to international laws governing foreign labor migrants. There is a question of whether these laws exist and, if so, why exploitation continues to persist in the country. The United Nations Migrant Worker Convention of 1990 (UNMWC) specifically advocates for the safeguarding of migrant workers from discrimination, torture, and forced labor. The failure to uphold these fundamental principles in Saudi Arabia's treatment of migrant workers underscores a critical need for greater compliance with international standards and stronger enforcement mechanisms to ensure the protection and dignity of all labor migrants. Additionally, UNMWC states that migrant workers should be treated similarly to the host state nationals in terms of employment, remuneration, working hours, and conditions. International Labor Organizations have numerous pacts that call for the safety of migrant workers. For example, the Migration for Employment Convention (no. 97) calls for accessible and accurate information for migrants. Article 3 calls for the prevention of misleading information and propaganda. The Convention also calls for the prevention of discrimination against migrants. Also, the 1975 Protocol on Migrants in Abusive Conditions and the promotion of Equality of opportunity and treatment of migrant workers No. 1433 requires the states to respect migrants' human rights and investigate, monitor, and prevent human trafficking.

Saudi Arabia has ratified some of the International Labor Laws on Migrant Workers (Chimbi, 2022). These include the International Labour Organization Convention on Equal Remuneration and the Abolition of forced labor. However, the country has reservations about ratifying international treaties (Mong'ina, 2018). For example, Article 7 of Saudi Arabian Labour Laws (SALL) excludes domestic workers from its provision. In 2013, a regulation was passed that entitled workers 9 hours of rest per day, Paid sick leave, and one annual leave (Mong'ina, 2018). However, the law also denied domestic workers the right to refuse work or vacate employment without a valid reason (Agence France-Presse, 2013). This dichotomy reveals a complex landscape where legal protections coexist with limitations, leaving women domestic workers in a precarious position within the Saudi Arabian labor framework.

There is a lack of alignment between the contract forms for Kenyans working in Saudi Arabia and the Bilateral Labor Agreement. There is also a lack of explicit provisions for migrant labor laws in the two countries (Agence France-Presse, 2013). As a result, most Kenyan casual workers in Saudi Arabia have had their Jobs substituted as they are forced to sign different contracts once they arrive in Saudi Arabia. Also, the Ministry of Labor and Social Protection and the Ministry of Foreign Affairs has been reluctant to implement the provisions of the Bilateral Labour Agreement between Kenya and countries in the Gulf (Odindo, 2021). The Kenyan

embassy in Saudi Arabia has also been accused of not supporting Kenyan workers pleading for help to return home from abusive employees (Odindo, 2021). Diana Chepkemoi, a survivor of the Saudi Arabian abusive ordeal talking to the Nation Media at JKIA when she landed in Kenya, noted that:

It is a shame that the embassy cannot respond to distress calls from Kenyans working in Saudi Arabia, many of whom have lost their lives and are brought back in coffins (Diana Chepkemoi, National Media, 22/09/2022).

Diana Chepkemoi's poignant statement highlights a distressing reality faced by Kenyan workers in Saudi Arabia and raises critical concerns about the inadequate support and protection provided by the Kenyan embassy. The inability of the embassy to respond effectively to distress calls from these workers, especially in life-threatening situations, is indeed disheartening. The tragic outcomes, where some individuals lose their lives and are repatriated in coffins, underscore the urgent need for stronger diplomatic interventions and more robust support mechanisms for Kenyan nationals employed abroad.

This statement prompts reflection on the responsibilities and obligations of embassies in safeguarding the rights and well-being of their citizens working overseas. The failure to promptly address distress calls from Kenyan workers in Saudi Arabia, particularly in situations of extreme vulnerability and danger, not only exposes the shortcomings in the diplomatic response but also amplifies the vulnerability and risks faced by these workers. Furthermore, the mention of workers being brought back in coffins highlights the gravity of the situation, emphasizing the dire consequences and tragedies faced by some Kenyan workers while employed in Saudi Arabia.

In the recent past, the Kenyan government put strict legal requirements for recruiting agents and signed bilateral agreements with countries in the Gulf to prevent this slavery. However, there are concerns about whether the employers are ready to abide by these agreements and respect the human rights of these women. There is also a concern about whether the Kenyan government and recruitment agencies have the means to implement these conditions in reality. While the Kenyan agents and recruitment of these workers may change, the attitude of Saudi Arabian employers toward foreign domestic workers is not guaranteed to change (Okwach, 2021). This is grounded on the *kafala* labor system in the Gulf countries.

With the *Kafala system*, once the migrant laborers get a contract and permit to work in Saudi Arabia, they have contractual ties to their sponsors, called *Kafalas*. The *Kafalas* withhold the worker's passport and other identification documents. This implies that *the Kafalas* control the migrant's movement, residence, salary, and return home (Keenan and Rugene, 2019). Only the *Kafalas* can break the contract, not the migrant, even at request. Based on the tenets of the dependency theory and neo-Marxist perspectives, it is evident that the *kafala* system, prevalent in Gulf countries like Saudi Arabia, ties migrant workers to their employers, creating a power imbalance and potential for exploitation. This system allows employers to exert significant control over workers' movements and legal status, leading to abuse and dehumanization. In 2015, Some editing was made to the SALL to include the abolition of document confiscation. However, despite such revision, the flatly abusive aspects of the system remain intact (Mong'ina,

2018). For example, migrants who change their station without their employer's consent risk becoming undocumented (Women Global Leadership, 2020).

Another reason why slavery thrives is the failure of the recruitment agents to protect the workers from abusive employers. The agencies have been accused of lying when recruiting these workers and not giving them help once they report mistreatment at the hands of their employers. Many have been quoted noting that they are not responsible for the conduct of employers and the torture of migrant workers in Saudi Arabia (Rutto, 2021). Some even do not pick up distress calls from these migrant workers. Also, some recruitment agencies have set an enormous amount of money and fines to the workers before sending them back to Kenya (Rutto, 2021). Some send the complaining workers to deportation facilities where the living conditions are akin to prison. Ideally, these agencies deny responsibility because of two reasons. One, they do not want to lose income. Returning a worker home implies losing the monthly share they receive as an agent that connects the worker to the employer. Secondly, it is a way of avoiding any legal responsibility in Kenya and compensation that would be demanded from such abused Kenyan workers.

There are speculations that the failure of Kenya's government to curb these agents is due to the connections between state officials and these agencies. For example, in a national television live interview, the COTU Boss, Francis Atwoli, noted that

Funny enough, I learned that senior officers in the Ministry of Labour are the people owning these employment agencies. How do they stop it? They are people practicing direct slavery, doing the funny type of things, and protected by the same government. (Atwoli, Citizen Digital, 21/04/2022).

The statement made by Francis Atwoli sheds light on a troubling aspect of the relationship between government officials and employment agencies in Kenya, specifically concerning the experiences of female domestic workers in Saudi Arabia. If, indeed, senior officers in the Ministry of Labour are directly involved in owning these employment agencies, it creates a severe conflict of interest. It perpetuates a cycle of exploitation and abuse. For women domestic workers in Saudi Arabia, this situation exacerbates their vulnerability. These workers often face numerous challenges, including low wages, long working hours, physical and emotional abuse, and limited legal protections. The involvement of government officials in these agencies further complicates matters as it undermines efforts to protect the rights of these workers.

The failure of the Kenyan government to address this issue may be attributed to a lack of political will, especially if the individuals responsible for implementing regulations and reforms are themselves benefiting from the exploitation of domestic workers. It creates a system where those in power have little incentive to confront and rectify the situation genuinely. This revelation highlights a systemic issue that hinders progress toward eradicating modern-day slavery and improving the conditions of domestic workers. Without political commitment and ethical governance, the exploitation of vulnerable workers persists, and justice remains elusive.

9 Conclusion

The exploration of the plight of Kenyan women serving as domestic workers in Saudi Arabia sheds light on the imbalanced and unsustainable labor agreements and laws that underpin their experiences. Saudi Arabia's heavy reliance on foreign labor for domestic work has revealed a troubling trend in the 21st century, portraying the nation as a destination exploiting African countries for cheap labor. Historically, Saudi Arabia has garnered a reputation for its poor treatment of foreign workers. This phenomenon is intricately linked to gender roles, with women predominantly occupying roles as domestic workers due to traditional perceptions of femininity and masculinity. Consequently, Kenyan women working in Saudi Arabia face a spectrum of abuses, ranging from physical assaults and underpayment to exploitation, document confiscation, and even fatalities. These experiences unequivocally amount to 'modern-day slavery,' violating fundamental human rights such as freedom of movement, communication, freedom from torture, and the right to life.

Drawing parallels with the 16th and 17th centuries' African slave trade, today's Kenyan recruitment agents are implicated in the promotion of abuse and exploitation of their fellow citizens working as domestic workers in Saudi Arabia. The failure of both the Kenyan and Saudi Arabian governments to adequately protect these migrant women perpetuates this cycle of exploitation. The existing bilateral labor agreements between Kenya and Saudi Arabia do not align with the contracts signed by these workers, contributing to the systemic challenges faced by these laborers. Additionally, the *Kafala* system prevalent in the Gulf further exacerbates the enslavement of migrant workers, as their employers entirely control their freedom of movement.

This scholarly analysis underscores the urgent need for comprehensive reforms in labor agreements, policies, and international frameworks to safeguard the rights and dignity of domestic workers, especially women migrating from countries like Kenya to work in Saudi Arabia. Without meaningful reforms and enforcement mechanisms that prioritize human rights and fair labor practices, the cycle of exploitation and abuse will persist, echoing historical patterns of labor exploitation and entrenching modern-day slavery.

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