UNCC300 CASE STUDY 1:
HUMAN DIGNITY AND MIGRANT DOMESTIC WORKERS

Introduction
Three Main Perspectives
Required Readings
Additional Readings & Resources
CASE STUDY: HUMAN DIGNITY AND MIGRANT DOMESTIC WORKERS

INTRODUCTION

Each year, about 15,000 migrant domestic workers arrive in the UK. Many are from Africa or Asia and have previously worked with their employers in the Gulf States or other Middle East nations. Labour laws protecting migrant domestic workers are very weak in a number of these states and, often, such workers are exploited or abused. One does not expect this to occur in western countries with strong labour laws like the UK, but unfortunately, it does happen as this short film attests (transcript). Advocate group Kalayaan cites a number of case studies of exploitation and worse. Read all five cases cited here, as this gives a sense of the depth of the issue.

Human Rights Watch released the report, “Hidden Away: Abuses against migrant domestic workers in the UK”, in March 2014, which highlighted the exploitation of migrant domestic workers in the UK. Read the Summary and Recommendations at the beginning of this report.

In 2012, the UK introduced changes to the conditions on migrant domestic workers’ visas which, advocates claim, have increased their vulnerability (transcript). These measures were introduced largely to stem the influx of low-skilled workers from nations outside the EU. Both research and anecdotal evidence suggests that the situation of migrant domestic workers has deteriorated since the introduction of the new regulations but the UK Government is doing very little to protect these vulnerable (predominantly female) workers.

The reasons for the introduction of these changes, and for the Government's reluctance to revise them, are outlined in this Briefing Paper from the House of Commons Library. Such measures as those introduced in 2012 are often driven by a broader concern about the number of foreign workers in the UK and reaction to concerns about protecting local jobs and stemming immigration. Such considerations fail to take into account the very valuable contribution made by migrant domestic workers to the social and economic stability of the nation.

Of significance in this investigation of attitudes and policies towards migrant domestic workers are questions of the understanding of human dignity at play. Government policy often seeks to protect citizens against what some see as a threat that outside workers will take jobs from locals. Such policies may thus treat migrants as having less worth than citizens. Some people may perceive domestic duties as being beyond the requirements of a 9-5 job, and so expect longer hours. Some could see domestic work as menial and carried out by people with less worth than more skilled workers. What does this attitude suggest about the dignity of domestic workers? Some people may argue that workers from developing nations should not expect to be paid at the rate of developed nation workers, since the wages they receive are already far higher than what they could expect in their home country. Many advocates argue that foreign domestic workers have equal dignity and worth under international law and should be subject to the same worker protections as all other workers in the UK. Which understanding of human dignity, in relation to the dignity of migrant domestic workers, is at play in these arguments?

These questions and others are discussed in the perspectives and readings below. As you read the perspectives and articles below, consider which understandings of human dignity are operative in each argument, and what shortcomings such understandings may have in light of a multidimensional understanding of the human person.

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THREE MAIN PERSPECTIVES

Many perspectives could be identified in this issue. Here we have articulated only three. Which understandings of human dignity are operative in these arguments, and what shortcomings may such an understanding have in light of a multidimensional understanding of the human person?

**Perspective 1:** Under international law, migrant domestic workers have inherent dignity and worth, and should be subject to the same worker protections as all other workers.

**Perspective 2:** Migrant domestic workers make a valuable contribution to economies and social development in both the country of origin and in the country of destination. As such, they have dignity based on their capacity to contribute to the growth of society.

**Perspective 3:** The current policy of the UK Government towards migrant domestic workers devalues their dignity and stigmatises them as unskilled and having little economic value. The erosion of legal rights for migrant domestic workers implies they have less worth than other workers, both in law and in the eyes of society.

As you read the articles in the links below, analyse the understanding of human dignity that underpins the arguments and consider how this understanding of human dignity is being brought to bear on the question of migrant domestic workers and their treatment. Note that you may find two authors of different ethical positions explaining dignity in a similar way or in more than one way such that it could fit into the same quadrant as another author or into several quadrants. Look carefully for the nuances and underlying assumptions that further qualify the understandings of human dignity such that the authors nonetheless arrive at different ethical positions.

In some of the articles provided, the authors also refer to other authors who offer perspectives on dignity different from their own in relation to the question of parole. You may wish to use the references in the articles provided to trace these additional perspectives.
REQUIRED READINGS

The first reading is one you have already encountered. It details the abuses suffered by migrant domestic workers interviewed by Human Rights Watch and, importantly, outlines the protections which should be guaranteed to them under various international standards.


The second reading is an analysis of the contribution made by migrant domestic workers to the societies and economies of both their country of origin and their country of destination. Not only can they contribute to the development of their own families, through the transfer of knowledge and skills, but by providing essential services in the home of their employer, they also enable their employer to work outside of the home.


The third article explores the effects of intersecting laws related to migrant domestic workers and the vulnerabilities these workers face because they do not fall under the direct protection of either their country of origin or their country of destination. Along with public perceptions of their work as unskilled and lacking in value, the lack of legal protections afforded to migrant domestic workers, means that their dignity is particularly at risk.

Here are some additional resources to assist you in your analysis of this issue.

