

Policies of 'Emiratisation,' labour and domestic work migration and the construction of women and their role in shaping racial hierarchies in the United Arab Emirates?

This case study will examine the way in which racial hierarchies are constructed through the making of a modern state within the Gulf. Firstly, in order to outline how the United Arab Emirates became a federation, the history and independence of the UAE from British control in 1971 will provide an insight into the structures of power identified through 'Emiratisation' and national citizenship policies. Using the literature of Khondker (2008) and Khuri (1980) to demonstrate how racial hierarchies formed, this part of the case study will frame questions about the ways in which the conflict between tradition and modernity distinguish valuable and disposable identities within the state. Secondly, using Rumaihi, (1976) Fuccaro (2005) and Elhussin and Elshahin, (2014) I will analyse the ways in which citizenship laws and the Kefala sponsorship policies shape 'Emiratization', employment and social positionality for Emirati individuals but that the aims of the policy of Emiratisation often limits the national citizen through migration policies that favour expats/ migrant workers for employment. Thirdly, Satar, (2013) Forstenlechner (2012) and the Human Rights watch report for workers on the Saadiyat Island (2015) workers will provoke an interrogation for the ways in which migration labour and the exploitation of workers from India, Pakistan, Bangladesh and Sri Lanka distinguishes racial classification through economic and social systems of 'value.' Access to the law and protection for individuals who do not possess access to citizenship in turn, constitutes a racial hierarchy within the UAE depending on systems of value. Furthermore, using racial theory of both Goldberg (2002) and Dikotter, (2008) this essay analyse the impact of intersectionality within race and the role of gender within an Islamic federation. Furthermore, domestic labour and the literature of Harris (2003) and Degorge, (2007) this analysis aims critique the way in which modern slavery is re-imagined and redefined in contemporary frameworks. I am arguing that a lack of mobility constituted through a limited access to the law disables non-citizens under UAE law. Indisputably, individuals are placed in a hierarchy according to racial frameworks that contain value and relinquish responsibility for non-citizens.

The Making of A 'Modern' State through a 'monarchist modernity.'

The United Arab Emirates, formed in 1971 as a federation state was divided into seven sheikdoms; Abu Dhabi, Dubai, Sharjah, Ajman, Um Al Quwain, Fujairah and Ras Al Khaimah. Britain's decision in 1968 to withdraw power from the Trucial states, led to the formation of a federation Gulf state. Sheikh Zayed Bin Sultan Al Nahyan of Abu Dhabi and Sheikh Rashid bin Saaed Al Maktoum of Dubai negotiated the borders within the Arabian peninsula Gulf and the independence of neighbouring states Bahrain and Qatar were draw by 1971. The history of state formation within this region are particularly useful when analysing the way in which racial hierarchies have developed through outsourcing cheap labour from third world countries in order to position the status of Emirati nationals as superior to lowly valued but necessary labour work. Arguably, the perpetual effects of modernisation on the formation of these states have contributed to the framing of racial difference aligned to specific economic and political value hierarchies. To highlight this, works of Heard-Bey (2001) enable an interrogation into the *Tribal Society of the UAE*. He argues that 'a persons individual existence is embedded in his group, which is committed to him because their common descent. Arguably, prior to the formation of an independent state members of certain tribal groups protected by certain tribal names such as 'Ameri, and Nisbah' (p. 98) were hierarchized through their common descent. Heard-Bey argues that, 'the members of this group of common descent have a corporate responsibility to provide support and protection.

(p. 98) I would therefore put forward, that the tribal history and genealogical building of the UAE has infiltrated into the making of legislation in favour of the hierarchal ordering of tribal families which now constitute for nationals and non-nationals.

The process of modernisation within the gulf has restructured the racial identities within the Gulf through independent state nationalism. The historical background of The United Arab Emirates' independence and similarly other bordering countries is useful in understanding the Gulf's political organisation. Habibul Khondker, (2008) in '*Challenges of Migration and Emiratisation*' argues that the formation of The United Arab Emirates was constructed in a way that lacked any firm organisation in the making of the state and that 'The British Empire integrated this region in a flexible manner reaping the economic benefits without investing administrative expenses and responsibilities which instead were left to the traditional tribal leaders.' (p. 2) Arguably, Britain's decision to hand the power, regimes and political systems to the now independent countries run by the appointed Sheikhs within the tribal Arabian Gulf in turn created a problematic political formulation of laws, human rights, racial policies etc. We can therefore critique the way in which racialised hierarchies are rooted in the remaking of a state. Adding weight to this concept Nelida Fuccaro's (2005) work uses F.I. Khuri (1980) to support the argument that the political reforms carried out in the 1920s by the British transfer of power aimed at 'empowering large sections of the impoverished Arab Shi'i population and keeping the political activities of Iran among the local Persian communities in check while creating a suitable framework for the continuation of the rule of the al Khalifah family.' (Khuri, 1980. p. 102) Highlighting this further, Fuccaro argues that 'outbreaks of violence triggered by economic and political grievances generally led to sectarian or communal confrontation' (Fuccaro, 2005, p. 40) and that 'the long- standing antagonism between the Persians and the Najdis resulted in armed clashes in the *suq* of Manamah in 1903-4 and in 1923.' (p. 40) The states within the Gulf therefore faced a reorganisation of borders through different communities of racial groups. Fuccaro explains that 'Intransigent Wahhabi beliefs, feelings of Bedouin superiority and the protection granted to the Najdis by Ibn Sa'ud made the Shi'is, particularly those of Iranian descent the focus of bitter resentment and contempt. (p. 40) This theory frames the idea that race is being distinguished through a new disparity of economic and political power that was more fluid and less distinguished before the Gulf was broken into independent states and the Persian Gulf was under British Control.

The history of the Gulf is fundamental in understanding how race became a signal of difference in renegotiating the borders within the Gulf through economic/ political and social hierarchies. Whilst Fuccaro, (2005) Khuri (1980) and Khondker (2008) consider the root of social positionality to be through the making of the state, Franuke Heard- Bey (Heard-Bey, 2007, p. 68) argues instead that the process of modernization alongside a kind of 'monarchist' traditional and political framework has 'remained a matter of traditional recognition of the ruling families legitimacy.' (p. 68) Head-Bey critiques the conflicting dynamics of modernisation with the Sheikh rule under the term 'modernizing monarchs' (p. 68) Driving this notion further through the formation of the federal state, he argues that the making of a modern state relied heavily on expatriate work and labour. He states that 'the means of exercising control by way of a great variety of privileges granted to UAE citizens materialised through expatriates participation in the countries economic bonanza' and that expat workers became the 'instruments for developing this communities future.' (p. 68) Perhaps the economic growth in the United Arab Emirates matched with a 'modernizing monarchy' are fundamental in examining the way race is constructed within the formation of a state because it displays how disposable and replaceable work offered to expats helps build the aesthetic of a modern state, whilst enabling the state to reward and protect the individual status and wealth of the state and those who encompass it. The United Arab Emirates discovery of oil in the mid 1950s advanced a political pursuit for economic recognition as a wealthy state and provided flexibility and the states ability to reward national Emiratis with citizenship privileges and support. The intentions to build a modern state become a major political

agenda that conflicted with the systems and institutions of power that were constructed through royal power and racial superiority.

#### 'Emiratisation' and national citizenship

The concept of 'Emiratisation' (2014) and 'Bahrainization' (1976) is one that will be analysed through a reading of multiple Modernities in order to disentangle racial constructs in the making of state control within the Gulf. Rumaihi, in *Bahrain: social and political change in since the First World War* (1976) argues that oil functioned as an economic advantage to restructuring racial frameworks. He says that 'British colonialism and the political and socio-economic change brought about by oil wealth functioned as powerful catalysts for political mobilization' across the Persian Gulf. (p. 223) Fuccaro however says that 'it can be argued that processes of 'Bahrainization' which started with the consolidation of a modern administration in the 1920s relied on historical traditions and lifestyles which were syncretic and attempted to operate a new synthesis under the notion of a 'modern Bahrain.' (Fuccaro, 2005, p. 40) They then go on to explain that 'the contested national culture and political loyalties which were promoted by Bahrain's Sunni elites of tribal origin had left room for the cyclical resurgence of particularistic and sectarian identities.' (Fuccaro, 2005, p. 40) In this sense, the elitist groups within the making of the gulf states formed identities based on particularistic and sectarian identities.' (p. 40)

Similarly, Elhussin and Elshahin (2014) argue that 'Emiratisation' derives from a need for expatriate workers because of a 'shortage of manpower in non-technical areas and professional specialisations.' (p. 85) They argue that within the aspiration to create a modern superior state the identities of national Emirati's were at risk because of the 'modern educational facilities that were virtually non-existent at the time of independence.' (p. 85) The predicament to protect national identities whilst still progressing as a modern state is one they elicit clearly. Elhussin and Elshahin present 'Manpower nationalism' as a 'strategic policy not only the UAE government uses but also of other Gulf Cooperation Council states (GCC)' in order to promote the skills and education that lacked a 'chronic deficiency in local trained manpower.' (p. 85) It is therefore evident that the process of 'Emiratisation' and 'Bahrainization' exist through the state not just as a racial identification label but also in federal social policy implementing reforms in favour of Emirati nationals for employment and protection.

To highlight this further the works of J. Sater in '*Citizenship and migration in Arab Gulf Monarchies*' (2013) highlight the ways in which differentiation of citizenship rights among migrants and non-migrants serves to strengthen social and political cohesion and therefore provides stability by legitimising the state.' (p. 293) Within Emiratisation, 'citizenship rights are negotiated and are dependent on, the wider religious or tribal community to which individuals belong, which also appear in passports.' (p. 293) To highlight this further, access to the law is dependent on whether 'the Arab settled in any of the member Emirates during or before 1925, and who has maintained his regular residence until the date of enforcement of this law.' (Article 2, UAE Federation Law). Sater usefully points out that 'this especially applies to Ajmis, bidouns (stateless) nationals in Kuwait and the UAE and to Zanzibaris and Shi'a communities in Oman, Saudi Arabia and Bahrain' because the term Emirati only applies to purity within the race and this 'can make substantial differences in terms of protection (civil rights) and in terms of welfare and employment (positive rights).' (p. 293) Furthermore, Citizens enjoy rights that are shaped around whether they hold a UAE passport and this can include 'significant spending on wealthy citizen areas and spending on housing, electricity, and credit facilities.' (Delahoyde, S. 2011, p. 4) In this sense we can see how discrimination is taking place through citizenship laws enforced through national passport ownership. Arguably, 'Emiratisation' is working beyond the economic framework constructed through a process of modernisation within the U.A.E, and in fact working at the

level of race in order to consolidate and distinguish the 'Emirati' from 'the other' through fundamental institutions of law, national social policy and citizenship rights.

#### 'Emiratization' - Employment and sponsorship

Using Forstenlechner, Madi and Rutledge's (2012) concept of Emiratisation alongside J, Sater's, (2014) we can analyse the ways in which both direct and indirect discrimination is taking place in employment methods. Al Waqfi and Forstenlechner (Al Waqfi, M. and Forstenlechner, I. 2014) Effectively presents the way in which 'barriers of Emiratization' in policy design often encourage expatriate employability because the lack of citizenship rights expats have access to encourages stronger loyalty and dependency on employment than in national Emiratis. This work develops the construction of race through the separation between UAE nationals and Expat employees. Although the process to protect national identity within the UAE through citizenship rights is working on national grounds and not racial grounds, I am arguing that policies in favour of national Emiratis, frame the racial hierarchies of expats and labour workers depending on background, skill and connotations of value. Forstenlechner, Madi and Rutledge (2012) argues that 'there is a considerable utility in quantitatively determining the factors that currently reduce the willingness of employers in the UAE to recruit national candidates.' (Forstenlechner, I, Madi, M. and Rutledge, E. 2012) This can be seen in the way that 'in most sectors of the economy, easy access to an elastic pool of cheap non-national labour had come to be taken for granted.' One example given in this paper, was 'the emirate of Sharjah's attempt to recruit nationals for taxi driving positions saw just *one* application in five years.' (Forstenlechner, I, Madi, M and Rutledge, E. 2012) When analysing the social and cultural factors in this paper they observed that 'culturally speaking, many job categories are deemed unacceptable by Emirati society for nationals to undertake.' Undisputedly, the studies and data collected in this paper highlight motivation and regulation as key factors in problematizing the integration of Emirati nationals in the employment sector perhaps in conjunction with the recorded findings that 'for national employers the primary factor of work was for social status.' (Forstenlechner, I, Madi, M. and Rutledge, E. 2012)

One of the ways in which the state actively enforces employment policies is through work permits. Al Waqfi, M. and Forstenlechner argue that 'other Emiratization initiatives that have been implemented consistently involve restricting the number of work permits issued for expatriate workers and imposing extra fees on work permits for companies that do not meet the specified Emiratization targets. (Al Waqfi, M. and Forstenlechner, 2014, p. 173) Similarly in J, Sater's work reinforces through employment that sponsorship laws in the United Arab Emirates mean that 'private company is limited in that foreigners need local sponsors, who in turn take a 51% of ownership stake in whatever company is founded.' (Sater, J. 2014, p. 296) Sater demonstrates through the research that 'the lack of civil rights of a revenue-generating migrant community directly leads to a transfer of wealth generated by an expanding expatriate community.' (Sater, J. 2014, p. 296) Perhaps, the lack of employment within Emirati communities is proportionate to the entitled rights and economic stability legitimised through policies like the sponsorship system (kefala) so 'that only citizens may sponsor workers who are invariably foreigners.' (Sater, J. 2014, p. 296) Both J, Sater and Al Waqfi, M. and Forstenlechner reinforce the ways in which within 'Emiratisation', gives Emirati's a huge amount of power and responsibility that does not always encourage employment.

Sater (2014) does however, encapsulate the complexity within racial framing in the UAE arguing that 'citizenship hierarchy extends far beyond the simple national/ expat dichotomy' (p. 296) and that actually the 'hierarchy' is composed of a myriad of power relations that depend on gender, ethnic origin, religion and nationality.' (p. 296) It is important to recognise the way in which UAE nationals themselves, are participating in a critique of the sponsorship laws in place. Sater, illustrates how 'citizenship and migration questions are being analysed

by contemporary Gulf thinkers.’ (p. 300) using the example of the Emirati Sultan Sooud Al Qassimi, the founder of the NGO young Arab Leaders Forum, Satar uses Qassimi’s intellectual Emirati voice to highlight the way in which the citizenship laws that exist in federal state governance are in fact being critiqued by Emirati nationals as a ‘system’ is on the wrong side of history.’ (p. 300) The point Al Qassimi makes about the sponsorship system requiring 51% local participation is that ‘If the federal government of the UAE does not end this practice, then international labour laws will do so, give the increasing importance of these laws and the UAE’s international integration.’ (p. 300) Satar’s reference to f Al Qassimi helps reinforce the ways in which racial hierarchies within labour work, services and household positions and are being constructed through sponsorship laws that ultimately do not provide Emirati’s with a long-term social employment stability. Al Qassimi ‘suggests that the individual sponsorship system should be taken over by an Emirates National residency Authority, who could collect fees and distribute them to needy Emirati families, in order to avoid some of the loopholes in the current system. It would also liberate the job market from sponsorship constraints, which would make the UAE more competitive.’ (p. 300) Lastly, it may even reduce the number of UAE residents, as citizens would no longer grant sponsorship to an unusually high number of foreigners in order to generate revenue.’ Perhaps, self-contained in this critique of the federal state we can begin to unpack the modes of authority and legitimate rights of Emirati’s in having the platform to express potential reform policies and methods of change to the state. Article 30 of the constitution affirms that ‘freedom of opinion and expressing it verbally, in writing or by other means of expression shall be guaranteed within the limits of the law.’ (UAE National Report, 2006. p. 7) The right to an opinion therefore, is subject to whether the individual is protected by the law through Emirati citizenship and therefore, we are able to deconstruct the ways in which expression and freedom of speech is limited to those that are Emirati nationals.

### Modernity, Migration and Morality

This next section aims to analyse the way in which migration policies and human rights infringements are carried out through federal state law. Using the Human Rights Watch report on ‘Migrant workers rights on the Saadiyat Island in the Middle East’ in conjunction with the literature of Degorge (Degorge, B. 2007) and Kapiszewki (Kapiszewki A. 2006) reinforces the integral concept that the state is reproducing racial hierarchies of power and value through labour. Satar frames this notion by explaining that ‘it would be simple to conclude that the power hierarchies are being reproduced among national populations, and that due to the substantive welfare provisions that the state has been able to offer, the differentiation has become acceptable. However, it also need to be pointed out that migrant communities themselves are involved in similar power hierarchies.’ (Sater, J. 2014, p. 300) Majeed Ibn Muhsen Al-Alawi, the Bahrainian minister of labour and social affairs said in an interview that ‘we should save future generations from having their culture lost’ and that ‘although we are not against the Foreign labour at the same time we do not want these workers to become citizens in the region.’ (Kapiszewki A. 2006. P. 11)

Kapiszewki outlines the way in which this lack of citizenship especially within labour migration means that the protection of the law and the infringement of human rights are in connection with the origin of that individual. He says ‘ Foreigners, non-gulf Arabs in particular, have often suspected the nationals of desiring to exploit them on unfair economic terms and have feared the possible consequences of a total dependence on their sponsors, given the lack of laws that could protect them adequately. (Kapiszewki A. 2006, p. 12) This is evident in the 2015 human rights watch paper that outlined the conditions and experiences of male labour workers on the Saadiyat Island. The report carried out over the months between 2013 and 2014 represented the lack of human rights to those of Bangladesh, Pakistan and Indian descent. The labour conditions recorded of 76.5 hours of work on average per week over the course of 6.5 days with the ‘rate of pay at approximately \$1.04 dollars per hour’ reinforce the way in which the law is selective through racialised labour. The UAE national

report in accordance with article 15 of the decision of the Human Rights Council frames their response to the Imported Labour in the UAE as believing that ‘human beings have the right to enjoy suitable living conditions, including the temporary contract labour class. (UAE National Report, 2006, p. 18)

The human rights watch report however, shows the fundamental disregard for the temporary contract of the labour class. The basic fundamental freedoms outlined in The UAE National report to response to the reform of human rights therefore, demonstrates incoherence with the National report’s consideration of human rights and the experiences of migrant workers in the UAE. Firstly, Using the framework of UAE law this study aims to reinforce the way in which the law exists through selective practices that observe some racial groups as less valuable or entitled to the protection of the law. The Human Rights report uses Article 26 (2) of the Arab Charter on Human Rights, in which the UAE has ratified to the ‘same protection against the arbitrary expulsion of non-nationals as article 13 of the international covenant on Civil and Political Rights. The Arab charter states that collective expulsions are prohibited in all cases and that an individual party may be expelled only pursuant to a decision reached in accordance with law. And that the individual must be allowed to submit a petition to the competent authority, unless compelling reasons of national security preclude it.’ (Human Rights Report, 2015, p. 41) This article in the law however, encourages a critique of the UAE national report through the events reported on 20<sup>th</sup> of October 2013 about the deportation and subsequent violation of Saadiyat Island workers. ‘According to the workers interviewed, approximately 3000 BK Gulf workers launched a coordinated strike action on October 20 and instead of going to work they stayed in their accommodation.’ (p. 41) The workers ‘said the protest was about low wages and pay discrepancies between new workers and old workers’ (p. 41) The report outlines the evidence of negligence of pay, unequal pay disparity between old and new workers and inhumane living conditions.

The disposability of workers is emphasised in the R.H’s description of his experience as a labourer in the UAE. He was one of the 500 Bangladeshi workers deported in 2013. He said ‘he was sent home in the weeks following the strike because Arabtec (the largest construction company in the Persian gulf) did not renew his contract. He said he believed that the decision not to renew his expired work contract based on the fact that he was Bangladeshi.’ In his words ‘it’s easy for the company to deport 4000 workers and recruit another 4000 from Pakistan or India.’ Adding weight to this concept, this personal account highlights the way in which national discrimination occurs through the social and economic framework dictating value in the UAE. (p. 45) R.H’s interview exposes the felt sense, within the labourers themselves for their racial origin to be a fundamental aspect of their disposability to the state. The report indicates the lack of labour protection for those on overseas contracts and especially labourer migrants. The report explains that ‘there are no provisions in UAE labour law guaranteeing worker’ rights to organize or bargain collectively. Without these rights, workers are largely unable to raise workplace concerns with their employers and government bodies or collectively seek structural reforms.’ (p. 49) It must be pointed out however, that often labourers were promised salaries that they did not receive when arriving to the UAE and more often had to wait months to receive basic salaries.

Degorge in *Modern Day Slavery* argues that the ‘majority of those who enter a slave wage contract have no idea of the consequences.’ Degorge, B. 2007, p. 664) Supporting this notion is Z.P a Bangladeshi electrician who had been working in the UAE for eight years at the NYU site. He explained that ‘they had been receiving the same basic monthly wage of 572 dirhams (\$156) for the eight years of his employment with the company.’ (Human Rights Report, 2015, p. 49) Many men who were interviewed by the report gave evidence that ‘there was no annual increase in their wages for five years’ despite being promised annual increase in their contracts. To highlight this further the literature of (Degorge, B. 2007, p. 665) is useful in redefining modern slavery through the question of ‘what makes a person free?’ She argues that ‘a wage slave has a lot to do with the concept of freedom and the ability to be mobile. It

is a voluntary form of slavery. However, once the choice has been made, the ability to make free choices and enjoy a degree of mobility is restricted and/ or non-existent. 'In this sense it is not necessarily just the lack of freedom to express concerns about wage/ living conditions, but the inability to have mobility through the conditions of the contract as well as not possessing their own passports. Degorge, argues that 'it is the practice of wage slavery that will be most difficult to eradicate, if at all. This voluntary form of slavery is partly created by the global economic conditions.' (Degorge, B. 2007) Arguably, this term 'voluntary slavery' can be critiqued in the way the labourer men describe their inescapable economic situation forcing them into these conditions. Z.P told Human Rights Watch that 'I gave no job now, no way to provide for my family' and that he was grateful for the work because in his words 'I agreed to a small salary because I am a poor man.' (Human Rights Report, 2015, p. 46) Degorge argues that the workers 'do not see any other way; they do not perceive themselves as slaves. Degorge, B. 2007, p. 665) Furthermore, the labourers were further enslaved through the recruitment fees that enabled their mobility from Bangladesh, Pakistan, and India etc. which means that the lack of choice felt by the workers was further complicated by debt in their home countries. (Human Rights Report, 2015, p. 47)

The EAA's statement of labour values states simply that 'no workers shall be subject to harassment, intimidation or retaliation in their efforts to resolve work disputes.' (Human Rights Report, 2015, p. 48) This statement highlights the way in which protection is a right that is promised but doesn't materialise within the structures of power. According to the 13 men that Human Rights Watch spoke with, all had faced intimidation and some form of harassment. Amir Sarker, explains how the workers 'had been told that the company management had agreed to a meeting on the group floor to discuss their demands.' However, when they arrived the 'police were waiting for them.' (Human Rights Report, 2015, p. 48) Amir describes how 'a policeman grabbed his arm in that first meeting' and explained how the officers repeatedly 'threatened to beat him.' Amir says that 'they did not beat me, but I heard them beat others.' Z.P however, describes how officials 'slapped him in the face during a retina scan. The men were lied to by the EAA about the police arrests they would face, beaten and subsequently forced to sign documentation and statements in Arabic, a language which none of them spoke. A.Y, one of the men that was deported said 'he initially refused to sign the statement but agreed after the company said they would not pay his ticket back home unless he signed. (Human Rights Report, 2015, p. 45) Furthermore, the 10 days that the men were detained for in UAE prison they were not given clean clothes or access to their possessions until they were flown back to Dhaka. An uncle of the deported men said that when they got home 'they didn't even have shoes' and concludes that 'it's fine if you want to deport people, but there are basic standards.' (Human Rights Report, 2015, p. 46) The EAA's statement therefore, completely denies the intimidation, harassment and disregard for basic human rights in the case of the men working on the Saadiyat Island in 2013. We can analyse through the experiences of the labourer employees that their rights because of their Bangladeshi background and economic dependency to EAA through the sponsorship/ visa laws mean that their voices and needs are simply denied at every step because they are disposable and of less value because of how quickly they can be deported and replaced.

The strike itself was disregarded by UAE government Tourism Development and Investment Company (TDIC) who denied that any action had taken place and Arabtec stated that 'a disturbance in August 2013 was the result of a dispute between two sets of workers. Additionally, The Executive Affair Authority (EAA) did not respond when the Human Rights watch report approached them for a comment. (Human Rights Report, 2015, p. 45) Perhaps the combination of felt discrimination on the basis of race from the workers reinforced through the state's disregard and blatant denial for the strike, demonstrate the extent in which migrant labourers from third world backgrounds are unprotected and in fact in severe danger of the state. In the literature entitled '*Attitudes towards Migrant workers*' (Diop, A, Tessler, A, Trung Le, Emadi, D, Howell, D. 2012) reinforce the lack of human rights within the system arguing that 'the kafala system, which was initially designed by these governments to

regulate the labour force, has recently come under severe criticism by human rights groups, who characterize it as inhuman and a modern form of slavery.’ (Diop, A, Tessler, A, Trung Le, Emadi, D, Howell, D. 2012) Interestingly, in this literature the authors argue that in ‘The GCC countries, low- skilled jobs are often perceived as a determinant for low social status. In these countries, a person’s job or type of work and sector of employment are very important aspects of his/ her social status as well as his/ her family. ‘(Diop, A, Tessler, A, Trung Le, Emadi, D, Howell, D. 2012 p. 177) The work of the labourers therefore is not felt with as much hostility from the Emirati nationals because they do not aspire for positions that do not reflect social value. To highlight this further, their work outlines that ‘if however, migrant workers are relatively higher skilled than the nationals, high-skilled nationals would be more likely to have anti-immigrant attitudes for the same competitively based reasons. (p . 176) This therefore, further reinforces the claim that there seems to be a felt disregard for the work that is done by ‘less skilled’ workers, both by the state and the citizens that have access to the law.

#### Intersectionality within racial hierarchies- Women’s domestic work:

This next section aims to address how gender plays a fundamental role in the construction of racial hierarchies. Using both interactionism and comparative analysis of race, I aim to critique the ways in which the UAE exists through boundaries and shifting intersectional racial positionalities that are not ‘uniform’ in their structure, but ‘universal in their origins, causes meaning and effects.’ Using the works of Dikotter I aim to unpick the ways in which a comparative approach to race provides a useful understanding of ‘racial ordering, racist institutional arrangement and racial control.’ (Dikotter, F. 2008) Using economic class in the UAE and the relationship between labour and race, this section will demonstrate the way in which ‘socially constructed ‘races,’ from this perspective, are population groups which are imagined to have boundaries based on biological characteristics.’ (Dikotter, F. 2008, p. 1479) The concept of ‘imagined boundaries’ is reinforced in the literature of Harris in ‘Desert Dreams in the Gulf’ and Derbrise’s analysis of Intersectionality in ‘*Renegotiating feminist praxis in the Arabian Gulf.*’ Both works provoke questioning for the exploitative use of foreign labour to enhance global capitalism and national economic progression. In the United Arab Emirates, the newly formed state seeks to contain national identity through ‘boundaries’ and borders. Dikotter uses historical debates to add weight to the claim that ‘the persistence of racism at global levels today is due to the behaviour of humans, programmed to protect one’s kin and fight racial outsiders.’ Arguably, The UAE, through citizenship and sponsorship laws demonstrate an active fight against ‘outsiders.’ The restriction and temporary placing of migrant workers means that ‘outsiders’ can never become part of the national identity, The UAE so desperately seeks to maintain. Using the example of domestic workers in the Gulf, we will expand on the notion that Dikotter frames about ‘global racism being imbedded in the ideologies and structures of global capitalism’ and the ways in which labour exploitation is justified through the separation of ‘outsiders’ (migrant workers) and insiders (citizens) of the state.

To highlight this to evidence, the Human Rights Watch report on domestic workers will enable an interrogation to how migrants from third world backgrounds are positioned as outsiders within the state. According to ‘I already Bought you’ Migrant workers in Dubai comprise more than ‘95% of the UAE’s private sector workforce’ (Human Rights Watch, 2014) This report argues that they are not ‘aware of any case in which the UAE authorities have prosecuted employers for exposing domestic workers to forced labour’ and that this is due to the fact that although the UAE criminalises both forced labour and trafficking, the law applies narrowly.’ (p. 1) Similarly to construction labourers, domestic female workers are bound to their sponsors through ties to recruitment fee debt and fear of visa cancellation, which would result in deportation. The report indicated that the economic and cultural needs that are produced through processes of ‘Emiratisation’ mean that domestic work has increased in recent years. The more Emirati women that have access to jobs, means an increase in

demand for domestic labour. The 'Kefala system' however still faces a huge amount of criticism. The report indicates that 'this is a pivotal time for domestic workers' rights globally, In June 2014, a large majority of ILO member states votes to approve a new protocol elaboration protections against forced labour, a crime many domestic workers face.' Unfortunately, 'Neither the UAE nor any other Gulf state voted in support of the protocol's adoption.' (p. 6) This aspect of the report reinforces the state's active aim to keep domestic workers as 'outsiders' within the state through the 'kefala' sponsorship law. These boundaries and borders constructed through processes of 'Emiratization' and the 'kefala' sponsorship law legitimise distinctions of economic value through racial appropriation of labour. 'Several workers said that 'employers had refused to arrange medical treatment for them when they had suffered illnesses' and that 'they were required to sleep in inappropriate places and conditions, including storage rooms, pantries and living rooms.' The common thread throughout the report indicates that all the female domestic workers were from countries that associated the women with a racially inferior hierarchical positionality. The countries included were the Philippines, Indonesia, India, Bangladesh, Sri Lanka, Nepal, and Ethiopia.' (p. 2)

#### Race and Gender through transnational borders:

Arguably, as Goldberg points out, that the 'challenge, then, is to trace the inter-coursing connectives of the ethno-racial across their geographies and temporalities.' further supporting his idea that 'people though historically to have no history come to have thrust upon them relationally a history on racial fabrication can shape.' (Goldberg, D. 2009, p. 1280) Using Goldberg as a framework enables us to look at the way in which the histories of domestic workers become fundamental in reproducing racial differentiation and ultimately objectifying the subject deemed to have history that can be 'shaped' for economic superiority. The history of slavery consolidates the notion of a lack of history with enslaved women who during the 19<sup>th</sup> century moved from central Africa and Asia to the Middle East for work. In the eyes of the UAE, the history of slavery is fundamental in reproducing social value, because the histories of third world countries gets reproduced in a modern context whereby 'modern states' can buy cheap labour through the assumption that they are given better opportunities as domestic workers than they would contained in a context of impoverishment. (La Rue, 2010, p. 100) Arguably, a new identity for citizens and those who work in economic superior positions are created through the benefits of enslaved domestic workers. Harris argues that 'globalisation goes far beyond economic ties' (Harris, J. 2013, p. 95) She puts forward the notion that, The UAE have immersed their societies in the cultural, educations and legal norms that align with transnational standards and practices. She argues that through a disparity of economic wealth within racial groupings, 'a new cosmopolitan identity has been created for the privileged citizens of the gulf by inserting their society into global institutional structures and rebuilding their urban space.' (Harris, J. 2013, p. 95) Supporting this further, is Harris' section of 'transnational capitalist class,' which highlights how class is confined in the UAE through capitalist interactions with others states. She argues that 'the result is that the emirate aristocracy has become part and parcel of global capital class. In so doing, the internal resources and wealth of The Gulf are transformed from national wealth into transnational capital.' (p. 95) Harris argues that the economic strength of the UAE combined with the fact that there was never an anti-colonial revolution containing the hope and promise of a national development based on democracy and inclusive citizenship' enables 'the semi-feudal rule of the desert emirates ability to find an authoritarian echo in global modernity.' (p. 98) In this sense Harris, much like Goldberg, argue through comparative modes that the histories and values of third world migrants is perceived as inferior and thus, an instrument in economic progression. The UAE, like many countries within the Gulf, exploit labour within third world racial categories because of how desperate women are from the East are for employment and what they assume to be a better, more modern life.

#### Conclusion:

In Conclusion, this study interrogated the ways in which racial hierarchies are formed through racial distinctions of economic value, access to the law and Intersectionality within the state. The UAE appears on the surface as a modern economically sufficient system, the systems that govern the UAE are both out-dated and exploitive to those who inhabit it. The political power given to Emirati nationals through the process of 'Emiratisation' alongside access to law via citizenship and social superior identities distinguishes the Emirati locals from temporary migrant workers. Furthermore, within that dynamic, domestic worker, labourers and the lower skilled workforce are subject to the dangers of a state that neither values nor acknowledges them. Highlighting this, the use of Harris and Satar, reinforce the way in which the UAE exists through a history of slavery that prevails through transnational capitalisation, globalisation and the progression of economic recognition through oil trading practices. Ultimately, the lack of human rights for 'outsiders' within the state make the majority of the UAE's population outside of the law and unprotected by the nation. The lack of stability in fact positions all migrant workers in a hierarchy of value to the state and treats the individual according to the 'appropriate' interaction and objectification that hierarchy assigns. Despite Emirati's holding just 10% of the population, the making of the state through law and practice means that even through educational and employability limitations, they still exist as the dominant and esteemed race.

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