

## Cover Page – 3<sup>rd</sup> Semester Project

Year: 2015

Semester: 3rd Semester

House: 21.1

Project Title: Dubai: A City of Deception

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**Number of characters (incl. spaces): 120.439**

## Table of Contents

<b>Chapter 1 - Introduction .....</b>	<b>3</b>
Problem Area .....	4
Research Question .....	6
Background Information .....	7
Delimitation of Field of Research .....	9
Outline of the Project.....	9
<b>Chapter 2 - Methodology.....</b>	<b>11</b>
Research Approach .....	11
Choice of Methods.....	12
Selection of Sources & Empirical Data .....	13
<b>Chapter 3 - Choice of Theories .....</b>	<b>15</b>
Critical Urban Theory.....	15
Intersectionality .....	17
The Precariat.....	19
<b>Chapter 4 - Analysis of the Legal Framework.....</b>	<b>21</b>
The UAE Government.....	21
The Kafala System.....	27
<b>Chapter 5 - Analysis of the Socio-economic Structure.....</b>	<b>33</b>
Class perspective.....	33
Racial perspective.....	37
Gender perspective .....	42
<b>Conclusion .....</b>	<b>46</b>
<b>Bibliography .....</b>	<b>49</b>
Books.....	49
Journal Articles.....	49
PhD Thesis.....	51
Online sources.....	52

## *Chapter 1 - Introduction*

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A newer member of the global web of cities: Dubai bolsters the glories of modern architecture and construction, as well as setting a new context for the urban living. It has transformed from a mere fishing port to an important centre for finance and tourism only over a couple of decades after oil was found in the Gulf. Basing our case on this expanding city, our third semester project focuses on the different dimensions and mechanisms that operate within the urban settings. The opulent lifestyle and structure of the city, lined with high towers and immense shopping malls, demonstrates the wealth accumulated in Dubai. However, the city's workforce comprises mainly of migrants, which signifies the 1:20 ratio of nationals to foreigners in the city; an important element to the urban growth. Our case study therefore, aims to identify the links between the conditions that surround a certain group amongst the migrants in Dubai, South Asian construction workers, and the processes of urban and economic growth.

In the following sections, the focus of our research will be further elaborated on, and the research problem we have chosen to tackle will be formulated with complementary working questions. In order to contextualise the development in Dubai, a historical background will also be provided. Subsequently, this chapter will lay out the structure for the rest of our project.

## Problem Area

The urban development in the city of Dubai – the United Arab Emirates' (UAE) most densely populated city - has attracted great international attention, seeing as it has taken place over such a short period of time. Dubai's *"21st century city making strategies"* have led to not only a unique and ever-changing skyline, but have ensured a growing economy for the nation through its thriving tourism sector (Buckley 2013: 256). The discovery of oil in and around the Dubaian peninsula instigated the city's rise to urban prominence. What was once merely a local fishing port has undergone a transformation into one of the world's major cultural metropolises, as described in the Guardian (2013). In fact, the emergence of Dubai has been so successful in terms of urban and economic growth, that the former United Nations Secretary-General Kofi Annan, described the city as being *"one of the world's greatest economic miracles"* (Keane & McGeehan 2008: 82). Nevertheless, in the international sphere, questions have been raised as to who has been responsible for this achievement.

The labour force responsible for construction projects in Dubai has been and is still to this day, constituted by predominantly Asian-born workers. A combination of poor working conditions in their home countries and often false advertising for attractive job incentives, such as *"the prospect of high and tax-free salaries,"* draws evermore workers to the city (Human Rights Watch [HRW] 2006). If we are to look at the breakdown of migrants in Dubai in terms of numbers, according to Human Rights Watch *"95 percent of the UAE's labour pool, some 2.7 million workers, are migrants"* (HRW 2007 cited in Keane and McGeehan 2008: 82). The largest proportion of construction workers is made up of around 1.75 million Indians, since, not only are Dubai and India geographically close but Indians are unable to acquire *"affordable, high-quality services in their home country"* (Inhorn 2012: 283 ). In essence, they move in the hope of being able to earn enough money to not only earn a living, but also send money home to their families, as well as save up. This begs the question, why are worker expectations of working-life in Dubai so skewed then, when compared to the actual situation.

Since foreign construction-workers in Dubai are low skilled and more often than not, poorly qualified, it seems as though the companies that employ them tend to disallow them rights which national citizens otherwise have (Guardian 2011). In fact, it has been argued that the construction workers have no rights at all (Thomas 2010). The non-payment of wages,

physical abuse of workers, exclusion from the city centre and squalor-like living conditions signify the exploitation these labourers go through whilst under employment at multinational companies (MNCs) (Keane & McGeehan 2008). This raises the questions, which mechanisms and structures in the framework of Dubai allow for this to take place, and how does the social structure exclude the migrant workers?

In order to clarify the social, political and economic aspects of exploitation, our project focuses on the dominating structure set in Dubai regarding, race, class and gender and the links between powerful economic actors and government. The main mechanisms we inspect are the 'Kafala system' and the rest of the UAE's legal structure. The Kafala system, as implemented in all of the UAE - as well as several of the neighbouring Gulf States - requires every foreign worker to be sponsored by a UAE citizen; typically an employer, who carries the responsibility for all legal and economic aspects of the worker's residency and employment (Willoughby 2006 cited in Buckley 2013). As the sponsor is accountable for any paperwork, such as a visa and work permit, they often decide to keep these legal documents themselves, in order to guarantee the respective worker sees the contract through.

Furthermore, UAE legislation regarding labour, originally implemented by the Ministry of Labour and Social Affairs, seems as though it has not been able to prevent exploitation. This is an ongoing problem, and thus, would suggest a lack of proactivity from the government in protecting its foreign workforce. This is clearly illustrated in the laws regarding labour set out in the Dubai International Financial Centre's (DIFC) legislature, which states "*The DIFC Employment Law permits positive discrimination in favour of UAE nationals*" (L&E Global 2013: 4). By inspecting the social and political structure already in place, we seek for traces of exploitation in Dubai. In essence, this research paper will seek to understand the reasons behind the institutional exploitation of migrant construction-workers in Dubai. We will scrutinise the Kafala system, as well as the broader context of the UAE legislature in an effort to uncover why this mistreatment is allowed to continue.

We hope to identify which actors benefit from social and political structures, and how elements of identity come to play in regards to exploitation. With the aid of two sub-questions, this paper seeks to answer the following question:

## Research Question

**“Which factors enable the exploitation of the migrant construction workers in Dubai in the UAE’s strive for urban and economic growth?”**

*The research question touches upon several dimensions that require investigation: regarding the driving factors and actors of urban development; the racial/economic/legal restraints that shape discrimination and exploitation; and the global context in which a city becomes a city. The following working questions will identify the political and socio-economic factors that interplay in the exploitation of the migrant construction workers.*

## Sub-questions

- 1. How is the Kafala system and legal framework shaped; which actors/institutions shape and/or benefit from them?**

*Political aspect: By investigating the legal framework, we will identify the links between powerful economic actors and the government.*

- 2. How do class, racial and gender aspects affect the conditions construction workers live in while under employment in Dubai?**

*Socio-economic aspect: We will analyse the class, racial and gender domination in the city through an intersectional perspective. How does being a precarious Southeast Asian male change the lived reality?*

## Background Information

The following section provides background information on the urban and economic growth in Dubai, thereby giving the reader a more comprehensive understanding of the focus of this paper.

Consequent to the retreating of the British colonial rule from the city of Dubai in 1971, vast amounts of crude oil were discovered in the surrounding areas; a precursor of the city's imminent growth. The current Sheikh at that time, Sheikh Maktoum, decided to invest this newly found wealth into two key projects for the United Arab Emirates (UAE); namely, the development of a tourism sector, as well as the establishment of a stable financial industry (Davidson 2006). The per-capita oil reserves home to Dubai are equivalent to each national citizen having a net worth of \$1.5 million USD, thereby making the UAE the third richest nation in the world (ibid).

Shopping malls, skyscrapers and foreigners sum up the essence of today's Dubai. Migration and foreign investment increased in the city as a result of the employment of cheap foreign-labour, as well as credit and tax-free incentives. Due to this extraordinary global interest in Dubai, its population has grown both rapidly and disproportionately, leading to a 1:20 ratio of locals to foreigners. Cooper (2013) notes that the migrant workers, a segment that forms 96 percent of the employed population, mainly consists of these nations: India, Pakistan, Bangladesh, Nepal, Sri Lanka, Indonesia, Ethiopia, Eritrea, China, Thailand, Korea, Afghanistan, Iran, and the Philippines. It is argued that the growth of the city rests primarily on the exploitation of the migrant construction workers, the majority of whom live in dilapidated slave-like conditions (Burgess and Connell 2011).

These so-called construction workers are enticed into leaving their homelands and relocating to Dubai by recruitment agencies; firms which are employed with the sole purpose of finding and retaining workers for third-party companies. The vast majority of these are private, non-governmental institutions and are located in the respective lands from where the labour force originates, for example, the Indian sub-continent. More often than not, shortly after landing, non-natives to the UAE are gathered and hired by private companies under what is known as the Kafala system (Hunt 2011).

The 'Kafala system' is a sponsorship scheme in place for recently-arrived migrants (Soto and Vasquez 2011). Originally, the system emerged in the 1950s in order to regulate and control the large proportion of migrant workers from Asia, with the ability to be able to either significantly add to a country's economy in times of growth, or conversely, to be 'expelled' in times of economic decline (International Labour Organisation [ILO.org] 2015). Over time, in accordance with Dubai's urban and economic growth, the number of labourers connected with the system has increased, thereby allowing it to become more exploitative in nature. According to the 2015 ILO policy brief no. 2, the Kafala system was initially successful and functioned well as a mechanism of maintenance between employers and labourers, yet, this paper will prove that this is no longer the case.

Essentially, any migrant in the UAE working under this system is bound from working for any firm, other than the one, which has sponsored his/her visa. This not only limits their freedom considerably, but also safeguards their fleeing from the country. In furtherance of this restriction of freedom, the migrants are not allowed to leave their place of residence, that is, the housing provided by the sponsor, without prior permission (Soto and Vasquez 2011). This dominance over the workers is not, however, exclusive to the employers; the UAE's government consciously enables this to happen. In respect to this, national media is used as a tool by the government to control its populations and hide the problems of exploitation. This will be analysed in further detail in our later chapters, however, an illustration of how the government does this is through its refusal of workers to form trade unions or to bargain with their employers with respect to pay and working conditions (HRW 2006).

The actual conditions the majority of foreign construction workers must tolerate, whilst under employment in Dubai, are needless to say, below par. Not only are wages withheld for several months at a time – in a further attempt to ensure the workers do not flee – but, labourers often find themselves having to work more or less 12-hour shifts six days a week, only to return home in the evening to their "*company-run shanty towns*" (Cooper 2013: 68). The disparity between health and safety reports by embassies and international organisations (i.e. Human Rights Watch), and the local government authorities signifies issues with law enforcements in the city (Cooper 2013). This will be further explained in the analytical chapters.

## **Delimitation of Field of Research**

The coming section will outline and explain certain limitations and delimitations this project has met in relation to our choice of methods and research strategy.

One main delimitation for our research has been conducting an intensely socially based research without engaging with our subjects. This was mainly due to the time restraints we have had for completing our project, but also the restraints on the construction workers. We realise how our sources, even when they feature first-hand contact with our subjects, may be biased and analysed from the perspective of the other researchers.

Aside from this disengagement, we also needed to apply theories that were not necessarily linked to Dubai. Our theories were mainly implemented on Western contexts, therefore we are aware of the disparities that may arise in our research. However, we believe it is important to illustrate the similarities between capitalist urban developments in varying contexts and connect our case to a broader context.

The last thing that needs to be clarified is the transparency of the legal and official documents regarding Dubai but also in general for the UAE. It has been very difficult to access national documents and there are not many direct links to Emirati scholars or national websites containing reports or statistics about the abuse of labour power in Dubai. This being said, some of the official sources we have achieved were not available for us because of the language barrier. Therefore, we rely mainly on Western statistics by either individual researchers or NGOs.

## **Outline of the Project**

Having narrowed down our problem area and provided our research and working questions, the upcoming chapters illustrate how we have chosen to conduct our research. The second chapter lays out the methodology applied to answer our questions by explaining our research approach, selection of sources and empirical data and research approach. Then, we clarify the theories we have adopted to apply in our analysis: precariat, intersectionality and critical urban theory. Through elaborating upon the operationalisation of our theories, the analytical

structure becomes clearer. We first inspect the political aspect and the relations between economic actors and the government. By analysing the Kafala system and the legal framework, the fourth chapter highlights the groups that are advanced by the structure in Dubai. Subsequently, we analyse the class, racial and gender domination and segregation in Dubai in chapter five to investigate the socio-economic structure. These perspectives demonstrate the lived realities of the construction workers and they are crucial to underline the varying disadvantages that connect in the exploitation of construction workers. Finally, the last chapter concludes on our findings and links our research to a broader context.

## Chapter 2 - Methodology

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This chapter seeks to inform the reader of the research approach, methods, selection of sources and empirical data used in this paper. We begin with explaining the critical research approach we have adopted in order to identify the elements of power structure in Dubai, where after our methods section will elaborate upon this project's set up as a case study. Lastly, the selection of sources will outline the different types of data our research will be based upon, in an effort to be knowledgeable enough to answer our research question.

### Research Approach

The approach we adopt in this case study is critical theory, since it focuses on social justice, oppression and liberation. In this approach, the social environment is seen as power-charged and the aim is to identify the differences that are not brought forward by the dominant ideology and discourses (Hesse-Biber and Leavy 2011). Accordingly, the product of the research usually does not fit in with binary categories that essentialise and polarise difference (ibid). As social life is constructed and reconstructed by people, the changing power relations in this environment have an effect on how individuals' differences are created and how these differences can be explained. For instance, to identify who benefits from exploitation, it is necessary to examine the elements of power; such as the government, private companies, locals, migrants, in order to understand how these elements shape and construct daily life. By investigating the effects of power on people's daily lives, critical research aims to *"reflexively step outside dominant ideology (insofar as possible) to create a space for a resistive (counter-dominant) knowledge production that destabilizes oppressive material and symbolic relations of dominance"* (Hesse-Biber and Leavy 2011: 21). Accordingly, in order to step outside the dominant ideology, our research approach brings in ideas from several critical theories as ways to perceive how things happen. Our case study aims to bring light to the side of Dubai, which is shadowed by its rich and alluring skyline. The growth of Dubai and it becoming a centre for finance and tourism has been constructed by those of them that have almost no access to the exorbitant lifestyle of the city (Hunt 2011, Cooper 2013). By examining the smaller

fundamental elements of something whole, the inner workings of dominant ideology and the problems associated with this become visible. Our choice of methods will allow us to explore the elements that shape Dubai.

## **Choice of Methods**

The main methods this paper employs is the very fact that it is a case study. A case study can be anything from an individual or a group to an event or a culture. It can be both the development of an analysis about the case you are studying and the result of the analysis. Thus, a case study is both the how you conduct the research and the conclusion to which you arrive to through that research (Leavy and Hesse-Biber 2011). Using a case study will give us a general understanding of the problem area we are trying to explain, from a societal background. Stake argues, *“For a qualitative research community, case study concentrates on experiential knowledge of the case and close notice to the influence of its social, political and other contexts”* (quoted in Leavy and Hesse-Biber 2011: 256). This means that people who are conducting a case study based on qualitative research focus on first-hand data for the case they are investigating and observe the political, societal and other perspectives in order to get a sense of understanding. Our case study will mainly rely on secondary qualitative data. This is due to the time restraints of our project and the resource limitation. Our concern therefore is why the Emirati society is built the way that it is and why the exploitation of its workforce is still ongoing with the influx of migrant workers. We aim to get a deeper understanding of this, from our research and to be able to give a concrete answer to the problem area.

We are also planning on using the critical deconstruction approach to investigate and bring to light the deeper structure within the leading culture in the literature that we will be focusing on (Leavy & Hesse-Biber 2011). As secondary data will heavily be used in our case study, we have to recognise their limitations, as not all of the materials are in agreement and therefore we need to maintain objectivity throughout the whole project. Next section discloses the data and sources that have been used in our study.

## **Selection of Sources and Empirical Data**

Our study will consist of various secondary qualitative data. The qualitative data that we will be using are academic journal articles and scholarly literature as these will help us understand why migrant construction workers fall into this labour trap. In particular, these sources will help us find a theory that is suitable in helping us answer our research question and will also provide us with the background information that we need to grasp the situation at hand.

The primary and secondary quantitative data that we will be using are various statistical material that we are going to incorporate to our case study. The Human Rights Watch and International Labour Organisation (2006, 2015) for instance, will be used heavily as they have been monitoring the situation in Dubai the last couple of decades. Their findings have proven to be useful, as we have obtained numbers as well as facts on the condition that the construction workers face. These sources, amongst others, will also help us implement our chosen theories in the correct context, thereby making it easier for us to apply the theory to our case study.

Guy Standing's work on the precariat will be used to understand how the construction workers are easily exploited and how they are excluded from the society. The work by Bastia on the application of intersectionality on migrant studies will also be used to understand how different forms of oppression are interlinked i.e. gender, race and class. The collection of Critical Urban analyses by Feagin will be used to clarify the mechanisms that operate in Dubai within the urban setting. We use these theories, as they seem to be the most suitable to our project. This shall all be reviewed in depth in the theory chapter and the analytical chapters. We will find all these materials throughout different databases that we have been introduced to. As we are selecting the materials for our case, we bear in mind that we have to be careful and make sure that all the information that we will be using is reliable. We do this by researching whether the data we have found has been corroborated by other sources. Below we will be exploring the reasons for the lack of primary data along with its limitations. The written material that we have selected and the validity and reliability of these sources will also be elaborated on below.

As, visiting Dubai was not feasible for us considering the time span for our project, and despite our attempts to contact the migrant construction workers through several mediators, carrying out first-hand interviews has not been possible. Therefore, we will rely heavily on the secondary material that is accessible to us. Bearing in mind the limitations on generating

primary data, we will mainly be using the reports and statistics from organizations that represent the migrant workers (HWR, ILO). The empirical data that we gather from these sources will be used strategically in order to analyse our topic, along with the theories.

Given these restrictions on our access to data, we will have to be careful with the validity and reliability of sources. Kvale and Brinkmann (2009) note that in qualitative research, evaluating the sources of invalidity, being aware of how the research impacts the study and the given context, and holding research open to discussion, is necessary to achieve more trustworthy knowledge (quoted in Hesse-Biber and Leavy 2011). Therefore we will be using the triangulation method, in order to achieve this.

Triangulation is the strategy we adopt to make certain our data is valid and reliable. Aside from theoretical triangulation, which means using more than one theoretical perspective to approach the same problem, we will use a variety of data sources to achieve data triangulation (Hesse-Biber and Leavy 2011). As our research is conducted by five people, our findings are written and revised multiple times, and discussed through different perspectives before they get on paper. This 'investigator triangulation' will also enhance the validity of selection of sources. The effects that this will have on our case study is that we will be more critical and objective in our findings, allowing us to understand the theories and sources we will be implementing from different perspectives. Now that our methods have been clarified, the following sections will elaborate on the theories we are going to apply to our research.

## Chapter 3 – Choice of Theories

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The theoretical scope of our case will feature works of different fields such as identity, gender and urbanisation, used harmoniously in order to tackle our problem area. In pursuance of emphasising the different power structures that interplay in the exploitation of construction workers, we have chosen three theories that will allow our analysis to be critical to the political and socio-economic aspects of their lives. We use *Critical Urban Theory* (CUT) in order to contextualise the development of Dubai as a city. Furthermore, the various elements that constitute the workers' identities will be investigated through theories of *Intersectionality* and *Precariat*. The following sections elaborate on the adopted theories, and how they will be implemented in our research.

### Critical Urban Theory

Analysing the power structures in the urban sphere is necessary for our research, as cities are not merely spaces, which are occupied by people. The varying connections of the people to an intricate and multifaceted space are what forms cities (Feagin 1998) and in exploring these connections, our project will identify how the urban development links to exploitation - which is the key point in this case study. Feagin (1998) notes that early urban researchers lacked some of these links as they focused mainly on city development and the various parts of cities occupied by different residents. The fundamental elements such as racial and class domination that shape city growth, however, were missing largely in their analyses. Since the 1960s, a new approach to urban studies arose, also called "*critical political-economy*" or "*sociospatial*" perspective, with works of Thomas Kuhn, Henri Lefebvre, Manuel Castells and later with David Harvey that drew attention to the capitalist structures in shaping and controlling cities (Feagin 1998: 4). This perspective to urban spaces criticises the various interactions such as "*ideologies... power, inequality, injustice and exploitation*" that occur within cities (Brenner 2009: 198). Elaborating on Marx's critique on capitalism and political economy, these researchers highlight the capital circuits in production, land and building; collective consumption characteristics; the capital accumulation and the socio-political struggles (Feagin

1998, Brenner 2009). Accordingly, this approach investigates several crucial dimensions in order answer the *what, how* and *why* of cities:

"(1) the importance of class and racial (and, to a lesser extent, gender) domination in shaping urban development;

(2) the central role of powerful economic actors, particularly those in the real estate industry, in building cities;

(3) the role of growth-assisting government actors in city development;

(4) the importance of symbols, meanings, and culture to the shaping of cities;

(5) the global contexts of urban development" (Feagin 1998: 4-5)

These dimensions reflect important socio-economic elements that shape cities. Aspects such as the disproportionate number of nationals to migrants in Dubai, the ethnic, economic and gender segregation of the migrants, the government's connection to the multinational companies are all crucial to understanding how the city development has contributed to the exploitation. Drawing upon the abovementioned dimensions, our case study investigates the city in the two analytical chapters: the relations between multinational corporations (MNCs), workers and the government through the legal framework and the Kafala system; and then the racial, class and gender structures in Dubai. In order to analyse this second aspect, we draw from intersectionality and precariat theories, which will be explained later.

Feagin (1998: 6) explains how cities are "*built environments that have been shaped by powerful development actors*" in the private sector and the government. He emphasizes the fact that "*select and powerful human agents have a disproportionate and determining impact on the economic values, social and business networks, institutions basic to city development*" and that governments and economic systems evolve in specific contexts and circumstances, within "*the capital accumulation structure of modern capitalism*" (1998:7). City developments are therefore predominantly directed by these actors at the cost of exploiting the migrant workers.

Harvey also focuses on how those with the means also tend to have the powers in influencing "*infrastructural conditions within territorial structures*" (Harvey 2012: 66). This consequently means that the capitalist class somehow shape the lifestyles of those of a lower social standing in terms of their employment ability, political and cultural norms and values,

also their view on the world (ibid.) He implies that those who enjoy the aftermath of the urban development and those who took part in building it, are from different classes which affects different levels of institutions. *"The city and the urban process that produces it"*, he claims, *"are therefore major sites of political, social and class struggles"* (ibid.).

The Critical Urban Theory allows us to be critical when discussing capitalism and the urban structure of a city. In addition, it allows us to investigate the power structure of a growing city by exploring several social and economic dimensions. The capitalist economy and its effects on the subjects of the city are critically discussed to clarify who builds a city, and which mechanisms interact in the daily lives of individuals.

## **Intersectionality**

Intersectionality is a theoretical approach originally rooted in the feminist theory of power and difference in which the theory seeks to analyse how different kinds of disadvantages interconnect (Bastia 2014). The theory was originally formulated by an American professor named Kimberle Crenshaw in 1989 in which it was used as a tool to explain gender and race, however, Crenshaw focused mainly on black feminism when developing the theory at that time (Nash 2008). The theory has since evolved to be used as a research paradigm within many other factors as well as gender and race (ibid).

According to Bastia (2014) the theory is used when explaining how different groups of women experience gender, class and race - tracing its roots to the black feminist movement where it focuses on the interconnections of the several sources of women's oppression. However, throughout the years, the theory has been used to show how forms of oppression are interconnected e.g. in migration processes, and how these often interact in regards to systematic injustice and social inequality (Bastia 2014). Simultaneously, the theory has expanded its attention to larger researches on identity and gender studies, e.g. to show how migration affects the existing gender relations (Bürkner 2012).

The theory of intersectionality is argued to be interconnected and co-dependent through identity-categories and smaller concepts within the concept of oppression, rather than the contrary as that would limit the empowerment of one oppression form over another (Valentine 2007 cited in Bastia 2014). Intersectionality focuses on diminishing individual forms of

oppression, e.g. sexism and racism, and rather have them connected as these often are to in regards to the injustice and inequality of an individual.

The various social, economic, cultural realities that define individuals' lives and identities need to be addressed in social research, in order to explore the different dimensions such as race, gender, nationality, age, religion, sexual orientation, language that come to play interrelatedly. Acknowledging the diversity of essential structural elements in individuals' or groups' lives, the intersectional view examines the discrimination, exclusion and inequality on the basis of gender, ethnicity, class, etc. (Bürkner 2012). Such differences among the inhabitants of a certain space could be various. For instance in our case it is immediately recognisable that the construction workers are South East Asian, male, of the lower class and migrants. Perceiving identity in a complex and layered way, the intersectional approach allows a researcher to undertake the inter-categorical issues at hand (Block 2014). The social diversification, the change in the labour market and occupations and the various problems arising from these can be explained through an intersectional perspective (Bürkner 2012). For instance, as uneducated males with no economic safety, selling their labour as manual workers abroad to support their families back home, migrant workers face extreme hardships both socially and physically.

When applying an intersectional approach, it is important to understand as gender, class and often nationality intersect with each other. In the case of construction workers in Dubai, it is safe to say that their nationality along with their economic and educational status is what has hindered them into getting better life terms. This is clearly not the case for the majority of Western migrants, as the Western migrants are typically better off and come from a higher socioeconomic background which does not change during their stay - often, their status will only improve.

A more in depth example of this is illustrated in Bastia's work from 2014 where a study had shown that working class women are more likely to be involved in politics than working class men and middle-class women (McIlwaine and Bermudez 2011 cited in Bastia 2014: 241). This shows how gender and class are interconnected.

Furthermore it was illustrated how migrant women face different types of consequences depending on their migrant and marriage status, for example, a single mother with refugee

status can receive free childcare and training, which can potentially lead her to a professional job while a highly-educated migrant fails to find a job based on her skills. This clearly shows how some people are more privileged, in these cases because they belong to a different class and have a different background/status. For this reason, identity-categories such as gender, ethnicity, sexuality, class and race must be taken into consideration when carrying out a research study on social phenomena.

The majority of Dubai's population consists of migrants; however, the construction workers come from a lower economic and educational background than the rest of the social classes in the city such as the Western migrants and Dubaiian citizen. The low position that construction workers have within the social class structure will be explained more in the following section. With intersectionality, we will understand the different and many identities of migrant workers along with their experiences with oppression. In addition, we will be using the theory to look at the construction workers' lives and see their pattern of social and economic inequalities. Furthermore, we will be able to understand why it is that they have a limited access to a better life and, simultaneously, look at the factors behind the oppression of workers.

## **The Precariat**

In order to gain a more profound understanding of how Dubai's class system puts its foreign construction workers at a disadvantage - thereby making them an easy target for exploitation - we will apply Guy Standing's theory of *The Global Precariat*. Alongside our theory of intersectionality, this will act as a sub-theory exclusively in connection with chapter five. These two theories will work in association with each other in order to provide a coherent answer to our research question. The intersectionality aspect provides us with a solid framework for finding out how class, gender and race are interconnected.

According to Guy Standing (2011), *The Global Precariat* is a recently categorised social class driven by neo-liberalistic norms and values. 'The global Precariat' is a recently categorised social class driven by neo-liberalistic norms and values. In essence, the Precariat strives to develop a more progressive future for itself; something that the current working class has failed to do. It is inextricably linked with both politics and labour. Thus, it is important to understand the ways in which these social branches influence the Precariat behaviour. In short, precariat

workers are positively dissatisfied with their work conditions. They have the most precarious jobs and as a result, are somewhat ostracised from mainstream society. When looking at this theory, we understand how migrants provide a cheap form of labour, and thus make it much easier for companies to both hire and fire them. Though Standing's writings do not specifically mention the case of Dubai, his explanations are more than relatable (Standing 2011).

Although Standing's theory does not specifically determine the relationship the precariat has to exploitation in the labour market, it explains how labourers are often forced to work excessively, in an effort to compensate for the low wages. Members of the precariat wish to stop the labour exploitation by which they have been defined in the past; initially stemming from the way in which production took place in the capitalist system. Furthermore, many are pressured into taking several jobs – where possible – in order to ensure that they can earn a proper living for themselves. As previously mentioned, this is reflected in the great influx of Southeast-Asian men who arrive to Dubai in the hope of earning enough money to support both themselves and their families. The very fact that the vast majority of these construction workers are men is an aspect we will be looking at in respect to our chosen theory of Intersectionality.

Furthermore, Standing (2011) argues how it is not exclusively in terms of work hours that migrants are exploited. They are also put at great disadvantage in terms of accommodation and access to the city, within which they live. In our case, this theory will relate to how the migrant workers of Dubai are under such control by their employers, that their freedom in their spare time is also greatly limited. Standing's (2011) analysis of the precariat as an underprivileged class could also be used to offer an explanation for why migrants in Dubai also have very little access to legal support.

Consequently, our case study operationalises these theories by firstly inquiring into the political and social dimensions of the city. In order to identify the connections between economic actors and the government, and highlight the political aspect to exploitation, we examine the legal framework that surrounds construction workers. Having obtained an understanding of the legal structure, we then analyse the social structure in Dubai with the assistance of intersectionality. The social and spatial segregation of the city is inspected from the perspectives of class, race and gender; and the living standards of precarious South Asian male workers are illustrated. These elements of the city will provide us with insight into the development and the roots of the exploitation.

## *Chapter 4 – Analysis of the Legal Framework*

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The following section will begin with a broad approach to examine Dubai's legal framework in an effort to identify the links between the government and the local MNCs. Subsequently, we will look in more detail at the Kafala system, as it is an important and integral part of the legal structure.

### **The UAE Government**

Our prior research has led us to the assumption that the current ruling government in Dubai suits its laws and legislature in order to benefit the many MNCs, since they are responsible for a large proportion of the nation's wealth. With this in mind, Critical Urban Theory will be employed in the following section, with the purpose of uncovering the hidden connections between Dubai's elite and society's less economically powerful actors.

Due to international criticism on safety standards within the construction industry, the UAE has since 2009 passed more labour reforms with the purpose of benefitting the migrant workers. The government has been implementing tighter safety controls and has run awareness campaigns for employers and employees due to the many socio-economic and health problems associated with being a construction worker in the UAE (International Trade Union Confederation [ITUC] 2011). Moreover, the UAE has tightened its regulations on the recruitment of workers. Nevertheless, despite the government having these actions, the conditions of workers do not seem to have improved.

The UAE consists of seven states that came together in 1971, after the discovery of oil. Each state has its own authority where they each decide how to "*administer its own internal affairs and enjoys certain other exclusive rights*" (Tarbuck and Lester 2009: 7), although, they all still have to comply with the federal government of the UAE. The system is a combination of both the Islamic Shari'a law and deeply inspired by the Egyptian law. During the last 30 years, the UAE has experienced an influx of migrant construction workers and MNCs, and as a result, domestic laws are implemented to adapt to the changes (Tarbuck and Lester 2009).

In relation to the protection of workers, the UAE legislation on Labour Law is important to look into. The Labour Law, originally from 1980, applies to every employee working in the

Emirates, whether they are nationals or not. The national labour legislation and regulation is set to protect the workers of the UAE through employment issues such as those the migrant construction workers of Dubai experience. One of the main employment issues regards the working hours, to which the Labour Law states that the maximum working hours for an adult employee is eight hours per day. Employees have the right to take a break after five hours of work, while overtime hours must not surpass two hours per day unless there is an immediate accident, for instance if a natural disaster occurs. Only during Ramadan, the working hours can be changed as the working hours in this month reduces by two hours. If overtime situations occur, workers are to be paid at an increased salary of 25-50 percent according to the UAE Labour Law (2001). However, these regulations are often not executed in reality.

According to the ITUC report from 2011, the average construction worker had working days of 12 hours, and had been forced to accept wage cuts and late salary payments. Three years later, this was still the case, when a HRW reporter visited a labour camp in 2014. The migrant construction workers had a base salary of only 700 AED (\$190USD) per month and explain that only with overtime the workers *“received 1,100 AED (\$300USD) per month for six-and-a-half days of work each week”* (HRW 2015: 58). The recruitment agents told the workers that they would be paid twice that amount, however upon arrival, the workers were told that they could just go home, if they were dissatisfied with the wages. Since the workers each had already paid recruitment fees of approximately \$2570USD, they needed to stay to earn the money to pay back the debt, which stemmed from the loans they had accepted from the recruitment agencies. These fees are systematic and usual with workers paying recruiting agents in their respective home countries who in turn work with recruiting agents or employers in the UAE. In response to other findings on workers paying recruitment fees, the UAE declared the prohibition on workers paying recruitment fees and strengthened its regulation of domestic recruiting agents. However, it does not require employers to prove that they, and not their workers, have paid all recruiting fees, which is why employers and recruitment agencies are able to force workers to pay for such fees. MNC's have never been required or obligated to document that they pay recruitment agents fees for each of their employees, or to alternatively prove that they and not their employees paid all such fees. This illustrates the relationship between the economic actors and the government. It is clear that the MNC's are able to benefit from this, and shows how the government does not implement

legal prohibitions at the level where the employers should be concerned about it since the government itself does not enforce it. This is seemingly backed up by the HRW visit to the labour camp, which proves the reality in the construction-industry of Dubai (2015).

Although the employers have the opportunity to exploit the loophole, the recruitment agencies face permanent suspension of license if an agency is found to be violating the law or committing *“any act involving some form of forced labour or human trafficking”* (quoted in HRW 2015). The Ministerial Resolution No. 1283 of 2010 (HRW 2015) on the licensing and regulation of UAE-based private recruitment agents prohibits recruitment agents from charging workers: *“any sums, monies, rights or gains under the name of commission, fees, or anything else for any reason and through any means whatsoever”*. (...) and that the Ministry of Labour has the power to force recruitment agents to *“refund the worker any amounts paid to any entity or person inside or outside of the country”* (HRW 2015: 48). Even though the UAE possesses the laws that are supposedly there to protect the migrant workers, evidence has shown that they do not enforce employers to comply with the laws. Moreover, the laws seek accountability in only the recruitment agencies while barely addressing the role of MNCs. In regards to the latest report from HRW (2015), some employers as of 2014 still deny workers wages and benefits, fail to compensate recruiting fees, seize worker passports, and house workers in low-grade accommodations. This highlights how the legal structure again allows employers to benefit from employees hardships. As Harvey (2012) argued, those with the capacity, also have the ability to regulate the framework and national structure. The legal system could therefore be criticised as they constantly favour the elite minority class instead of bettering the situations for the majority lower class. Appropriate measure have not be taken to deal with the discrimination the migrants face.

In regards to the late payments, employers in the UAE have, from 2010, been required to pay workers via the wages protection system — an electronic salary transfer system where employers transfer wages to certain authorised banks or financial institutions whose job is to then transfer the wages to the workers. This system was implemented to guarantee the timely and full payment of agreed-upon wages (Ministry of Labour 2009). Campaigners have praised this system, however this contradicts the reality of workers, such as those HRW observed. Late payments are often seen in the smaller companies, and workers typically complain about the

issue for months and still do not receive the payments (ITUC 2011). The Ministry of Labour (2009), which has the authority to fine the companies or deny them labour cards - something that is necessary when hiring new staff - monitors this wage protection system. Although the purpose of the law has been altered in order to benefit the workforce, it is clear how the wage protection system is still doing the workers a disservice since it has not lived up to its promise of securing timely and full-payment of wages.

According to HRW (2006), the difficult process that employees have to go through in order to make a complaint about their employers is highlighted to such an extent, that when they have filed it the correct way through the appropriate departments, the charges brought on the employers are still non-existent. This, again shows how the government continuously allow corporations to get away untouched with the poor treatment of workers. This consequently sends the message that since the UAE authorities fail to inspect these violations, they are contributing to the ongoing violation of workers' rights. (HRW 2015). One could argue that this promotes employers to continue this practice, as there are no serious repercussions. In the case of the migrant workers, regulations have not improved their employment standing, as the laws have barely been enforced on corporations or the recruitment agents. The government has not made a thorough enough attempt to "*investigate, prosecute, penalize, or remedy breaches of its own laws*" (HRW 2006). The federal government is not blinded by this on-going epidemic and has not done anything to prevent this from happening. It is commonplace for most migrant workers in the UAE to pay fees, and to experience salary-related issues (HRW 2006).

In 2005, the Human Rights Watch discovered that 140 government inspectors were accountable for supervising the work practices in over 240,000 companies that have employed foreign worker. What they learned was that their lack in supervising the companies also meant that the implementation of health and safety was not apparent and this may have resulted in numerous injuries and deaths. In fact, the Abu Dhabi Health Authority claimed that there were 551 workplace deaths in all sectors throughout the Emirate as per 2010 (ITUC 2011). However, health officials have been quoted saying it was not clear from the statistics if the fatalities was due to the health and safety issues of being in the construction industry (Workplace Accident Rate 2011 cited in ITUC 2011). Yet, in 2004, the Dubai-based Construction Week magazine claimed 880 construction workers died in accidents (Site Worker Death 2005 cited in ITUC

2011). Many of these casualties arise within days of them starting work in the heat of the Gulf, where summer temperatures can rise over 50 Celsius (ITUC 2011). Also in 2010, the Nepalese ambassador Surayanath Mishra elaborated on this issue when he answered why there was a high number of fatalities within the migrant construction workers, or at least just within the Nepalese fatalities. He stated that *“the Northern and Middle regions of Nepal are mountainous with cool weather. The sudden relocation of workers to harsh weather is pointed out by health experts as the reason for sudden deaths”* (The Peninsula 2010 cited in ITUC 2011: 38). This is a clear example of how the government and officials pass the blame on.

For years, the UAE government has been accused of ignoring the poor treatment of the workers and ordering them to continue working in harsh conditions (ITUC 2011), which is a clear indicator how the legal framework has failed to protect the health and safety of migrant construction workers. Although the workers have been exposed to these safety issues for years, the UAE authorities have actually shown little effort to prevent fatalities and health issues related to the work of a construction worker, which shows their unwillingness to improve the situation.

To fight fatalities caused by heat exhaustion, the UAE authorities have since sought to give construction workers a two and a half hour afternoon break during the three hottest months of the year, which human rights campaigners in the Emirates have praised (ITUC 2011), along with a get-out clause, which is an agreement that permits workers to avoid doing work they normally would perform (HRW 2015).

Already in 2009, the UAE Health Authority, in collaboration with the Ministry of Labour, set to raise alertness of the danger of working under harsh climate conditions, and to support employees and employers in raising awareness of the issue. Approximately 470 companies registered and received materials for education and training purposes since more than 800,000 of the employees in these companies had been exposed to heat while working. The companies registered have access to download the materials, consisting of guidelines, procedures and manuals, without having to pay for it along with the offer to print it in their own copies, which comes in several languages so that workers who do not read or speak Arabic can find it useful as well (Abu Dhabi Health Authority 2011).

To prevent fatalities caused by extreme heat exposure, the programme contains practical solutions to help inform workers and supervisors to recognise heat stress symptoms

and to manage the issue. The programme includes First-Aid education in regards to heat-related disorders, education on how the body overheats, symptoms of heat illness and the importance of heat breaks, among others. Workers are also be encouraged to keep themselves hydrated by, for example, remembering to drink 2-3 liters every 2-3 hours and to perhaps drink in the bus on the way from labour camps to work places. Since many workers come from Muslim backgrounds, regulations during the Ramadan are more influential. During this month, workers are encouraged to try to avoid heat exposure as much as possible, be aware for signs of heat illness such as headaches, dizziness, and rashes, and to most importantly begin the day well hydrated with recommendations on what to eat and drink in the pre-dawn meal Suhoor, among other things (ibid). This shows how the responsibility of being healthy and safe in the construction industry in reality lies on the workers themselves, and not the MNC's or the individual employer. This contradicts with the UAE Federal Law No. of 1980 which states that employers have the legal responsibility to protect the health of the workers, however, only as of 2014 employers have been expected to provide basic health insurance to employees. This law is also implemented on the basis of workers' health security. It seems as though the purpose of this law is to benefit the precarious workers, as it is assumed that the majority of migrant construction workers in Dubai do not earn enough to be able to afford it themselves.

Since these working conditions can be fatal, appropriate controls are a necessity. Due to the latest regulations on workers' health and security, fewer workers have suffered heat exhaustion as of the summer of 2015. Since the Ministry of Labour has required workers to take a midday break rather than operating in the warmest hours, between 12pm and 3pm during the hottest three months, the number of workers admitted for emergency treatment have decreased (Labourers' Midday Break 2015). Generally, the UAE Health Authority has failed in the fight against dangerous working conditions; however, with the new regulations on workers' health and security they are likely to work under better conditions, as seen in the last paragraph where less workers consequently have been admitted to emergency treatments as of 2015. Still, the Kafala system, which will be elaborated on below, and the legal system in Dubai are both at fault for the exploitation that the construction workers face. The Kafala system is able to mistreat workers even though this is against the laws in the UAE. Through the research we can see that they continue with this, as they know the government will probably not raise any charges against them. This led us to examine the legal framework of Dubai and what it has done

to prevent this exploitation and what it has failed at. The labour law is set in place to secure the workers wages and maintain their work hours, although in reality this is not the case. It also prohibits the concept of recruitment fees as this is against the laws of the nation. However, what we have discovered in our research is that, although these laws are in place, the government has not done much to help the case of the construction workers. The government, though aware of the migrant workers situation has almost always failed to take any legal actions against sponsors/employers or MNCs, when breaking the laws. They are giving a message that this treatment is acceptable and this then encourages corporations to continue this practice. The legal system, thus in some ways promotes exploitation of workers and allows MNCs to keep on constructing, earning and exploiting. Migrant workers are then trapped in an exploitative system, from departure and upon arrival and where the federal labour law is supposed to provide security, these are not applied in the case of the construction workers (HRW 2006).

### **The Kafala System**

In order to fully explore the relationship between urban development and exploitation in the workplace, Feagin maintains it is vital to investigate the role major power structures have. For this reason, the following section will examine the structure of the Kafala system in an effort to how understand how it allows for the exploitation of Dubai's construction workforce.

The Kafala sponsorship system, as mentioned earlier, was initially implemented to benefit the migrant worker population by guaranteeing that all expatriates had an assigned sponsor responsible for them whilst under employment. Yet, upon further inspection, it is clear how the nature of this system is, in fact, incredibly restrictive for those bound to it. In the case of the construction workers, all aspects of worker life are limited, seeing, as UAE legislature does not offer the workers any legal safeguards, as discovered in the previous section.

As previously mentioned, even though the confiscation of passports is an illegal practice, it has become commonplace amongst sponsors/employers. Additionally, it would seem that the Kafala system is superior to UAE labour law, since the government has not taken any measures to lessen the nation's dependency upon the system (HRW 2015). Employers believe they are qualified in carrying out such exploitative behaviour, seeing as it is understood that the government uses the Kafala system as a tool through which it can equip the employers with

sole power over its migrant workforce. Due to *“the imbalance of power that favours the sponsor”*, the sponsors are never held culpable for their action (ILO 2015: 4). As a result, the construction workers more often have no choice but to accept the situation at hand.

In accordance with Critical Urban Theory and its dimensions that has been described earlier the superior powers - the workers sponsors - generally are preoccupied with their own advantages in the strive of urban development i.e cities, building, companies etc. Therefore, this has a clear link to the way the Kafils and employers behave and the oppressive acts they hold against their workers. This system bind the large group of workers to a select group of employers who have economic security, and are favoured by law.

An additional way in which the Kafala system enables worker exploitation is through the written employment contracts the construction workers are legally obliged to sign, before being allowed to carry out physical labour. Essentially, these contracts ensure the workers are not permitted to change job nor leave without the employer’s consent. When asked to do so by their employers, many of the Southeast Asian men realise that the contracts they have been handed is different than that which they had signed in their respective home countries (ILO.org 2015). However, since they do not have the opportunity to return home, the workers often feel bullied into accepting the new employment terms, in doing so, *“submitting to unfair working conditions”* (ibid 2015: 4). The only option available to the labourers is to abscond, that is to flee the workplace, thereby becoming an illegal resident. Nevertheless, absconding is a criminal offence which, if caught, carries the risk of being both arrested and/or imprisoned. Employers threaten to report their workers to authorities, if they fail to fulfil the terms of employment outlined in the contract, which, in turn could result in them having their residency permits terminated (ILO.org 2015). For this reason, the desperate workers concede and submit.

Due to the Kafala system’s notable lack of options in respect to contesting aspects of working life, the employers are aided in their mistreatment of their workforce. Even though employers knowingly violate UAE Labour law, as earlier mentioned in our findings, by withholding wages and forcing migrants to work against their will - they can be certain that, if a case of domestic abuse is brought upon them, UAE law does not require them to attend court hearings (ibid 2015: 4). The number of worker-exploitation cases heard in the courts of Dubai is greatly disproportionate to the actual number of reported abuses, demonstrating the lack of legal protection workers suffer from (Hammel 2012 in ilo.org 2015). More often than not, cases

are dropped, seeing as the legal route is both long-winded and costly; transport expenses as well as a judicial fees are by and large too high for the workers. What was initially designed to benefit the typical worker in fact offers no form of legal assistance at all. Desperate for money with no way around, it is plain to see how the inherently favouritist nature of the Kafala system secures its workforce.

This section clearly shows that the workers are captured within the Kafala system. This corresponds with how in urban settings, legal frameworks are shaped in a contingent manner to ensure the continuity of urban growth without damaging MNCs and while entrapping the labourers. When the system is indirectly established to favour the powerful, it is unavoidable that the weak will be exploited.

In order for the workers to show their dissatisfaction with the system and their poor conditions, they carried out demonstration and strikes to grab the attention of international organisation and news agencies. Yet, the workers have very poor opportunities to revolt against the system and the employers, even though they have good reasons to be rebellious (Gharavi 2013). However, it is important to emphasise that these steps are too insignificant to overcome the immensity of the exploitative working conditions.

Furthermore, demands for improvement in work conditions are hindered as the formation of unions is forbidden by law and is seen as crime by the government (ibid). This 'crime' ensures that there is no legal public space to protect the workers and that no external body can protect them from being exploited but that they would not be able to improve their conditions. The greatest role of the union would be to create a voice that defends and tries to upgrade the environment for the workers. If any workers would show their dissatisfaction, starts a strike or demonstration they face punishments such as jailing, deportation, visa cancellation etc. (HRW 2015). It also means that the workers are not allowed to hold other jobs than the ones their sponsorship offers and with this follows no job safety, no social or medical care and in general no strong voice concerning their well-being (ibid). They are not allowed to vote even if they have been in the city for years and would only gain this right if they become permanent citizens, yet the system has been constructed to the extent that it is almost impossible for the workers to achieve the citizenship. With the citizenship, they would gain benefits such as free education, free healthcare, free water and electricity etc. (Suter 2005).

However, the option of gaining a citizenship has historically only been an option for the wealthy (Kanna 2011).

According to Suter (2005), there are different reasons why the workers decide to migrate to UAE. Mostly the workers prefer UAE because of the lower salaries in their own home countries but actually Vora (2008) states that the work boom in India have changed this situation but in general it concerns countries as inter alia Philippines, Indonesia. Among the common reasons for the migration is family ties to Dubai or UAE (Suter 2005). There is a general pattern to be seen; foreign workers who have family in their respective host-countries, are more likely to migrate with the help and support from the family members. Though one of the most efficient way that the UAE hires their migration workers are through their recruitment agencies they have in the respective countries from southeast. The commercial for the agencies is often published in newspapers (Suter 2005) but it is important to know that the fee that you pay to the agency can be quite high (Sönmez et al. 2011), and thereby the workers get in debt before they even start to work thus fallen in a vicious circle where they cannot quit their jobs. Furthermore in many of the countries where the migrant workers come from there are so called middle men that work like the mentioned recruitment agencies but they work alone or cooperate with an agency. The middle men typically use the power of persuasion and promises the workers much higher salaries than they actually would get (Vora 2009). Beside the lies that the workers believe they are also in some cases forced or convinced to sign contract that they cannot understand (Kanna 2007) which later on is an problem for them if they were to complaint about the salary, working hours or in general their conditions.

The workers are starting with a debt implying that they would not afford to leave the job since they are forced to pay off their debt, thus tricking them to hold jobs, potentially with no security and safety, long hours and poor conditions (Vora 2009). So in a way they are in a bad cycle of debt and they do not have the opportunity to work for those who pays the most also because of the Kafala system (Sönmez et al. 2011). The workers are deceived by middlemen, that travel between Dubai and i.e. India, being promised the dream of getting a high salary in a nice working environment that; all of which can be found in Dubai. Nevertheless, this turns out to be nothing but a life of exploitation and discrimination (Vora 2009). If the workers wish to quit the job they will be blacklisted thus they would not be able to enter Dubai again or the Emiratis to work again (ibid). For this reason, very few leave their jobs since the

consequences are far worse than keeping it. On the other hand (Kanna 2011), illustrates how the expats can leave their working conditions whenever they are unhappy with it.

The Kafala system provides the setting for exploitation because instead of a firm being responsible for the process of employment and finding the right employer and be responsible for the workers well being it is typically one man that holds the role of hiring without consideration for the worker. The employer becomes the Kafil, the one who authorises foreigners to enter the country, oversees their stay and permits their exit, initiates sponsorship recruitment for the worker, and even confiscate the workers' passports (Vora 2009). Regarding this some construction firms have non-written policies state that they would not hire workers who refuse to give up their passports (Sönmez et al. 2011). Despite the legislation, the practice of an evaluation of the processes between worker and employer or control on this topic does not happen (ibid).

In respect to solutions, as to how to alleviate this issue many human rights organisations (HRW, Amnesty International and Mafiwasta) have tried to observe and document the conditions the workers suffer. They have described the conditions as being human rights offensive and have suggested that the UAE should reform its labour law to be more alike with the standards of the International Labour Organisation and follow the rules of international human rights though the observers have claimed that it is a colossal task in UAE where there are over millions of workers suffering (Gharavi 2013).

In accordance with CUT and the fact that Gharavi (2013) claims that the UAE's economy is dependent upon the workers, it is plain to see that the system in its strive for urban development does not serve or benefit the workers at all. This is a clear example of the capitalist system being linked with CUT since it causes the rise of the riches and downfall of the poor.

CUT emphasises that capitalism with social and economic dimensions is a driving force for the urban growth of cities, which Dubai is an clear example of. In their strive of urban and economic growth they have ignored or not payed attention to human rights for everyone occupying the city. The sections above show a clear exploitative pattern, which embodies freedom restraintment, oppression and discrimination. This exploitative pattern is performed by sponsors and they use the Kafala-system as a guideline. As described earlier the way the Kafala-system is constructed by the government as a legal framework, initially to meet the

benefits of the workers, has been an underlying standard for the employers to behave exploitive without risking any consequences.

## Chapter 5 – Analysis of the Socio-economic Structure

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In respect to this paper's intersectional approach, it is necessary to analyse the three social factors the theory lists among the dimensions of identity: race, gender and class. The coming section attempts to determine the connections between these three social aspects and the exploitation of construction workers.

### Class perspective

We will begin by investigating the issue of class in relation to Dubaian construction workers, taking our point of departure in Guy Standing's theory of *The Precariat*. In doing so, we will be able to test our underlying assumption that the workers are put into a place of easy exploitation as a result of them being at the bottom of society's class hierarchy.

According to Buckley (2012), Dubai's class structure can be divided into five main categories: the monarchy, the elite, MNCs, the aspirational and the working. Within the working class, we further specify the construction workers as the precarious class along with domestic workers and sex-workers. This framework sets the foundations for our analysis, since Buckley (2012) argues that in order to learn the specifics behind the treatment of society's classes; a basic understanding of the class structure is paramount. At the pinnacle of Dubai's hierarchical class structure is the family dynasty, seeing as the United Arab Emirates is controlled by a monarchic system. Sheikh Mohammed bin Rashid Al Maktoum is the current ruler and alongside the royal family, exercises absolute power. The elite forms the second highest class in Dubai and is mainly constituted by multi-millionaire nationals; their wealth can be seen through their plethora of investment properties as well as their need not to work. Subsequent to the elite are the expatriate elite managers who take the title for having the highest wages nationally. These business owners are responsible for running the MNCs home to Dubai and are often foreign in nature, seeing, as Dubai is so open to foreign investment (Buckley 2012). Following on from the business owners is the aspirational class, made up by the majority of Dubaian citizens. With the help of strict budgeting, this class lives a comfortable lifestyle, often in ownership of several cars, as well as having housekeeping and sending their children to private schools. Walsh (2011) notes that this affluent elite consists of upper and middle-class

professionals of varying nationalities, including European, Russian, Chinese, Indian, and also Middle Eastern, such as Lebanese or Iranian. At the very bottom of society is the working class, of which the migrant workforce from South and Southeast Asia forms the greater part (Walsh 2011). In relation to our case, we separate the construction workers as the precariat class, from the rest of the working class. Often living an existence completely disjointed from mainstream society, the construction workers are found within this class. As mentioned in the theory chapter, Guy Standing's theory (2011) on the precariat explains how this social class is an underprivileged socio-economic group consisting of individuals, predominantly workers, living under precarious conditions in the lowest class of society. Even though these different tiers feature some migrant nationalities chiefly, it is important to note the existence of middle or upper class South Asians in Dubai. The precarious class is separated by the type of skills and labour they offer; and the consequent alienation from the economy and society. The migrants in the upper and middle classes in Dubai, which are mostly Western, are entitled to more jobs, property, and benefits; whereas the Southeast Asians are alienated further (Kanna 2011).

This class segregation is also evident in the spatial structuring of Dubai. Following their official registration through the Kafala System, construction workers are housed in work camps, the majority of which are situated on the outskirts of the Dubai, if not further out in the surrounding desert. Physically, this makes it incredibly hard for the workers to actively participate in mainstream society; the conscious decision to locate them here limits them in terms of mobility and access within the UAE. This distinct separation between labour force and society ensures that construction work is the only activity they carry out (Buckley 2012). Therefore, seemingly the physical urban layout of Dubai has been well thought out as to ensure both easy exploitation and ostracisation of its precariat class.

Lau (2013) notes the sections of the city called Old and New Dubai, which are inhabited by the different income groups in the city. New Dubai, which is more inclusive and appealing to the wealthier population, is filled with large buildings, hotels, entertainment facilities, shopping malls (ibid.). On the other hand, lower-income South Asian and Arab migrants occupy the decaying buildings and narrow streets of Old Dubai. Both of these parts of the city are mainly inclusive to their income groups, and exclusive to the other. Precarious South Asian women, i.e. in sex work, can also be found within Old Dubai, however the construction workers live further out in the camps closer to the outlining borders of the city, if not on the construction sites

(Mahdavi 2011). Therefore, it becomes clear that the construction workers are separated spatially from other lower income migrants.

With respect to the employers of construction firms in Dubai, the thinking behind this decision is that the labourers are more likely to work productively during the day if they do not have the possibility to waste their time in the city in their free time. According to Buckley (2012), since many labour camps are erected on the actual construction sites, the workers can be set to work out of work hours if, for example, construction is behind schedule or aspects are to be changed. We maintain that the repressive nature of the construction firms is instrumental in the continuation of this exploitative process; the spatial restriction of Dubai's precariat class allows for easy exploitation, as well as ensures they cannot disappear.

The combination of geographical location and the fact that UAE media is run in such a controlled manner, limits the number of demonstrations held by the construction workers. Nevertheless, this is not to say that these two factors always safeguard the passiveness of its workforce. Living and working on site gives the workers the advantage of being able to communicate easily with each other, as well as construction workers from other firms. The opportunity to plan organised rebellion is a means by which the workers can mobilise. On the other hand, Kanna (2011) notes a case, where the sponsor of a domestic worker, in fear of her mobilising, thinks allowing her to follow religious practices in the church with "her kind" would "corrupt her". In connection to Standing's theory of the precariat, demonstrations and strikes are an inevitability; a point in time will come when the migrant workforce will attempt to overturn its employers. Yet it seems as though construction workers have a higher chance of performing this in comparison to the domestic workers, as the very little amount of free time they have are not policed as strictly by their employers.

A poignant example of a demonstration took place in October 2007 when thousands of construction workers carried out an organised protest through the streets of Dubai, ending up at the Ministry of Labour (Rahimi 2007). Since this resulted in key road networks becoming congested and traffic coming to a standstill, many of the demonstrators were subsequently jailed and/or deported; a clear illustration of the poor legal stance of the workers. In the wake of these social disruptions, the UAE government has not decided to change legislature in order to accommodate the construction workers' dissatisfactions, once again, highlighting the

struggles they face. This sort of attitude towards the precarious workers prevents them from ever having the chance of leaving the precarious state of living.

One of the key points of Standing's theory on the precariat (2011) is that the precarious class is aware of the unpredictability associated with their jobs; a point exemplified well through the case of the Dubaian construction workers. The theory explains how this lack of predictability for the future is also linked to the lack of security and regulations in labour market security and health insurance security, among others. Without regulations, workers are thereby more likely to be exploited by capitalist actors such as the MNCs, as in the case of Dubai.

It has been argued that the Dubaian populations falls into two main categories - the wealthy and the impoverished - which has major influences on the Dubaian quality of life (Lau 2013). Migrant construction workers clearly relate to the latter, the impoverished, as they are dependent on daily labour where they earn their living doing manual jobs, often under poor working circumstances such as low pay. Lau (2013) argues that the class division of Dubai reveals itself in the urban layout, which is structured in accordance to class and income, at which point the workers are subject to substandard conditions. For instance, migrant construction workers are more likely to be excluded from exclusive places such as fancy hotels, restaurants and bars which is essentially due to the class they belong in. The case is similar for female precarious workers as well (Mahdavi 2011). Some parts of the city and daily life are just not accessible to all and both populations, the wealthy and the impoverished, are seemingly aware of who belongs where in the physical environment of Dubai.

Aside from the spatial segregation that prevents satisfying social needs, fulfilling basic human necessities can also become an issue for the precarious workers. It has been noted (Mahdavi 2011) and has been elaborated on before that health and safety regulations on worksites are not enforced. Therefore, a work related injury can easily turn into a disabling or lethal case. Considering that construction workers work for long periods of physical endurance, the likeliness of such injuries and their consequences clearly do not correspond with the living standards provided to workers. Besides, it is still very likely for a construction worker to face different sorts of health issues if not work-related, as they live in extreme heat with mostly no air condition, basic food and sanitation, and with multiple people stacked in rooms.

In the segregated position confined to them amongst the social hierarchy in Dubai, the bearers of these dangerous jobs still seem willing to put up with their living and working conditions. Labourers are bound to stay and work, in order to pay their debts to the recruitment agencies; and once that is complete, to send their pay checks to their families in their homelands (ITUC 2011). Construction workers in Dubai are able to earn wages way beyond what they can earn in their home countries, which is why many of them arrive in the first place according to the Humans Rights Watch (2015). On the other hand, it should be noted that these conditions might change for some labourers. Kanna (2011) remarks that on average and not to imply either earns a sufficient amount, construction workers earn about \$100USD less than domestic workers and maids per month. However, it is also claimed that some domestic labourers see Dubai as a stepping-stone to migrate to Europe or Northern America, while some sex labourers state they prefer working in Dubai because they earn more (Mahdavi 2011, Mahdavi and Sargent 2011). Therefore, even though the similarities in their position within the social hierarchy in Dubai persists, it can be said that the motives and pushing factors even within the precarious class vary greatly.

By identifying the construction workers as being at the bottom of Dubai's class hierarchy, it is understandable as to why they are exploited so easily by their employers. It is clear that, since the precariat is the lowest class in society, the workers have the least amount of influence on working life. The class aspect ties in well with the power division found in Dubai; a clear illustration of this being the banishment of the workers to the periphery of the city.

### **Racial perspective**

In respect to the social aspect, our intersectional approach investigates the reasons as to why the racial categorisation of the migrant construction workers has made them targets for exploitation. This section will also contain whether this exploitation also exists with the workers coming from different nationalities, seeing as we maintain that both race and ethnicity are at play. In order to discuss how and why South East Asian migrants are being exploited, we must also look into how Dubai's ethnicity structures are set up.

Dubai grew from being a poor city with about 30.000 to 1.4 million citizens as per 2009 and is still growing. The city is in a quick development and embodies today a wide range of

investments, companies etc. (Hvidt 2009). Furthermore of the main business of Dubai is tourism, logistics, financial services and of course construction (ibid). Within the business of construction we will now try to look at where the construction workers generally originate from.

Before explaining how the workers are disadvantaged or exploited due to their race, it is important to mention that in general the UAE has an uneven proportion regarding locals and immigrants and that tendency concerns Dubai as well (Hvidt 2009). As stated earlier by Hvidt (2009), within the UAE only 20 percent of the populace is locals, and in Dubai's case "*...the population in Dubai was almost 1.2 million in 2005, with 845.000 in the workforce*" (Hvidt 2009: 403), meaning that more than half of the population were workers. More recent sources confirm the amount of workforce as well (ITUC 2011). Similar to the Western culture in its developing days, Dubai 'buys' its workforce from abroad for the different jobs they may need to have covered (Feagin 1998, Hvidt 2009). This could be jobs such as construction workers from India or teachers from Egypt and so on.

This being said we find it interesting to look at which different nationalities dominate the labour force in Dubai. Of the 1.2 million Indians in UAE sixty percent of them are low-wage workers in addition there are also workers from Pakistan, Sri Lanka, Bangladesh and Indonesia (Gharavi 2013). Also Hvidt (2009) mentions that in Dubai there are around a half million Indian construction workers. Their status are the lowest class of workers and many suffers from their housing conditions and working conditions which will be described in depth in an another section.

So based on this piece of information we can go back and look at the theory about intersectionality that says that oppression or discrimination is interconnected by i.e. gender, race and class. In Dubai with help from the Kafala system these migrants that hold poor educations along with their nationalities (coming from the east) pushes them into work in which they are severely disadvantaged.

This gives us an the impression that the workers suffer from very inhumane conditions and as Gharavi (2013) mentions it is rooted in no or poor education background among these workers which also refers back to the intersectionality. The pattern is someway the same for the workers that come from southeast: their nationality and poor education background leads them into jobs without security and the fact that they are male pushes them into construction

work. Therefore, their nationalities and education not only lead them to an insecure job but with that job, they suffer discrimination, exploitation and injustice. In recent years, the migrant workers have, despite all adversity, been able to explain their underprivileged conditions on different websites that emphasises on this subject (Andraos and Wood 2013).

According to Sönmez (et al. 2011), out of the 4.8 million people living in the nation, the top of the hierarchy comprises of the local arab population. They are led by the elite class or Sheikh's and are fewer than 20 percent of people who come from Western and Asian backgrounds lead the white-collar market. Following on from this group are the Iranians and Arab nationals (Sönmez et al 2011). On the aforementioned categories of class, these ethnic groups would correspond to the monarchy, elite and MNCs, as well as the aspirational. Lastly, at the bottom of the hierarchy other Middle Eastern nationals, Asians and Africans, who either work in the service industry, where they are employed by either the local population or expatriates or they are the ones who have built the nation from ground up. These individuals form the working class and they face discrimination, persecution and exploitation (Sönmez et al 2011). We believe that the construction workers are yet exploited more, as along with their racial backgrounds, the types of jobs they offer bind them to the precarious class.

These migrant construction workers are from a Southeast Asian backgrounds, countries such as India, Pakistan, Bangladesh, Sri Lanka and Indonesia etc. Taking this into account we can see that the construction workers have the lowest social status in the UAE, and those that belong to the lower class also seem to have their basic human rights revoked. This is due to the constant mistreatment that they face, for example, low pay, mental and physical abuse, unsafe working settings, with limited health service access (Kristiansen & Sheikh 2014).

South East Asian workers are marginalised from society and trapped, where they are not able to return home. This consequently, has driven many to suicide; according to the Indian consulate in 2005 alone there were 971 (Hari 2012). Sadly, these are the only numbers on the suicide rates as many of them are ruled accidents by the employers. This is probably due to them wanting to protect themselves from the negative backlash, as this might scare away future employees and draw international attention. Through intersectionality, we can see that this is due to the systematic discrimination and oppression that these workers face because of their race and low social standing.

Although, the same exploitation of workers is happening in India, the Indian government has not put much effort into combatting this (Scribol 2015). Since MNC's have outsourced companies to India, many within the country have been able to secure jobs, though this was not as possible for all. As a result, many migrate to the gulf countries or other Asian nations to seek employment (Scribol 2015). The Indian government is satisfied with this, as it believes that these individuals are representing the country and they have stated that its population are "*a major source of manpower*" internationally (Scribol 2015). With this then being said, the Indian government has lacked in addressing the exploitation that its people face when working abroad and this is due to the fact that the same exploitation exist in its homeland (Scribol 2015). This illustrates the tale of how the migrant construction workers are imprisoned in corrupt systems from both internal and external nations.

We must bear in mind that this is in fact not the case for all migrant workers as some do have it better than others. Foreigners with a western background are usually treated better than those from the lower class of Africa or Asia, as seen in the hierarchy system they also have a better social standing than the construction workers. Where the workers are forced to work long hours in the heat, the expatriates are advised not to spend a lot of time outside due to the unbearable heat (Hari 2012). The expatriates live comfortably in Dubai, as it is a sort of paradise for them, they can go to nightclubs, enjoy the mall and all the other luxuries being offered Hari (2012) recalls asking a British woman what the best thing about Dubai was. "*Oh, the servant class!*" she trilled. "*You do nothing. They'll do anything!*". This is because Dubai is built on a racist and classist foundation (Sönmez et al 2011). Although, it might seem to progress in terms of urban and economic growth, it is a nation where constant injustice occur. Also, through our research it became known that this sort of treatment also exists amongst the other Gulf countries (Buckley 2010). Since, it is a norm within their societies i.e. the Kafala system or ethnic hierarchy systems, where mistreatment exists due to race and class, many suffer depending on the categories which they fall into or in the case of expatriates, they again have the upper-hand as this sort of treatment most likely does not affect them. In a global context this implies that that migrant workers' lives amount to nothing if they aren't skilled and which makes it easier for others to exploit them, as their labour is seen as being cheap.

Once again through our intersectional approach, we can see that the way that the two groups are treated are completely different in terms of their racial, economic and educational

status. Those from a Western or Eastern background with better educational and economic standing are usually considered more valuable, whilst those from a lower position are looked down upon.

Another issue we noticed whilst reading up on this was that it became apparent in some of the literature (Hari 2012, Lau 2013), that when Western or skilled foreign workers were mentioned they were mostly referred to as expatriates, whereas those with low skills from Asia or Africa were called migrants. Lau (2013) also mentions a quote by Walsh in her thesis regarding how the racial class system is divided by skill, academic background and income, although *“it is nevertheless the case that Britons [and other Western or white expatriates], irrespective of education, skill or salary, are relatively advantaged in this post-imperial urban space”* (Walsh, 2011: 519). This again demonstrates in a sense, how those of western origins are viewed as somewhat superior to those of African or Asian origins. This might be the result of the racial hierarchal system of Dubai and its influence on the western world, as it holds the perception that those from the West are high-class compared to those from Southeast Asia, as they are viewed as being low-class. However, the racial class system also depends on the income of the migrant/expats, as Middle-Eastern, Indians or other Asian nationals with high-skills are better valued than those of low or no skilled individuals from these places (Suter 2006). Also within the lower class, Middle-Easterners are distinguished from the rest of the labourers, bearing in mind the nationalism and cultural similarities in the Middle-Eastern regions (Lau 2013). As Kristiansen and Sheikh (2014) said *“The Gulf region has emerged as one of the world’s most ethnically diverse regions, but it is also one of the most unequal”*. They are referring to the fact that although the Gulf can pride itself with being multicultural, it is however, layered with unfairness in terms of class, race and gender.

The differences between Western and Eastern workers are very obvious when reading the sections above but there is a clear discrimination happening among the social layers of the UAE. It is typical the western workers that dominate the white-collar jobs which can be identified as management, finance, director posts etc. whereas eastern workers are typically busy with jobs in branches of construction, service (Sönmez et al. 2011). One of the main reasons for this variance is of course the difference in education background that these two types of workers hold. Also, gender and nationality plays a role regarding the hierarchy among workers, i.e. at the top there is a small group represented by Westerners that holds jobs with

high incomes and a wide range of benefits. The next group is a group of nationals which are followed by Arab migrants and at the bottom the Asian workers would be (Suter 2006). It is also reported by Suter (2006) that despite the fact that some Asian and Arab workers would do the same job the Asians would get the half just because of nationality. This hierarchy presented by Suter (2006) is based on UAE, which we believe would also suit Dubai as they are a part of UAE.

The aspect that these dimensions embody is the disproportionate number of nationals and migrant workers which is described in this section as well, the government's connection to MNCs and discrimination between different ethnicities in Dubai which all leads to exploitation while trying to develop the big city. In accordance to CUT and Feagin (1998) the development of a city is highly influenced by racial domination. The city is shaped as a way that excludes the South Asians as being a part of society but more as 'slaves' of the society. This approach can obviously be used for Dubai as they also behave in the way described. The westerners holds the best jobs and have a social access to the society whereas the southeast workers work as slaves and live in the outskirts of the city (Gharavi 2013). Also Feagin (1998) mentioned that in creating a capitalist city the MNCs and governments typically cooperate. In the case of Dubai this cooperation has inter alia led to the implementation of the Kafala system in which exploitation of migrant workers is unavoidable.

It seems that ethnic background is an instrumental factor in one's placement within society in Dubai. Seeing as the vast majority of the construction workforce stems from the Indian Sub-continent, that being the least respected ethnic group, it is easier for them to be abused by their employers. Their distinct lack of education, in comparison to Western expats and their cultural disparities in comparison to the migrants from the Middle-East, means that their labour is regarded as being less valuable and thereby most likely to be exploited.

## **Gender perspective**

In furtherance of our look at identity as intersecting dimensions, the following section will explain the effect the workers' gender has on exploitation in Dubai.

Migrant labourers in the construction and service sectors constitute the greater part of the UAE's male-dominated workforce (Kanna 2011). Even though female employment has risen more recently, Dubai itself is a male-dominated public space; men constituting just under 75

percent of the population (Uaestatistics 2010). This imbalance, however, is mainly caused by the large quantity of male migrants in the city, as it is estimated that the number of nationals is near equal for men and women. Combined with race and class, gender has an important effect on how South Asian construction workers are situated both physically and socially in the city.

These migrants, like the expatriates, are commonly assumed to have rationally chosen to engage in this voluntary and temporary work abroad for economic reasons (Kanna 2011). In our case, the construction sector features only male workers and their access to legal protection or better job opportunities is scarce. Instead, these men have to endure the poor conditions as they are in need of money and as they are believed to be 'better off than in their home countries' (Mahdavi and Sargent 2011: 20). South Asian men are claimed to be hired due to their 'good-natured temper, and their willingness to do just about anything to make money' (ibid). For the most part, they reside with other men in camps situated on the periphery of the city; not even a part of Old Dubai, which is usually viewed as the lower-income districts populated by South Asians or Arabs (Mahdavi & Sargent 2011, Lau 2013). The construction workers are discriminated against, because of their genders and occupations in regards to their placement within the city. They are an unwelcome sight throughout the rest of Dubai when they are downtown: women feel uncomfortable by their staring and harassing, and the law enforcement tends to be against them (Lau 2013 and Kanna 2014). Lau (2013) notes the efforts made to prevent harassment with public decency policies, and Mahdavi (2011) mentions the making of some public spaces paid-to-enter (i.e. beaches). These examples clearly illustrate how, aside from their physical separation from the city centre, there are certain places they are advised to stay clear of, since they cause discomfort for certain other groups in society. Likewise, Kanna (2014) points out how it is the *"working-class South Asian men's behaviour, their gaze, that is surveyed and intervened upon"*, rather than that of the the middle-class men (Kanna 2014: 614).

On the other hand, the migrants of the opposite gender are surrounded by an immensely different discourse. Seen as helpless and exposed to danger, Mahdavi and Sargent (2011) point out that women are too easily assumed to be as helpless as the children they are usually categorised with and mostly perceived as defenceless, vulnerable to trafficking, and not necessarily as actors who take deliberate decisions (Mahdavi and Sargent 2011). Nonetheless, perceiving vulnerability, trafficking or exploitation in gendered terms not only denies the struggles of the male construction workers, but also creates different obstacles. The two

genders are seen under different lights: men, the economic migrants, who have moved abroad for individual and economic gain; and women (and children), victims of trafficking, who have had to leave their homes behind and after being forced into exploitation (ibid). Nonetheless, our intersectional perspective allows us to see further than these initial identifications for gender. For instance, even though Dubai is experienced differently by, for example a British man and a British woman, the conditions surrounding a British woman and a Filipina woman would differ much more. In our case, South Asian construction workers differ from male and female nationals or expats, however we see that they are also further separated from South Asian females in the precarious class. The intersecting elements of these workers' identities put them in positions of extreme exploitation and negligence.

The aforementioned separation of the terms 'trafficked' and 'migrant' causes indifference in the international platform as they mainly focus on 'sex trafficking'. The labour rights violations are not addressed much in the annual Trafficking in Persons (TIP) Report by the U.S. Department of State, however the UAE is deemed a considerable site for sex trafficking (Mahdavi and Sargent 2011). The exploitation of males is not instantly visible, as *"the dominant conception of masculinity refuses the possibility that men are weak enough to end up as victims of trafficking"* (ibid: 8). This prior focus on sex trafficking and women is also reflected in NGO works and by activists (ibid). When asked by Mahdavi and Sargent (2011), activists laugh off the idea of 'men being trafficked', and indicate the dire helplessness of women. This is by no means an attempt to undermine women's struggles in Dubai. It is apparent that women are more likely to be victims of trafficking, yet this intense focus on solely the female victims discredits the overt exploitation the male workers are subject to.

What Mahdavi and Sargent (2011) consequently note in accordance with their interviews and research, is the varying motives to migrate and the conditions of current employment situations. For instance, the existence of women engaging in sex work voluntarily and seeing Dubai as a better economic opportunity for this purpose cannot be overlooked (ibid). Therefore, enforcing law by illegalizing sex work and imprisoning sex workers hinders some women from supporting themselves and sending money to their families - despite the law seemingly being for prevention of sex trafficking and the well-being of women. Similarly, the negligence of the male workers' conditions belittles the exploitation and rights' violations they face. Even if the migration process was deliberate and voluntary, these workers face abuse,

violence, unpaid wages and possible confinement afterwards. *Trafficked*, in this sense is a categorization that construction workers should be dealt under instead of *economic migrant*. In reality, however, perceptions of the construction workers are restrained by their gender and its effect on how they are positioned within the structure of capitalist exploitation.

The racial, class and gender dimensions of the construction workers' identities combine the disadvantages, biases and exploitation that they face. It becomes clear in our analysis that in Dubai, not being of the wealthy class or a skilled worker immensely hinders full-participation in daily life. The precarious class receives little or no protection by their employers or the law, therefore deportation or health issues that will prevent them from working can be pressing concerns. They can only enjoy the abundance of wealth in downtown Dubai from afar in the meager amount of free time they have. Moving on, we see the racial structure separating migrants based on their ethnic/national backgrounds, and favoring the Western or Middle Eastern migrants. The racial categorization of South Asians subordinates them to the other migrants, as South Asia is not a heavy investor in Dubai like the West, or as they are not as culturally similar as the Middle Easterns. Finally, we inspect the gender domination in Dubai, and the over-masculine perception of the migrants. The construction workers are restrained in certain areas of Dubai and seeing as they have left their wives and families behind, they are surrounded by other males only. Their interactions in the city are mostly seen as intimidating by Western or South Asian women alike, and therefore shunned with different policies that make it harder for them to be in the city. Aside from this, we also see how sometimes the discourse surrounding male workers as economic migrants and not trafficked, does not allow for them to receive the sufficient attention to prevent their exploitation.

These variants have effect on how all individuals lead their lives in Dubai, yet we identify male South Asian construction workers as a group that gets separated and discriminated on these terms. We identify that South Asian or not, the migrants' genders affect the attention they receive from NGOs; or their class affects the areas they are confined to in the city. Therefore, it is the intersection of these dimensions that we identify as the distinguishing elements that put our subject at the lowest of the low in the social hierarchy. This sometimes alienates them even further than those with similar skills or ethnicities; which should be considered when assessing the conditions that surrounds migrant workers.

## *Conclusion*

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Through answering our research question, 'Which factors enable the exploitation of the migrant construction workers in Dubai in the UAE's strive for urban and economic growth?', we have become acquainted with a number of key structures and institutions in Dubai, which can be linked to the exploitation of its construction labour force. The principal reason as to why Dubai was chosen specifically as a case study due to the noteworthy urban and economic growth it has experienced over the past 40 years. In short, this paper has striven to uncover the urban and economic factors, which have enabled this success. By taking one of the most impressive examples of international urban development, we can draw parallels from our research to other cities, which have experienced similar growth, thereby forming broader generalisations.

The multifaceted theoretical framework upon which this project has been built, has ensured that our concluding statements are both accurate and theoretically sound. As evident throughout the analytical chapters, Critical Urban Theory by Feagin, formed the overarching theoretical approach within which the theory of The Precariat by Standing and the concept of Intersectionality were incorporated in order to suit our respective subquestions. The adopted theories have benefited this project in exploring the varying elements of exploitation, which might have otherwise remained uncovered.

Seeing as our answers are found in our analytical chapters, it makes sense to conclude in a systematic fashion. Sub-question 1, 'How is the Kafala system and legal framework shaped; which actors/institutions shape and/or benefit from them?', it is here, we that find our research has led to the most definitive explanations. By looking at economic and political structures paramount to Dubai's urban growth, we have learned how the city's legal framework has been an enabling factor in worker exploitation. It is evident that the Government favours the MNCs which are home to Dubai, seeing as these companies are responsible for generating high levels of capital for the nation; this is an integral part of the tourism sector, since it is a necessity if growth is to continue. Moreover, current legislature keeps the Kafala system in power as a method of sponsorship, even though the Government is aware of its exploitative nature. The Kafala system is solely responsible for restricting the mobility of Dubai's

construction labour force, guaranteeing that the only aspect of life they partake in is working. Besides this, it is not permitted to create workers' unions and seeing as the workers are aware that challenging their employers can result in non-payment of wages, non-renewal of working contract or even deportation, the wishes of the employers are obeyed. The Kafala system is globally recognised as being inherently corrupt, yet, because it is the most cost-efficient method of having construction work carried out in the city, the Government has yet to abolish it. This signifies the overt exploitation of a large group that rank lowest in the social hierarchy through a legal framework which favors the elite group of rulers and companies, in order to achieve urban development.

In respect to our second sub-question, 'How do economic, racial or other factors affect the daily conditions construction workers live in while under employment in Dubai?' had the purpose of revealing how construction workers are disadvantaged particularly as a result of their race, gender and class. In relation to class, it is clear how South Asian precarious construction workers are not protected by their employers or UAE law; finding themselves at the bottom of Dubai's class hierarchy, they are purposely situated on the outskirts of the city in order to ensure they do not associate with the other classes. When examining the workers' ethnicity from an intersectional perspective, it has been possible for us to understand how this has put them at a disadvantage after comparing them with other migrant workers with different ethnic backgrounds i.e. Western/Arabic. It would seem that the South Asian men are surrounded by racial bias and discrimination in the Arab Emirati context, and face the worst conditions in society and experience difficulty integrating into society. In combination with these disadvantages, we have also been able to shed light to the different discourses that surround male and female migrants by inspecting the gender aspect. We have come to understand how the fact that they are men has meant that very few policies exist to protect them; more often than not, they are regarded as economic migrants, rather than victims of trafficking. The above mentioned intersectional dimension to this project has been vital and all three social aspects must be seen in the light of each other in order to be fully understood, as they distinguish our subjects as easier targets of exploitation.

If we were to extend our research further, an additional aspect that would be interesting to investigate would be how the aforementioned urban and economic processes are

interconnected in a global context. It is important to remember that Dubai is not a one off case study, but rather a city connected to a global web of cities. These cities are interlinked through the MNCs, imports and exports, and migration. For example, what are the reasons behind the continual stream of migrant workers to Dubai? A possible reason may be due to the fact that the UAE exports oil, in exchange for workforce and urban growth, demonstrative of the reciprocating give and take relationship cities share on a global scale. Similar exploitative patterns can also be traced in other developing Gulf states like Kuwait or Qatar where the workforce is largely migrants. Accordingly, worker exploitation exists within these international ties and thus we must bear in mind that this cannot be discussed without paying attention to aspects of international relations, such as global poverty, political-social constructions and international trade relations.

To conclude, we maintain that we have been successful in answering our research question and upon reflection, find that a combination of both socio-economic and legal factors have been instrumental in placing Dubai's construction force in a disadvantaged position, whilst under employment in the United Arab Emirates.

## Bibliography

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### Books

Andraos A. & Wood, D. 2013. *Peak Urbanism, Micro-planning and Other Emergent Realities in Dubai*. In: Kanna, A. 2013. *The superlative city*. Cambridge: Aga Khan Program at the Harvard University Graduate School of Design.

Feagin, J. 1998. *The New Urban Paradigm: Critical Perspectives on the City*. Lanham: Rowman & Littlefield Publishers.

Gharavi, M. 2013. *Everything You Can Imagine is Real: Labor, Hype and the Specter of Progress in Dubai*. In: Kanna, A. (2013). *The superlative city*. Cambridge: Aga Khan Program at the Harvard University Graduate School of Design.

Harvey, D. 2012. *Rebel Cities*. New York: Verso.

Hesse-Biber, S. and Leavy, P. 2011. *The Practice of Qualitative Research*. SAGE Publications.

Kanna, A. 2011. *Dubai: The City as Corporation*. Minneapolis: University of Minnesota Press.

Mahdavi, P. 2011. *Gridlock*. Stanford, Calif.: Stanford University Press.

Parker, S. 2004. *Urban Theory and the Urban Experience*. London: Routledge.

Standing, G. 2011. *The Precariat*. London: Bloomsbury Academic.

Thomas, G. 2010. *The Rough Guide to Dubai*. London: Rough Guides.

### Journal Articles

Abu Dhabi Health Authority. (2011). "Safety in the Heat Programme". Public Health and Research Department.

Acuto, M. (2010). "High-rise Dubai Urban Entrepreneurialism and the Technology of Symbolic Power". *Cities* 27 (4). Pp. 272-284.

- Alberti, G., Holgate, J. and Tapia, M. (2013). "Organising Migrants as Workers or as migrant workers? Intersectionality, trade unions and precarious work". *The International Journal of Human Resource Management* 24(22). Pp. 4132-4148.
- Bastia, T. (2014). "Intersectionality, Migration and Development". In: *Progress in Development Studies*. University of Manchester. 14 (3) PP 237-248.
- Block, D. and Corona, V. (2014). "Exploring Class-based Intersectionality". *Language, Culture and Curriculum* 27(1). Pp. 27-42.
- Brenner, N. (2009). "What is Critical Urban Theory?". *City* 13. Pp 198-207.
- Buckley, M. (2012). "Locating Neoliberalism in Dubai: Migrant Workers and Class Struggle in the Autocratic City." *Antipode Foundation Ltd*. Pp 256-274.
- Buckley, M. (2012). "From Kerala to Dubai and Back Again: Construction Migrants and the Global Economic Crisis". In: *School of Geography and the Environment*. *Geoforum* 43(2). Pp. 250-259.
- Burgess, J.K. and Connell, J.A. (2011) "The Labour Market, Immigration and the Building of Dubai". *International Employment Relations Association* 17(2). Pp 21-36.
- Bürkner, H. (2012). "Intersectionality: How Gender Studies Might Inspire the Analysis of Social Inequality among Migrants". *Population, Space and Place* 18. Pp. 181-195.
- Connell, J. and Burgess, J. (2013). "Vulnerable Workers in an Emerging Middle Eastern Economy: What are the Implications for HRM?". *The International Journal of Human Resource Management* 24(22). Pp. 4166-4184.
- Cooper, N. (2013). "City of Gold and City of Slaves: Slavery and Indentured Servitude in Dubai". *Journal of Strategic Security* 6(3). Pp. 65-71.
- Davidson, C.M. (2006). *After Shaikh Zayed: The Politics Of Succession in Abu Dhabi and the UAE*. *Middle East Policy* 13(1). Pp. 42-59.
- Hvidt, M. (2009). "The Dubai Model: An Outline of Key Development - Process Elements in Dubai". *International Journal of Middle East Studies* 41(3). Pp. 397-418.
- Hunt, N. (2011). "Dubai's Labour Trap". *Political Insight* 2(2). Pp. 24-25.

Inhorn, M. C. (2012). "Reproductive Exile in Global Dubai: South Asian Stories". *Cultural Politics* 8(2). Pp. 283-306.

Kanna, A. (2007). "Dubai in a Jagged World". *Middle East Report* 243. Pp. 22-29.

Kanna, A. (2013). "A Group of Like-Minded Lads in Heaven: Everydayness and the Production of Dubai Space". *Journal of Urban Affairs* 36(2). Pp. 605-620.

Keana, D. and McGeehan, N. (2008). "Enforcing Migrant Workers' Rights in the United Arab Emirates". *International Journals on Minority and Group Rights* 15. Pp. 81-115.

Mahdavi, P. and Sargent, C. (2011). Questioning the Discursive Construction of Trafficking and Forced Labor in the United Arab Emirates. *Journal of Middle East Women's Studies* 7(3). Pp. 6-35.

Nash, J. (2008). "Re-thinking Intersectionality". *Feminist Review* 89. Pp. 1-15.

Sönmez, S., Apostolopoulos Y., Tran, D., and Rentrop, S. (2011). "Human Rights and Health Disparities for Migrant Workers in the UAE". *Health and Human Rights* 13(2). Pp. 17-35.

Soto, R. and Vasquez, R. (2011). "The Efficiency Cost of the Kafala System: A Stochastic Frontier Analysis". *Institution of Economics*. Pp. 1-41.

Vora, N. (2008) "Producing Diasporas and Globalization: Indian Middle-Class Migrants in Dubai". *Anthropological Quarterly* 81(2). Pp. 377-406.

Vora, N. (2009). "The Precarious Existence of Dubai's Indian Middle Class". *Middle East Report* 252. Pp. 18-21.

Walsh, K. (2011). "Migrant Masculinities and Domestic Space: British Homemaking Practices in Dubai". *Transactions of the Institute of British Geographers* 36(4). Pp. 516-529.

### **PhD Thesis**

Suter, B. (2006). "Labour Migration to the United Arab Emirates-A Field Study on Regular and Irregular Migration in Dubai".

Lau, J. (2013). "Urban Citizenship and Spatiality: The Perceptions of Space and Belonging of Expatriate Women in Dubai". Pp. 1-121.

### Online sources

Batty, D. (2013). "In Abu Dhabi, They Call it Happiness Island. But for the Migrant Workers, it is a Place of Misery". *The Guardian*. Available at: <http://www.theguardian.com/world/2013/dec/22/abu-dhabi-happiness-island-misery> [Accessed 1 Dec. 2015].

Hari, J. (2012). "The Dark Side of Dubai". *The Independent*. Available at: <http://www.independent.co.uk/voices/commentators/johann-hari/the-dark-side-of-dubai-1664368.html> [Accessed 28 Nov. 2015].

Health Insurance for Government and Private Employees in Dubai. (2011). Available at: <http://www.dubai.ae/mobile/en/Pages/SubLifeEvent.aspx?App=false&SubLifeEventID=83&IndLifeEvent=Getting+medical+treatment+in+Dubai&Category=Citizens> [Accessed 28. Nov 2015]

Human Rights Watch. (2006). "Building Towers, Cheating Workers: Exploitation of Migrant Construction Workers in the United Arab Emirates". Available at: <https://www.hrw.org/reports/2006/uae1106/1.html> [Accessed 1 Dec. 2015].

Human Rights Watch. (2014). "I Already Bought You". Available at: <https://www.hrw.org/report/2014/10/22/i-already-bought-you/abuse-and-exploitation-female-migrant-domestic-workers-united> [Accessed 18. Nov 2015].

Human Rights Watch. (2015) "Migrant Workers' Rights On Saadiyat Island in the United Arab Emirates - Progress Report". Available at: [https://www.hrw.org/sites/default/files/reports/uae0215\\_ForUploadR.pdf](https://www.hrw.org/sites/default/files/reports/uae0215_ForUploadR.pdf) [Accessed 23. Nov 2015].

International Labour Organisation. (2015). "Reform of the Kafala (SPONSORSHIP) System". Available at: <http://www.ilo.org/dyn/migpractice/docs/132/PB2> [Accessed 1 Dec. 2015].

International Trade Union Confederation. 2011. "Hidden Faces of the Gulf Miracle". *Union View*. Available at: [http://www.ituc-csi.org/IMG/pdf/V5\\_QatarEN\\_final.pdf](http://www.ituc-csi.org/IMG/pdf/V5_QatarEN_final.pdf) [Accessed 2. Oct 2015].

LEGlobal. (2015). "Memorandum - General Overview Employment Law/United Arab Emirates". Available at: [http://knowledge.leglobal.org/wp-content/uploads/LEGlobal\\_Memo\\_UAE](http://knowledge.leglobal.org/wp-content/uploads/LEGlobal_Memo_UAE) [Accessed 1 Dec. 2015].

Kristiansen, M. and Sheikh, A. (2014). "The Health of Low-Income Migrant Workers in Gulf Cooperation Council Countries". *Health and Human Rights Journal*. Available at: <http://www.hhrjournal.org/?p=4719> [Accessed 28 Nov. 2015].

Malik, N. (2011). "Dubai's Skyscrapers, Stained by the Blood of Migrant Workers". *The Guardian*. Available at: <http://www.theguardian.com/commentisfree/2011/may/27/dubai-migrant-workers-deaths> [Accessed 1 Dec. 2015].

Ministry of Labour. (2001). "Law No. (8) of 1980 - Labour Law and Its Amendments". Pp. 1-58. Available at: <http://www.mol.gov.ae/newcontrolpanel2010/attachments/21062012/labour%20law%20no.8%20year%201980.pdf> [Accessed 26. Nov 2015]

Ministry of Labour. (2009). "Wages Protection System Guideline". Available at: <http://www.mol.gov.ae/newmolgateway/english/wpsGuidelineEng.aspx> [Accessed 28. Nov 2015]

Rahimi, S. (2007). "UAE Threatens Deportation After Violent Protest." *Arabianbusiness.com*. Available at: <http://www.arabianbusiness.com/property-test/article/502712-uae-threatens-deportation-after-violent-protest?limit=20&limitstart=20> [Accessed 19. Dec 2015]

Scribol (2015). "The Exploitation of Indian Workers in Dubai". Available at: <http://scribol.com/anthropology-and-history/the-exploitation-of-indian-workers-in-dubai> [Accessed 29 Oct. 2015].

Tarback, A. and Lester, C. (2015). "DUBAI'S LEGAL SYSTEM: Creating a Legal and Regulatory Framework for a Modern Society". Available at: <https://www.lw.com/thou.../dubai-legal-and-regulatory-system> [Accessed 24 Nov. 2015].

Uaestatistics. (2010). "Demographic and Social Statistics". Available at: <http://www.uaestatistics.gov.ae/EnglishHome/tabid/96/Default.aspx> [Accessed 4 Dec. 2015].

Unesco.org. (2015). "International Migration and Multiculturalism". Available at: [http://www.unesco.org/most/migration/glossary\\_migrants.htm](http://www.unesco.org/most/migration/glossary_migrants.htm) [Accessed 1 Dec. 2015].

Webster, N. (2015). "Labourer's Midday Break Hailed for Fewer Heat Exhaustion Cases". *The National*. Available at: <http://www.thenational.ae/uae/government/20150915/labourers-midday-break-hailed-for-fewer-heat-exhaustion-cases> [Accessed 3 Dec. 2015].