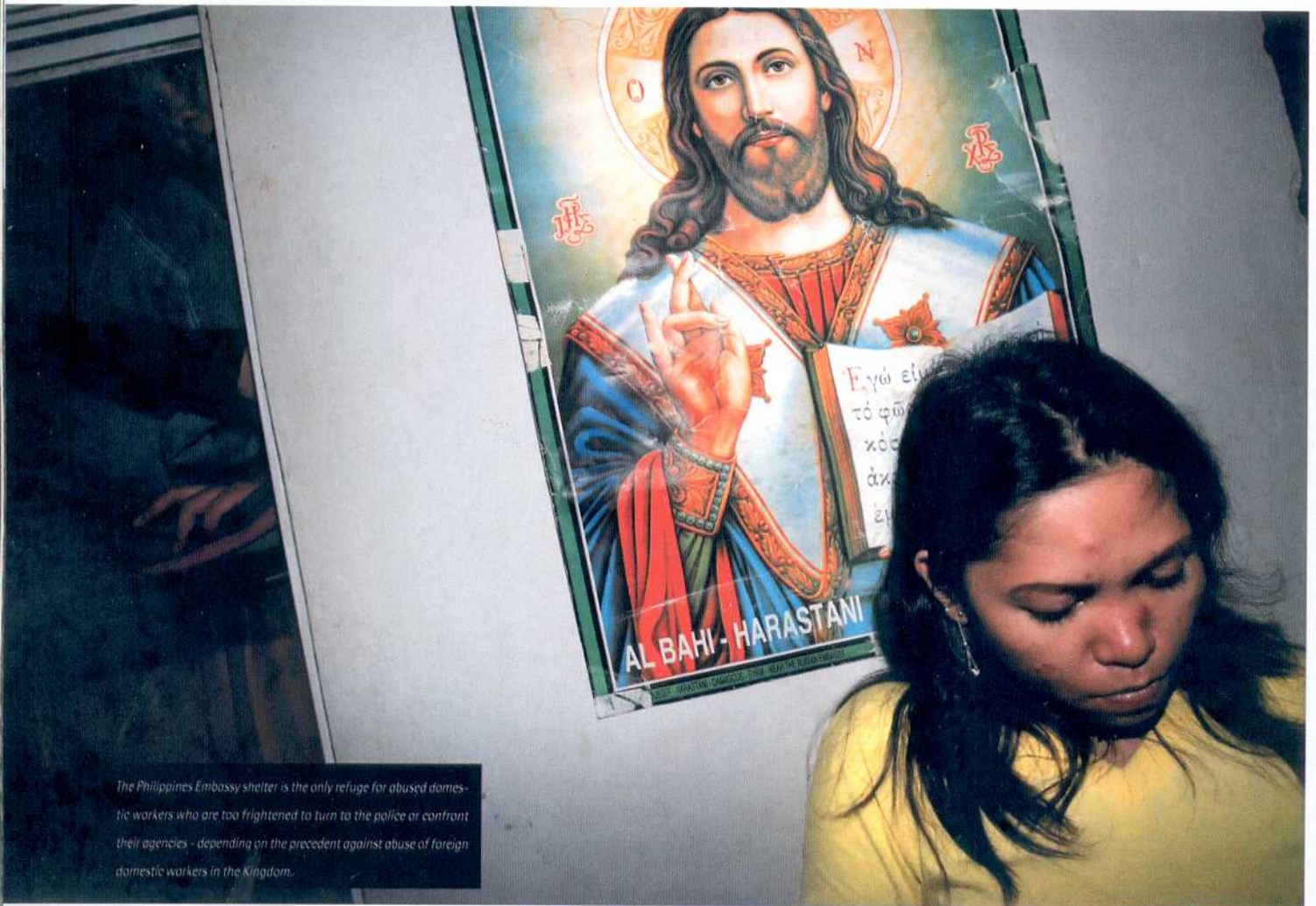


Indentured Servitude

WORDS & PHOTOGRAPHY *Tanya Habjouqa*

While Filipina housekeeper Jennifer Perez lies paralyzed from the neck down in a hospital bed in Amman, a fierce legal battle is raging around her. With her former employer currently under investigation for assault, the Philippine Embassy is pushing for a charge of attempted murder. If such a charge is brought, the case will set a precedent in the Jordanian courts, and mark a turning point in relations between Jordanians and their household workers, where abuse and violence can often be the norm. Tanya Habjouqa investigates.



The Philippines Embassy shelter is the only refuge for abused domestic workers who are too frightened to turn to the police or confront their agencies - depending on the precedent against abuse of foreign domestic workers in the Kingdom.

The flick of the light switch casts a sickly green fluorescent glow over the dark hospital room, rousing Jennifer Perez from a slumber into a reality that appears too painful for her to bear, her eyes blinking rapidly - her overly expressive face the only indicator that the diminutive figure on the bed is alive.

Three months before, a twenty-two-year-old Perez came to Jordan from the Philippines to work as a housekeeper for a prominent family in Irbid, her university degree in physical education and dance pushed to the side as she (along with rough-

ly 15,000 documented Filipinos currently in Jordan) took her chances to begin a new life and help her poverty stricken family.

That mid-July afternoon after she arrived, her employer allowed her to take a nap to recover from the journey. According to court transcripts - both Perez and her employer agree that a few hours later, the wife charged into the maid's room with her cell phone and demanded to confiscate it. Both women also agree that a physical altercation ensued. But how Perez ended



up falling two stories flat on her back is a matter now facing the Jordanian courts - the employer claiming a suicide attempt and Perez claiming she was thrown from the second story kitchen veranda.

Perez awaits for the court case to unfold from her hospital bed, where doctors say she will remain for the rest of her life, a quadriplegic dependent on nursing care for every facet of her survival - the dream of financial independence replaced with a harsh certainty that embassy social workers have refrained from telling her due to her fragile emotional state.

The Perez case exposes the social and legal divides between Jordanians and the foreign workers who serve them. If the employer, who denies all responsibility for the incident, is found guilty - it could set both a judicial and social precedent in Jordan. If not, the courts may confirm conventional societal wisdom: that what happens behind closed doors, stays there.

The abuse of foreign workers is "a phenomenon across the Arab world... especially among affluent families," says Dr. Sari Nassir, a sociology professor at the University of Jordan. "They seem to think money offers impunity."

Foreign domestic workers start off in Middle East countries with "an insecure legal status," says an official at the International Labor Organization, (ILO) a branch of the U.N. Workers usually come to Jordan from Sri Lanka, Indonesia, and the Philippines, countries that rely on the remittances the workers send home to keep their economies afloat. Despite laws meant to protect domestic workers, there remains an underlining mentality among

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certain segments of society that can confuse a foreign domestic worker with a slave.

Under the law, all persons on Jordanian soil are granted the same rights. But in practice, prosecutors rarely follow up Jordanian abuse of domestic workers, and even more rarely convict, according to a Jordanian lawyer who prefers to remain anonymous. Combined with a deeply entrenched system of "wasta," or network of connections, the scales of justice can become obscured, denying foreign workers basic access to the very law to which they are entitled.

"In many instances, employers will bring their maids to the authorities and fabricate theft or the abuse of their children... due process is ignored and deportation procedures ensue," says a researcher from the National Centre for Human Rights (NCHR), a think tank created by government decree.



"Part of the problem is the high volume of undocumented workers... these workers have zero protection." But with an estimated one out of two workers in Jordan illegally, and no government body or embassy officially tracking statistics, their abuse is reduced to anecdotal evidence.

Whether in the country legally or illegally, abused domestic workers have the perception that turning to the government for assistance is not an option - and whether real or imagined - believe that they are not safe in the hands of authorities, who they fear may abuse them, deport them, or at best, hand them over to their agency that may do the same before forcing them to return to their employer.

Shaher Bek, director of the National Center for Human Rights, asserts that their second annual report will include a hard, quantitative look at the problems facing foreign work-

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ers in Jordan, and that the report will highlight recommendations that include monitoring of different government agencies, from the police to the Ministry of Labor, as well as the employment agencies - urging embassies to step up their campaign monitoring agencies in their own countries.

"Most domestic workers seem unaware of their rights, that they have protection under Jordanian law... that they should have a day off, and that their employer is not entitled to confiscate their passport," a NCHR researcher states. "They remain locked in the house without their papers and unable to speak the language... they don't know how to access to their rights."

A recent afternoon at the Philippine Embassy seems to reflect a changing tide in terms of what Filipina workers are willing to take, as the official work day came to a close and over 40 Filipinas trickled out of the impossibly small shelter designed for 15 wards. The women, all of whom worked as maids, dragged their hand washed laundry to hang on a wire near the embassy's main entrance. Each had their reason for fleeing to this makeshift shelter, which varied from withheld wages, verbal, physical, and sexual abuse to endless days of drudgery with insufficient food. "They treated us like slaves... we would work from 6am to midnight, never resting, never given a day off, not allowed out of the house," said one woman in her late twenties. "Even if we are sick, we work."

Despite the cramped and dark quarters, where the women sleep three to a single bunk bed, the place was spotless, and their spirits upbeat - a prevalent sense of relief to be free of their employers. The wards are in limbo; most wait to go home. Others

are waiting for back wages, or to stay on in Jordan but with a different employer.

"It's completely standard practice" in Middle Eastern countries to have 100-hour work weeks, confiscate workers' passports, withhold wages and not allow a day off, says the ILO official. In Jordan, it is common to lock domestic workers in the house and not permit them to leave, read newspapers or have contact with the outside world. "If someone is hidden away, they can't launch a complaint," he says.

The conditions add up to the ILO's definition of forced labor, the subject of a report that came out earlier this year. The report estimated a minimum of 260,000 people work in such conditions in the Middle East, or roughly one person per one thousand residents.

The host country can't be responsible for the nearly 125,000 documented foreign workers working in Jordan, said a criminal lawyer in Amman. "Embassies have to keep track of their own nationals," he said. Diplomats at the Philippine Embassy said fewer than 1 percent of their nationals complain about employers, but acknowledged that workers kept inside their houses for the duration of their contracts lie beyond their reach.

For Jordanians, having strangers living and working in their homes, especially foreign women, can be an uncomfortable cultural phenomenon, and they are still getting used to it. An employer may think that keeping a worker in the house protects her from potential misdeeds. "A lot of times there are valid reasons why employers do not want the girls to go out on their

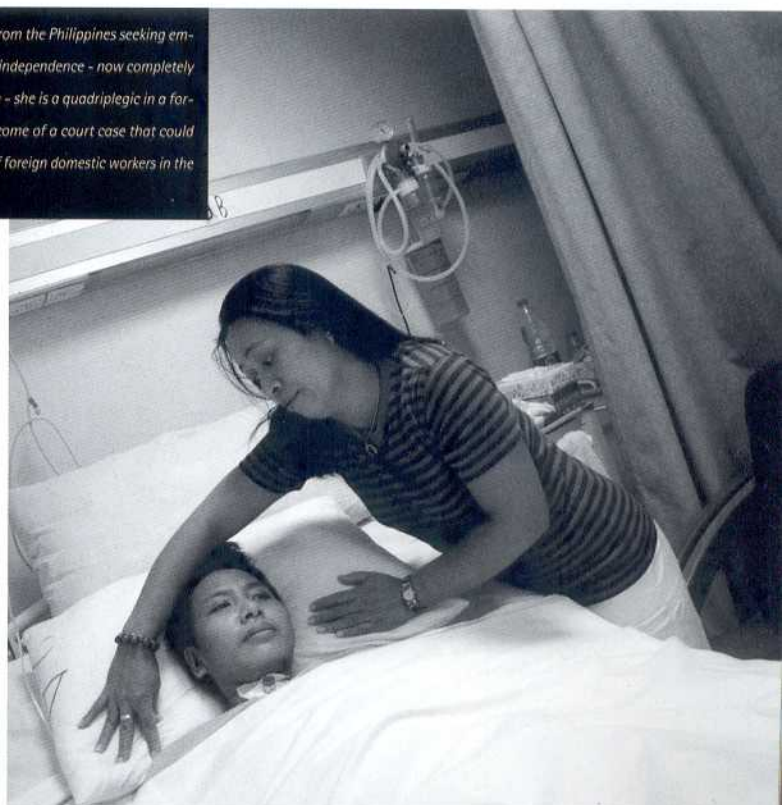
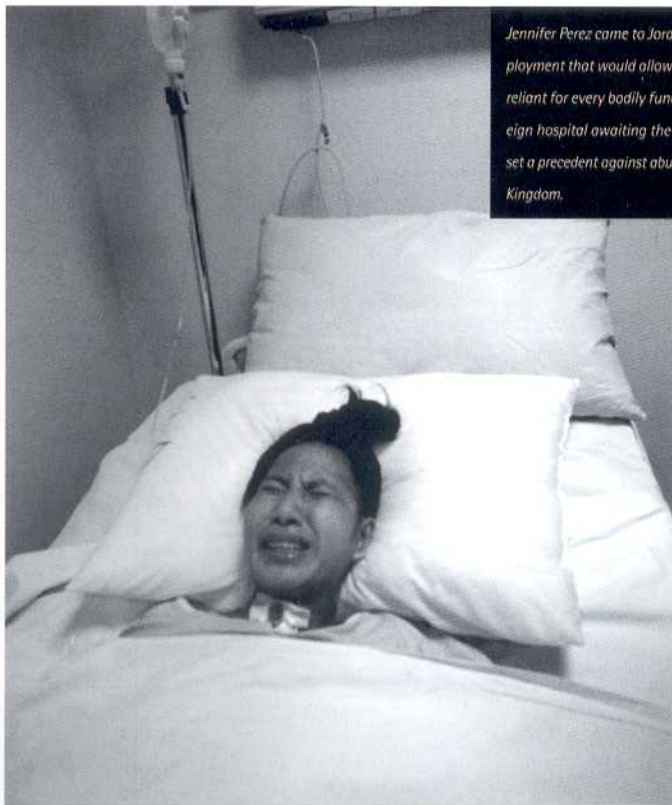
own," said one middle-aged society woman. "I personally know one woman whose maid had a cell phone and developed relations with a man outside who would come and help her steal things from the home when the employers were out." Employers also fear allowing women to come and go will increase the risk of pregnancy. "They are supposed to come to work, not get pregnant and then have to leave," said another Jordanian man, whose parents import a new Filipina every two years. Aside from the logistical difficulties a pregnancy poses, it also brings shame on the employers.

And shame is what brought these workers to the country in the first place. A comparatively poor country, Jordan's per capita annual income hovers at around \$2,000, even as the government continues to lift subsidies from oil products and basic commodities. With an official unemployment rate of 14 percent, unofficially estimated at twice that, it may seem unusual that an army of workers is being imported for construction, to guard residential buildings and clean people's houses.

But for the less prosperous in Jordanian society, sending women out to work as housekeepers can be seen as shameful, "and her father may fear that she will be unable to find a suitable marriage as a result," Dr. Sari Nasser explains.

Father Kevin O'Connell, a familiar figure for the past ten years at the English Parish of Amman, has offered spiritual counsel to the hundreds of Filipinas who have flocked to his church, and is quite familiar with the problems they encounter. "If Jordanian families would not allow their own daughters to take this work, what could they possibly think of women willing to take these

Jennifer Perez came to Jordan from the Philippines seeking employment that would allow her independence - now completely reliant for every bodily function - she is a quadriplegic in a foreign hospital awaiting the outcome of a court case that could set a precedent against abuse of foreign domestic workers in the Kingdom.



jobs so far from their own families?" he asks. When Perez regained consciousness after one month, the first thing she asked for was a priest to offer her the sacrament of the sick. Since visiting her in hospital, Father Kevin and his parish have raised over \$2,000 to contribute to her hospital bill.

"The gravity of Perez's condition and her rejection of the suicide claim prompted a police investigation - at a mid-October hearing in Irbid, the judge had ordered the one-week detention of the employer, but she was released after posting an undisclosed bail. "She should have been detained a long time ago," said a Philippine diplomat in Amman. The embassy is pushing to elevate the charge to attempted murder.

At the close of last week's second hearing, Irbid Judge Musa Khateeb asked for Perez's lawyer to submit the initial medical report, documenting her condition after her fall, in addition to a medical report by an official forensic expert detailing her inability to appear in court. However, a diplomatic source close to the case claims that no initial report was filed when Perez was admitted to Princess Basma Hospital, before transfer to the hospital in Amman where she is currently receiving treatment. Instead, the plaintiff's lawyer will request a letter from the hospital confirming the absence of an initial investigation, he said.

Since Perez was in the country less than 24 hours before the fall from the veranda occurred, no evidence is available to shed light on the dynamic between the employer and the employee. Aside from forensic evidence, the judge will consider the word of a woman from a prominent family and the word of a Filipina maid, from a sector of society often hidden from public view.

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Perez meanwhile, wants nothing more than to go home, to see her family, and to leave the place where her dreams and future were shattered. "I don't care about the case. I've already lost everything," she begged a visiting embassy social worker, "just let me go." A somber silence fills the hospital room, as a Filipina volunteer recruited by the embassy plays with Perez's hair and tries to cheer her up. Despite her difficulty in breathing and the mental anguish at lying helplessly, only

able to move her head from side to side as the rest of her body remains eternally limp, Jennifer manages a pained smile.

A Jordanian national, who works as a liaison for the Philippine Embassy, told Perez she had to stay in the country a little while longer to ensure her own rights are upheld. And, he reminded her; she will require medical attention for the rest of her life. With a hospital bill at \$50,000 dollars, multiplying at \$1,000 per week, the question of who will pay for Perez's around the clock care remains unresolved.

After the hospital visit, the Jordanian national reflected on the cases of abuse he has seen in his years working at the embassy. "I have been disappointed time and time again at the injustice served to these women," he said. "I just hope this time it will be different." **JO**



Filipina women hide out in their embassy shelter - often sleeping four to a single bed while waiting for back pay or a plane ticket away from miserable working conditions - the upcoming Jennifer Perez court case could set a precedent against abuse of foreign domestic workers in the Kingdom, guaranteeing their rights and protection.