

The Exploitation of Domestic Workers in Nigeria: A Discourse on Ethical Challenge on Hiring and Treatment

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Abstract

Domestic workers are of strategic importance to the growth of the Nigerian economy. Despite their immense contribution to the economic growth of the country, however, these members of the informal sector of the nation's workforce are not given the fair treatment they deserve by their employers and the state, raising some ethical questions. This study examines the working conditions of this group of workers and the ethical issues raised by their treatment. The study adopts theoretical approach using secondary data as sources to generate information on the exploitation of home workers in Nigeria and the ethical challenges occasioned by their hiring and treatment. The findings of this study indicate that domestic workers in the country suffer ill-treatment, collective injustice and rights abuse from their employers. This has imperiled and exposed them to gross neglect, abuses and exploitation due to non-compliance of their employers to the laws guiding their relationship, and the inadequacy of such laws. The study thus concludes that domestic workers' employers do not comply with employment law, ethics and human resources procedures in the treatment of domestic workers. The study, therefore, recommends that the government should extend employment protection and job security to the workers in the informal sector which includes the domestic workers.

Keywords: domestic workers, economic growth, exploitation, injustice, employers

Introduction

Workers in private households, such as houseboys, house girls, nannies, gate keepers or security men, cooks, drivers, etc. are engaged to do domestic chores and run errands ranging from babysitting, care of the elderly and the sick in the family, cooking, dish washing, car washing, shoe polishing, sweeping, disposing refuse, house and compound cleaning, laundry, housekeeping, security, driving, shopping, taking children to and back from school, taking care of the visitors, receiving and paying utility bills, etc. One can note, therefore, that though the tasks of this group of workers may appear insignificant, the fact remains that they are making very useful contributions to the society. Their jobs help reduce the burden on the *Oga and Oga Madam*,

thus allowing the house owners the ample time to concentrate on their jobs and other things.

As important as the job of a domestic worker in the family or household is, however, he/she is considered to be a second class person; often treated as a slave. They are under their mistresses called *Oga* or *Oga Madam* (meaning lord or chief madam) who exercises absolute control and commands obedience. The domestic worker is useful only as a worker and must attend to her duties. They are beasts of burden, hewers of wood and fetchers of water whom little or no respect is accorded even by the least or youngest person in the family. They are treated like a hand towel which members and friends of the family use to wipe hands. The jobs they do are odd. As casual workers, they can be hired and fired with ease. There is virtually no respect accorded them. They are abused at will both physically mentally, and even sexually. Since most domestic workers are from poor background and most probably have nobody to fight for their cause, their employers often take advantage of this social status to unleash terror on them. Most of them are not educated, with few of them being primary/secondary school dropouts. They work very long hours, without a known opening and closing time.

Furthermore, domestic workers are regarded as dirty lot and disease carriers. Many of them are seen as 'thieves' who cannot be trusted. They are restricted from entering some rooms unless accompanied. Some of them are not allowed to enter living rooms, eat at the dining table or even watch television. If they must be dressed, it must be *okrika* (second-hand dress). They are always suspected of being possessed by evil spirits or witchcraft. When the family's fortune turns negative, the domestic workers are the first to be accused; the first to be taken to worship centres for cleansing. They are punished for sexual overtures made by *Oga*. Often times their wages are withheld to make up for any missing item(s) in the house. Quite often, they are driven away to nowhere in particular to start life afresh. At any slight provocation, the house owners could invite the police, resulting in the 'beasts' being locked up as long as the *Oga* pleases. Due to their poor socio-economic background, they cannot seek redress, since there is nobody to plead their cause. Simply put, they are a forgotten lot in our society.

According to Oloko (1999), domestic workers are mostly young children especially girls aged 10 and above but mostly between 13 and 16. Depending on the need, a much younger person can be engaged. The ultimate position this paper is out to argue is that in Nigeria, despite the fact that domestic works are legitimate, the scope of national labour laws has not been expanded enough to take care of these vulnerable workers, leaving them in a precarious situation. The paper, therefore, canvasses for the attention of

policy-makers for this group of ‘unfortunate members of the working force’, so that they would be treated as citizens whose fundamental rights are worth protecting by the country’s laws.

Theoretical Discourse

This work bases its relevance on Immanuel Kant’s moral argument in which he posits ‘Rational Beings’ as constituting ‘Kingdom of Ends’. Kant holds that human beings have absolute worth and therefore, objective ends. That is, human existence is an end in itself because ‘rational nature exists as an end in itself’. He argues that on no account should a rational being be made a means to another’s end. The maxim of every action for every rational nature, and in tandem with the idea of humanity as end in itself, according to Kant, is act so as to treat humanity, whether in thy own person or in that of any other, in every case as an end withal, never as a means only. For Kant, man and generally, any rational being, exists as an end in itself, not merely as a means to be arbitrarily used by this or that will, but in all his actions, whether they concern himself or other rational beings, must be always regarded at the same time as an end. Kant further posits that in all creation, everything one chooses and over which one has any power, may be used merely as a means; man alone, and with every rational creature, is an end in himself.

Man’s Moral Heritage

In concluding his *Critique of Practical Reason*, Kant made the following observation:

Two things fill the mind with ever new and increasing admiration and awe, the oftener and the more steadily we reflect on them: the starry heavens above and the moral law within. I have not to search for them and conjecture them as though they were veiled in darkness or were in the transcendent region beyond my horizon; I see them before me and connect them before me and connect them directly with the consciousness of my existence. The former begins from the place I occupy in the external world of sense.... The second begins from my invisible self, my personality, and exhibits me in a world which has true infinity (Kant, 1996).

With the above, Kant reminds human beings of the place they occupy in the multiversity of humanity, especially as it affects human actions, inactions and behaviour. Practical Reason, also known as morality, according to Kant, is a categorical imperative, not admitting anything less in terms of universally, rationally, human acceptable standard of behaviour that is rationally acceptable and which can be made a law of rational being. When we talk of

ethics or moral we imply relation of action to practical reason. Our quest to attain justice, fair play, fairness, globally acceptable standard, due process, we imply ethics or morality. Our moral heritage directs our acts and relationship building towards rationally defensible and universally acceptable standard practice. Ethics, to say the least, is intended to direct our actions and inactions towards attaining goals that promote healthy human relationships. That is why every rational being must be guided in work, action and deed to attain best practices, promoting human dignity and imbibe the idea of humanity as an end in themselves.

Unemployment and Poverty in Nigeria

Unemployment is one of the most critical problems in the Nigeria coupled with corruption and economic mismanagement which have hindered economic growth. The under-utilization of national economic resources has resulted in deficit of maximum economic benefits. Nigeria continues to face a number of challenges, including widespread poverty, unemployment, weak infrastructure and high rate of urbanization, low earnings, poor social indicators and significant disparities by income, gender and location. This has forced many women to engage in domestic employment as it is readily available. A globalization-inspired economic reform since the late 1980s has led to low capacity utilization and staff rationalization. Employers have reduced the earnings of the new entrants and have raised the standard for applicants, loss of jobs and sustained poverty (Fajana, 2001).

Also, (Olomola.Akande, Ogunwale & Ogundele, 2009) posited that the repercussions for poverty are sternly momentous and eventually created some social problems of which female and child labour are most predominant in Nigeria among all African nations. A combination of push and pull factors contribute to people entering domestic work. Rural poverty has increased in many countries occasioned by structural adjustment programmes, devastation of the agricultural sector and economic crises. These factors have pushed many women and girls into the domestic work (Human Rights Watch, 2006).

Increase in Women's Participation in Labour Force

In Nigeria and most countries (industrialized or less industrialized), career women who patronize or recruit domestic workers are fast increasing. Smaller family size no doubt has weakened the traditional role of the extended family thus, hiring of domestic workers remains a viable option if the women are to cope with the demands of her career. With the aspiration of the modern women in building career and to compete with their male counterparts in

terms of skills and competence, domestic work has become a very critical job. Asha D'Souza (2010) also notes that job quality for domestic workers, as well other workers, is a right and also a social necessity.

As more and more women enter the labour force, their productive domestic tasks are delegated to household employees on whose care the well-being of entire family depends. As domestic work allows other women workers with family responsibilities to achieve equilibrium between work and family life, it plays a key role in the smooth operation of the economy. Thus, if performed under fair working conditions, domestic work has tremendous potential for eradication of acute poverty and hunger, promotion of gender equality and empowerment of women.

Methodology

This study used a theoretical base approach using secondary data sources to generate information towards achieving the objectives of the study. Secondary sources of information include the literature, documents and reports gathered from other scholarly researches. Other useful materials; journals and textbooks, International Labour Organization (ILO) publications and the internet were used as sources of the study material by the researcher.

Comparative Analysis of Domestic Workers for the both Sexes

Table 1: Global and regional estimates on the number of domestic workers in 2010, by sex. Panel A: both sexes

	Domestic workers	Domestic workers in % of total employment	Domestic workers in % of paid employees
Advanced countries (selected)	3,555,000	0.8	0.9
Eastern Europe and CIS	595,000	0.3	0.4
Asia	21,467,000	1.2	3.5
Asia excluding China	12,077,000	1.2	4.7
Latin America and Caribbean	19,593,000	7.6	11.9
Africa	5,236,000	1.4	4.9
Middle East	2,107,000	5.6	8.0
Total	52,553,000	1.7	3.6

Panel B: Female

	Female domestic workers	Female domestic workers in % of female employment	Female domestic workers in % of female paid employees
Advanced countries (selected)	2,597,000	1.3	1.4

	Female domestic workers	Female domestic workers in % of female employment	Female domestic workers in % of female paid employees
Eastern Europe and CIS	396,000	0.4	0.5
Asia	17,464,000	2.5	7.8
Asia excluding China	9,013,000	2.6	11.8
Latin America and Caribbean	18,005,000	17.4	26.6
Africa	3,835,000	2.5	13.6
Middle East	1,329,000	20.5	31.8
Total	43,628,000	3.5	7.5

Panel C: Male

	Male domestic workers	Male domestic workers in % of male employment	Male domestic workers in % of male paid employees
Advanced countries (selected)	958,000	0.4	0.5
Eastern Europe and CIS	199,000	0.2	0.2
Asia	4,003,000	0.4	1.0
Asia excluding China	3,064,000	0.5	1.7
Latin America and Caribbean	1,588,000	1.0	1.6
Africa	1,400,000	0.6	1.8
Middle East	778,000	2.5	3.5
Total	8,925,000	0.5	1.0

Source: ILO estimates based on data from official sources.

Table 2 shows estimated total number of domestic workers globally at 52,553,000; the female is greater in number with an estimate of 43,628,000 and male, 8,925,000. A comparative analysis of domestic worker for both sexes indicates that for example in Africa, total number of domestic workers is estimated at 5,236,000 and out of which female domestic workers are still greater in number with the estimated figure of 4,628,000 while males are 1,400,000. Also, statistics shows that female domestic workers in percentage of female employment stand at 2.5%, while female domestic workers in percentage of female paid employees stand at 13.6%. For the male domestic workers, the percentage of male employment is 6.6%, and male domestic workers in percentage of male paid employees are 1.8%. Figure 1 shows that more women are in domestic work worldwide with total estimate of 83% whereas the male counterparts estimated figure is 27%, (ILO, 2010).

Until the issue of invisibility is resolved, it will remain a barrier to providing adequate legal protection for domestic workers. There is the need for public awareness and advocacy to bring to limelight the precarious conditions of domestic workers and this demand a collective action on the part of the domestic workers and the trade unions to organize domestic workers and give them a voice.

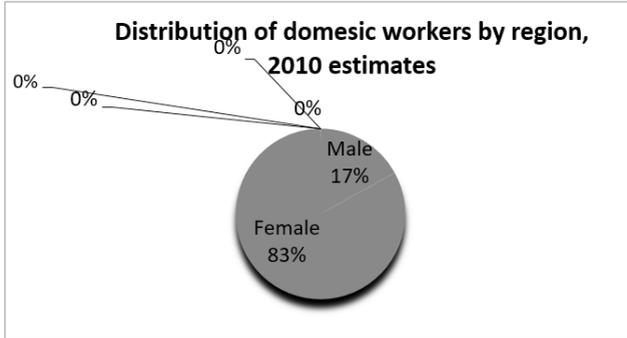


Fig. 1: *Distribution of domestic workers by sex and region, 2010 estimates*

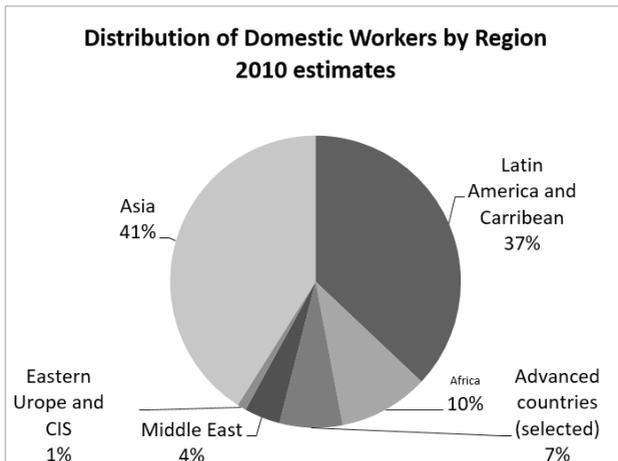


Fig. 2: *Domestic workers by sex and region*

Source: ILO estimates based on data from official sources

The Features of Domestic Work in Nigeria

There are several common features of domestic work that set it apart from other types of paid work. First and foremost, domestic workers are employed in the homes of others by an individual or a family; they may be employed by a firm or enterprise to work for person(s) within the family households. The following features appear to be associated with domestic work.

Veiled

Domestic workers appear to be hidden from the outside world, often undeclared and not governed by a mutually agreed written contract. It remains outside the scope of labour inspection and other forms of dispute resolution (Tokman, 2010; Flint, 1988). Foreign women workers, particularly those with irregular immigration status appear to be dominant in this sector (D'Souza, 2010).

Dominating Power of the Employer over the Employees

Whereas in most worksites, there is one employer for several workers, in this occupation there may be one worker for several employers, with conflicting demands on the time and attention of the worker. The low status attributed the women on the job and the servility inherent in it further seems to weaken the bargaining position of the worker (Chen, 2010). To add to this, the second-rate status of women as compared to men, the differences in social class and education and sometimes the racial or ethnic factor appear to further tilt the balance of power towards the employer (Chen, 2010). The child domestic workers cannot talk of bargaining, because their position had been determined from the home where they come from. Adult domestic workers may not live on their employer's premises but most children engage in domestic jobs are constrained to live with employer because of their age.

Paternalistic attitudes

Paternalistic attitudes seem to prevail among the domestic workers due to cultural influences within the Nigerian culture. Many employers of domestic workers do not appear to consider themselves as employers and also do not see their homes as a workplace. They believe they are doing a good turn to a poor, uneducated woman by taking her into their house and that the services they receive in return do not necessarily merit remuneration (Awosusi & Adebayo, 2012). Looking backwards through history, one finds that domestic work has been viewed as a stage in life, an apprenticeship rather than an occupational choice.

Domestic Workers' Contribution to Society

It is quite unfortunate that the contributions of domestic workers in Nigeria has not been duly recognized. The domestic workers tend to be forgotten even by the authorities and the society. However, there are many ways these workers contribute to the growth of the economy and the development of the country. Although not yet quantified, these contributions have not gone unnoticed by those who have keenly watched this informal and highly unorganized sector of the economy. Just a look at what they do tells a true story of their contributions to the society. This group of workers takes care of the various homes allowing the home owners who are mostly men of different professions to concentrate on their jobs. This means that while the homestead is secured, the managers, especially the female executives can concentrate on their jobs. This makes for the smooth operation of the organization whereby the professionals have no more worries as to what is happening at home, such as how the children are doing, how are they taken to, and brought from schools, who does the shopping and the cooking, etc. A lady chief executive officer whose home-front has been taken care of by domestic worker(s) will no doubt contribute her utmost in the service of her organization. Also, the executive who is driven to office and back, especially in Lagos metropolis, Abuja Port Harcourt and Kano will have the rest of mind and good health to attend to his job, knowing the hassles of driving in these towns. A clean environment is a healthy environment. The domestic workers are an integral part of a clean environment.

Still in respect of what the domestic workers do, they contribute meaningfully to the development of the economy, relieving the masters and mistresses of the burden of domestic chores and errands and other such challenges that would have caused impediments to the discharge of their duties. Unfortunately, most people have not appreciated the role of the domestic workers. Domestic workers give support services without which optimal productivity will not be attained. They take off the burden capable of causing a total disturbance to their masters and mistresses. Just imagine a situation whereby a woman has to attend to her official and domestic duties at the same time. No matter how super-talented she might be, accomplishment of the tasks will be impossible without a helper.

Domestic worker phenomenon and sociocultural support

The practice of hiring a domestic worker has been with Nigerians over the years. It finds support in both our traditional and social cultures. Words such as *maikata* (Hausa), *omo odo* (Yoruba), *boyi-boyi* or *nwa boyi* or *odibo* (Igbo), meaning servant or paid/hired help are found in our lexicons. Also,

we have had a culture of keeping slaves as underscored by such words as *bawa* (Hausa), *oru* or *ohu* (Igbo), *eruu* (Yoruba). Of course, over the ages, we have had the practice of pawnship, tributary labour and slavery, all pointing to the fact that a person can be used as a means to another person's end via the use of the labour of a person or the labour of one's close relatives to pay off the debts incurred as such. Tributary labour, according to (Harunah, 2001) refers to the conscription and utilization of the most relatively 'weak', that is, the less privileged in the society by the most relatively powerful and influential elite in the area. The labourers do not get direct benefit while the monarchs, chiefs and village leaders benefit immensely. Pawnship refers to the system which encourage people to utilise other people as security or collateral for a loan that was obtained from a creditor. Prominent among these victims were children and young beautiful women. Slaves, on the hand, were people outrightly purchased by masters. They become 'property' of the owners. One can argue that engaging a domestic worker and the ill-treatment being meted out to them find some cultural support. That may be the reason it seems nothing is wrong even in the obvious and glaring abuses that domestic workers are exposed to in Nigeria. We seem to have unconsciously rationalized their ill-treatment as given. However, in spite of the seeming support from the cultural stable, the practice of abusing the worker because she/he is engaged in menial or odd job; or because of her/his lowly background should be condemned and discouraged.

Lack of a precise job description

The expectation on the part of the employer for availability at all times, to obey orders is another characteristic of domestic employment. Domestic work appears to be characterised by long working hours – up to 16 hours a day, seven days a week for some live-in workers. It is not rare to find these workers exposed to on-call work day and night (Caroline, 2006). In many cases, working hours are so extended as to deprive domestic workers of any free time at all (ILO, 1999). Many of these women report to work as early as 5a.m, to cook, prepare the children and take them to school, and come back to face other house chores.

Poor accommodation

Poor and inadequate accommodation seems to be a common complaint of domestic workers. They appear not to have a separate room to themselves, and are sometimes made to sleep on the corridor, in the kitchen, and storage room or under the staircase. Even when they have rooms, they appear to be small and poorly ventilated without the possibility of locking them (Chen, 2011). Without a private space to retire to, these workers appear to suffer

from lack of privacy. Many women have complained about their male employers invading their privacy. Besides, many employers deduct amounts for accommodation and meals that are, in many cases, grossly overvalued and tantamount to non-payment of salary.

Low wages

Domestic workers tend to have lower wages, little or no benefits, and less legal or social protections compared to most other wage workers, with the probable exception of casual day labourers and industrial outworkers, Marthar (2011). Further, although the home is widely viewed as a 'safe haven', there is growing evidence that domestic workers are exposed to a wide range of unhealthy and hazardous working conditions. The earnings of domestic workers are among the lowest of all occupations with a significant proportion of domestic workers earning per capita income below poverty line (Razavi, 2007). The proportion of domestic workers with labour contracts and/or social protections is very low compared to other occupations. And women are in a worse position than men, in part, because they perform more menial tasks or functions than men. It is likely these patterns would be observed in other regions of the world if data are available (Smith, 2011).

Unregulated by labor laws

It is a known fact that domestic kind of work is hidden from the outside world, often undeclared and not governed by a mutually agreed written contract. It remains outside the scope of labour inspection and other forms of dispute resolution. Foreign women workers, particularly those with an irregular immigration status, and child workers are singularly subjected to exploitation and unlikely to be willing or able to claim their rights (Sah, 2004 & Sundari, 2005). Even where protective laws are on the statute books, they are frequently ignored by employers and not enforced by authorities. D'Souza (2010) remarked that until the issue of invisibility is resolved, it will remain a barrier to providing adequate legal protection for domestic workers.

Ethical Challenges: Imperative of Meeting Universal Best Practices

First looking at the place of work in human socio-economic environment and then the question becomes what is right and what is wrong when it affects the treatment of the domestic workers? Working or labouring is human, it is ethical and it is something to be encouraged. Therefore, people should be made to be proud for working because through work, the commonwealth is pooled and increased. Work consists of an effort which include both mental and physical, aimed at making or producing goods and services. It

may consist of any human activity in which physical strength and/or other powers are exerted to do or make something (Gonsalves, 1989). So, every work appears to be goal-oriented and the workers deserve some respect. Domestic work seems to be significant, therefore, cannot be taken for granted, thus, no domestic worker should be treated with levity. The United Nations Declaration on the Rights of man opens with the glowing observations that cognizance should be taken of domestic workers as human beings, their social protection and human dignity should extend to the workplace and environment, remuneration, safety and care. So, the worker is not a slave but one who has offered her/his labour by way of strength and energy to perform some tasks. The worker should be taken as an end in herself/himself, and not as a means to the master's end. Every rational being should enjoy the same amount of dignity accordable to an individual whatsoever. Every labour has objective worth and should be so recognized.

Respect for persons, according to Immanuel Kant (1996), is an imperative of morality and as such, is both categorical, obligatory, a command. The domestic workers are not respected, but an object of ridicule that may be used and dumped. Most of the girls are used only for baby sitting and when the child they are engaged to look after grows, they are sent away without acquiring any skill whatsoever. The mistress has only used them as a means to her own end. Kant posited that the rational nature exists as an end in itself and that human being represents this being that is an end in itself, an end for which no other can be substituted.

Unfortunately, however, the domestic worker appears not to be protected by any labour laws. Worse still, domestic workers have not been organized under any serious union, making it more difficult for their voice to be heard by the authorities. The Nigeria Labour Congress, the Trade Union Congress, and indeed, all organized labour movements in Nigeria seem not to be thinking and working seriously in the direction of unionizing domestic workers. This group of workers are therefore, denied the opportunity of making their plight known. This seems to make their work more precarious. They appear to be the dregs of the society; some of them orphans, some widows. They cannot speak for themselves and there is no one to speak for them. So they escape the 'radar' of International Labour Organization and other relevant United Nations Agencies.

Ill-treatment of domestic workers in Nigeria appears to be collective injustice and rights abuse. The neglect, abuse and exploitation suffered by domestic workers in the country seem to be sanctioned by almost every Nigerian. One wonders if domestic workers in the country are regarded as human beings. These workers exist almost everywhere with their

plights staring at our faces. But most Nigerians look the other way feeling unconcerned. To the chagrin and amazing shock of some who have been subjected to the various forms of ill-treatment is the existence of laws, both local and international, that seem never to be enforced. Directly or indirectly, Nigeria has laws expressly enacted to combat the menace of human rights abuses. The country has also ratified several international conventions in support of human rights. For instance, chapter four of the 1999 Constitution of the Federal Republic of Nigeria, as amended contains the Fundamental Rights of the citizens of Nigeria. Among the rights include 'right to dignity of persons' which abhors torture, slavery, servitude, inhuman or degrading treatment. In 2003, Nigeria enacted the Child Rights Act which complemented the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. One good aspect of the act is that it defines a child as any person before the age of 18 years.

It must be made clear that most of domestic workers belong to this age. Also, Article 1 emphasizes that 'the best interest of the child shall be the primary consideration' in every action concerning the child. Nigeria has also, long time ago, ratified the Universal Declaration of Human Rights, which serves as template for other human rights documents. In article 1 of the 1948 Document, it is written: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood (Pojman, 1989). To act towards one another in a spirit of brotherhood is instructive enough to end oppression of the domestic workers. There are enough laws to protect every citizen of Nigeria including the domestic workers. One wonders then why many of us have tacitly or expressly supported the various ill-treatments meted out to this vulnerable class in our society? Why are laws not enforced? Why have we united to do evil to these less privileged ones in our society? These questions require us to embark of ethical reorientation.

Conclusion

From the study, it can be concluded that domestic workers play strategic role in the society due to their positive contributions to the overall growth and development of the economy. It is also explicit in the analysis that inspite of their significant role in growing the economy of the country, domestic workers in our midst are abused and treated with sense of indignity by their employers. They are molested, raped, paid low wages that will never raise them above poverty level; and as if all these are not enough, they are denied access to social security and enjoy no protection from the government. This raises an ethical question which is imperative in universal best practices in

human resource and employment relations in the way workers are expected to be treated. The ethical question central to the job of domestic work is: what is right and what is wrong in regards to the treatment of the domestic worker? Work is human, it is ethical, and therefore, workers, irrespective of what services they render, should be treated with all respects and dignity attached to labour. The descriptive data shows that if the aforementioned ethical question is honestly dealt with, domestic work could reduce unemployment challenges bedeviling the country. This is because the work helps to reduce poverty in the society as many of the respondents doing the work are using it to take care of their families. For instance, majority of the women who engage in domestic work do so to support their husbands/families.

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