LIVING WITH(out) BORDERS

Catholic Theological Ethics on the Migrations of Peoples

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Migration for Livelihood
Hope amid Untold Miseries of Tribal Girls

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“This is a people despoiled and plundered, all of them trapped in holes, hidden away in prisons. They are taken as booty, with no one to rescue them, as spoil, with no one to demand their return” (Isa. 42:22).

The words of Prophet Isaiah reflect, to a certain extent, the plight of the tribal domestic working women in various metropolitan cities of India. My social apostolate with them during my formation as a Jesuit scholastic inspired me to study their situation and future prospects. As a theology student in 1998, I used to go to Greater Kailash, a posh locality of New Delhi, for a social apostolate amid them. Since I could avail myself for my social apostolate mostly on Sundays, my focus was based primarily on Christian domestic working women. I had heard and read about them, but that was my first personal encounter with them. They had migrated to New Delhi to earn a living by working mostly in nontribal families as Aayas or maidservants. Despite their precarious working conditions and frequent physical, verbal, mental, sexual, emotional, and psychological harassment, violence and exploitation, they seemed to be happy and lively on Sundays. That was the only day when they had the chance to meet and share their sukham-dukham (experiences of joys and sorrows), as it is known popularly. The church premises offered a perfect venue for their gathering.

In the same year, we organized a common festival for all the tribals living in New Delhi. The occasion was the Karam festival, a feast celebrated at the conclusion of the planting season by almost all tribal communities of north India. Seeing the huge crowd, I realized for the first time the magnitude of migration of the tribal women to the metropolitan cities. As the master of ceremony of the cultural activities, I could see the euphoria in their faces and in their way of singing and dancing; but I wondered how long such joy and excitement would last!

On December 29, 2013, I participated in one of the weekly meetings of a group of the tribal domestic working women held on the premises of the Indian Social Institute, New Delhi. Under the umbrella of Adivasi Jeevan Vikas Sanstha (Tribal Life Development Society), run by JESA (Jesuits in Social Action), around two hundred women gather every week in the Institute for the Holy Mass. Although not all of them are Christians, they feel at home in sharing their works and living conditions. All of them receive possible legal and other logistic assistance. To keep in touch with their tribal roots, some cultural activities are also organized.
occasionally for them. I interviewed thirteen women from different socioreligious backgrounds. Their stories and experiences represented the general feeling among those attending the regular Sunday meetings.

Major challenges in working with these women include instilling in them a sense of human dignity, equality and justice, and strengthening their tribal roots and identity, and their communitarian spirit. Over the years, many initiatives have been taken to improve their situation. An anthropological, theological, and ethical study of their joys and hopes, grief and anxieties (cf. Gaudium et spes, no. 1) amid untold miseries might be a stepping stone to tap further possibilities for their integral well-being.

Profiles of the Tribal Domestic Workers

The majority of domestic working girls hail from the tribal areas of Assam, Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Orissa, West Bengal, and the other seven northeastern states of India. They belong to five major tribes of India—Oraon, Munda, Kharria, Ho, and Santhal—and are “known as adivasis, a Hindi term, which literally means original inhabitants. It is one of the common names given to agrarian or primitive peoples of India.” It is important to note that the term primitive is not used anymore, and these tribes do not have any caste system. Their population is concentrated in Jharkhand, one of the smallest states of India, but rich in minerals and natural resources. Right from the independence of India in 1947, all the successive federal and state governments have been interested only in exploiting the natural resources. Development-induced displacements have constantly forced the tribals away from their traditional land without any proper compensation or resettlement. Government and multinational companies set experience and skill as the terms and conditions for employment in factories or mining establishments, which most of the tribals do not have. Unfortunately, corruption and nepotism play a major role in bringing even unskilled laborers from outside leaving the tribals “excluded and marginalized: without work, without possibilities, without any means of escape” (Evangelii gaudium, no. 53) to fend for themselves.

These tribals depend primarily on the produce of the field and the forest for their subsistence. Because of a lack of proper irrigation facilities, their agriculture depends on the monsoon rains. In recent years, the erratic monsoon, gradual deterioration and degradation of cultivable land, shrinking water resources, and insufficient agricultural produce have caused havoc in their lives. Along with the produce of the field, they also depend on the forests for their livelihood. In the name of saving the forests, the forest officials have outlined various restrictions to prevent them from using the forest. With two major sources of livelihood gradually being dried up, they are forced to migrate to other states as unskilled laborers to work in agricultural fields, factories, or construction sites. In summary, “ecological degradation, landlessness and land alienation, unemployment and poverty” are the primary reasons for their migration.
John Lakra, a tribal Jesuit who has done extensive research on tribal sociocultural and religious traditions and customs, maintains that the tribals are “basically simple, sincere and honest people, hardworking and having a wonderful sense of cooperation and community.” True to the observation, the tribal women, are simple, honest, sociable, soft-spoken, enduring, extremely hardworking, and possess an inherent capacity to adjust to any situation or place. A large number of them, despite working in the fields, running after the household animals, and doing the daily chores, study hard and complete their graduate and postgraduate studies. The Christian missionaries have done extraordinary work in the field of education in the entire tribal area. However, a good number of the tribal women discontinue their studies after a certain stage because of the lack of resources. Rampant poverty and unemployment in the rural areas force them to migrate to the cities either willingly or unwillingly. One can imagine the life of a lone migrant young girl in a strange nontribal family in a totally unknown place. For her, the mere fact of being uprooted from a closely knit tribal community and being placed alone in a “strange land” (Ps. 137:4) forces her to face a massive challenge in the search for an identity and human dignity amid innumerable untold miseries in the form of physical, sexual, and psychological exploitations. Her struggle to sustain sociocultural, moral, and religious values offers the immense possibility of some deep anthropological, theological, and ethical reflections on the situations of the worldwide domestic workers. Can their miseries be brought to light or their cries of despair be heard (Exod. 3:7)?

Pull–Push Factors and Human Trafficking

The age-old formula of supply and demand in the market economy can explain the pull–push factors of migration. Despite India being projected as one of the growing economic giants, an extremely uneven development is evident in semi-urban and rural areas. The rich have become richer; some have climbed the ladder of development to reach a totally new economic status; but a vast majority of the Indian population has remained untouched by economic growth. The process of industrialization, urbanization, and modernization has opened up new possibilities and opportunities for employment, creating a new group of rich middle class. The growth of “the urban middle class, especially the increase in the number of women working outside their homes and the availability of cheap domestic labor,” function as a major pull factor to attract the less privileged tribal communities for such labor.

The rural set-up offers almost negligible possibilities of any creative work or job opportunities to the tribal women. Some of them observe the pathetic situation of their family members and peers who journey everyday to the nearby cities in search of a daily wage job. The construction companies or some rich families come to hire them for a day and pay according to their work. The scene represents the parable told by Jesus, “For the kingdom of heaven is like a landowner who went out early in the morning to hire workers for his vineyard. He agreed to pay them a denarius for
the day and sent them into his vineyard” (Matt. 20:1–2). Not all are hired for work; some remain there till the end of the day and return home empty handed. Living amid such desperate situations, if someone offers the possibility of a better life in the cities, they do not hesitate to jump into the abyss of uncertainties and challenges. The prospect of earning money on their own and helping their families pulls them to the cities, and the misery, poverty, and hopelessness work as push factors.

Amid the pull-push factors of migration, human trafficking raises some serious ethical questions. Over several decades, human trafficking has become a burning issue confronting the northern states of India. Realizing the seriousness of the problem, the central government has already drafted the Domestic Workers (Registration, Social Security and Welfare) Act 2008, which states, “with no rights and rules to fall back on, most of the domestic helps have become contemporary slaves. It is also a known fact that many women and children are trafficked and exploited by the placement agencies, which operate openly without any form of restrictions and regulations.” However, there has not been any further progress in ratifying the act or in taking some concrete steps to stop the human trafficking.

There are multiple groups at work behind human trafficking. The first group is the mafia-type placement agencies that charge a huge sum of money as a registration fee from those looking for a maidservant. Their agents guarantee a regular supply by recruiting young women from the impoverished semiurban and rural areas. The agents receive thousands of rupees as commission and pay substantial kickbacks to the police to ensure the continuity of human trafficking. They roam around discreetly in the remote villages, take time to identify the possible victims, and befriend them through their peers and relatives. Once they gain their confidence, they lay a trap and deceitfully convince them of good jobs and better lives in the cities. If a group of young women is ready and willing, a meticulous plan is drafted to traffic them out of the village via bus and railroad.

The second group of human traffickers might be composed of the relatives and friends of the victims. Their method is the same as the first group. The major difference is that the people in this case are known to the victims and their families, and so laying the trap becomes easy and the result is fast. While living with the possible victims, they almost brainwash them by selling the dream of a better life in the cities. On the pretext of taking the victims to the house of another relative or friend or to a public function, they traffic them to the cities.

The third group of human traffickers is the domestic working women who return to the native villages for their holidays. Quite often, they have made a commitment before leaving for home to bring one or two young women along with them at the conclusion of their holidays. Some young women choose willingly to go to the cities and are even encouraged by their parents to go because the options are limited at home.

Once trafficked into the cities, the young women are handed over either to the placement agencies for a hefty commission or directly employed in some families. Some are even sold to the brothels. The newly trafficked women are kept with
others in a small room just large enough to cook and sleep, with little space for privacy, until they are employed by someone. Once employed, their daily routine includes “cleaning (sweeping, swabbing and dusting), washing (clothes and dishes), cooking or preparation for cooking such as chopping vegetables and making dough, ironing, housekeeping and extensions of these outside the home such as shopping.” Despite all this, their living and working conditions are pathetic, with no limits on working hours; no respect for their work; and no protection or social security from physical, mental, and sexual exploitations. Their employer forces them to bring a substitute when they are sick or want a leave in case of emergency. Without any formal contract, they live under constant fear that “their services can be terminated at any point of time.” Sometimes they are thrown out of the house on the pretext of theft or no work. In most cases, FIR (First Information Report), a written complaint against any cognizable offense, is never registered, which is mandatory to initiate the criminal justice process. Their lack of knowledge of the legal procedures or “little confidence in complaint mechanisms or stigma due to breach in confidentiality can also be responsible for the silence.” Unfortunately, there is no community or structural support system to pursue such cases, which, in turn, encourages human trafficking.

Case Studies

In October 2013, a story appeared in almost every local newspaper about the rescue of a young domestic working woman in Delhi. She was so badly tortured and beaten by her employers that at the time of her rescue, she had severe head injuries and wounds on almost every part of her body. She confessed that she was ill treated, abused verbally, and physically beaten almost every day; so much so that she was forced to drink urine and made to sleep in the bathroom. After the public uproar, her employers were arrested by the police. In another case of brutality, Delhi police arrested a couple who had locked up their thirteen-year-old domestic servant in their apartment and had gone for holidays in Thailand. Such stories rarely become a public issue.

My interviews with the thirteen young domestic working women on December 29, 2013, in the Indian Social Institute, New Delhi yielded some startling revelations. Although some seem to enjoy good treatment, respect, and freedom in their workplaces, they are reminded time and again by different people and circumstances that ultimately they are the maidservants. Not having any other option, they face all challenges with tremendous courage and patience. Not all the case studies present a gloomy state, of course. My younger brother had four maidservants from Jharkhand over a period of fifteen years. One remained for almost ten years and went back to her village only to get married. My brother and sister-in-law desperately needed someone to take care of their two children and the house while they were away at work for the whole day. My sister-in-law did scold these servants sometimes, but nonetheless, they were treated well. They participated in almost all family
activities such as meals, prayers, and social festivities. There are many such cases where the domestic working women are adopted as one of the family members in an atmosphere of respect, confidence, and mutual trust.

Some Fundamental Ethical-Theological Questions

Most of the tribal women whom I interviewed and interacted with during my formation period seemed to be happy and content with their work and their working conditions. However, their feeling of being alone, abandoned, and away from home often tortured and traumatized them. Even if they received good treatment from their employers, the maidservant mentality invariably sprang forth time and again to segregate them from the rest of the family. During my recent interaction with them, it surfaced again that the biggest sorrow for them was not being treated as equal human beings. Unfortunately, the derogatory terms used and the negative attitudes shown toward them by their own tribal community members seemed to be even more painful and agonizing. This raises some serious ethical and theological questions regarding what it means to be human and the role of the church in instilling respect and dignity toward the other in this context.

Migration: The Only Answer?

Most of the domestic working women in New Delhi belong to the Oraon tribe, whose forefathers migrated to Chotanagpur Plateau around the fifth century B.C.E. from the west coast of India. Today, the sociocultural and economic situation of both the domestic working women and their home states raise some serious questions regarding their migration to metropolitan cities. Is migration the only way out? Can the plight of these women and the outsourcing of their talents, creativity, and tremendous energy be justified in the name of survival and subsistence? Can their labor not be used instead to transform their own homeland? These questions have been tormenting the tribal communities for a long time. The efforts to stop the outflow of women by the local people and the civic bodies have not yielded satisfactory results. The government of Jharkhand, for example, has offered compulsory free education to young women, midday meals to the students, and job opportunities in rural areas through the constructions of roads, bridges, wells, and ponds; but rampant corruption, malfeasance, and nepotism eat up more than half of the resources meant for the projects, and thus perpetuate the poverty and misery of the local population. For many, migration seems to be only answer for the moment.

Integration of Values in a Foreign Land

Simplicity, honesty, hard work, the spirit of sharing and communion, interdependence, and community life are some of the fundamental tribal values of India. Along with language, sociocultural traditions, customs, and practices, the tribal
identity is encapsulated in five J’s of their worldview—Jan–Janwar–Jal–Jameen–Jungle (humans, animals, water, land, and forest). Being born and brought up in a closely knit community, the tribal domestic workers encounter the first culture shock when they are employed in a nontribal family—alone and isolated from the others. Often they succeed in adapting themselves to the new situation and integrate their traditional values with the values of the nontribal society. Sunday meetings and other social activities help them to maintain their tribal roots and avoid sociocultural annihilation.

Questions of Respect, Human Dignity, and Justice

The general ill treatment meted out to the tribal domestic workers is rooted basically in the slave or servant-owning Indian psyche. Their own tribal people, who are well educated, trained, and skilled, and are working in private or public sectors, show little or no respect for them and for their work. Even in their native villages, people are prejudiced against them. They are suspected of carrying sexually transmitted diseases, and so marriage remains a distant dream for them. Nevertheless, it is significant to note that “a majority of workers with a history of domestic work did not perceive it as disgraceful or undignified. Women who had no other support systems also did not view it as a humiliating or shameful.” After going through an ordeal of latent hatred and disrespect by their own people and by those in the cities, they do not seem to care anymore about other people’s perception of them and of their profession.

The role of the church has been distinctive and commendable in seeking justice for the tribal domestic workers by offering them legal assistance and instilling in them self-esteem, self-respect, and dignity by organizing sociocultural and religious activities. For example, a common marriage ceremony of fourteen tribal couples was organized on May 17, 2014, in Mumbai by a church-run social forum, Chotanagpur Migrant Tribal Development Network. The ceremony was held at Jesuit-run St. Stanislaus School and was officiated by the Auxiliary Bishop Agnelo Gracias of Mumbai. Such initiatives help the tribal migrants “to see beyond their humdrum and wretched life.” The fact of being recognized and assisted by the authorities, and the prospect of establishing a family, fill them with confidence, even if they continue in the same work after their marriage. The reaction of those benefitted by such initiatives was extremely positive and encouraging. They mince no words to express their joy and gratitude to the church-run agencies because they felt that there are some who care for them and help them to realize their dignity and self-esteem.

Hope for a Better Future Grounded on Faith

The tribal domestic workers flock in huge numbers to participate in Sunday Holy Masses primarily for three reasons: (1) they get the opportunity to meet their
friends and relatives; (2) they participate in some community activities organized by the church-run social forum; and (3) they are able to live their faith in Jesus Christ, which gives them hope, courage, and strength to combat the feeling of being abandoned, loneliness, separation from family, forced restriction, and exploitations.14 “Sunday Mass is a must for me”—these words echo their innermost desire to be part of a faith community and to have deeper union with Jesus Christ who promises them liberation from their untold miseries, “Come to me, all who are weary and heavy-laden, and I will give you rest” (Matt. 11:28). They firmly believe that Jesus is the source of inspiration for the church-run agencies in their efforts to work for the poor and the marginalized.

In the Old and New Testaments, the structure of hope is “characterized by God’s promise, fulfillment, and then promise of a sure and radical change of [human] existence into something which can only be understood as the formation of a new heaven and a new earth.”15 This hope requires commitment, perseverance, and faith in Jesus, because it is a promise about things yet unseen.16 It is the hope of a time when God will “wipe every tear from their eyes” (Rev. 21:4) and “the incompleteness of their present experience of God will be resolved, their present thirst for God fulfilled, their present need for release and salvation realized.”17 For them, such hope is the source of their strength to fight the present-day despair, suffering, and the harsh realities of life with courage and faith in Jesus Christ.

Future Prospects Built on Hopes

The preamble of the International Labor Organization (ILO) on Domestic Workers Convention held in Geneva on June 1, 2011, recognized “the significant contribution of domestic workers to the global economy, which includes increasing paid job opportunities for women and men workers with family responsibilities.” The convention outlined clear guidelines on terms and conditions of employment; wages; working hours; effective protection against all forms of abuse, harassment, and violence; social security; and the avoidance of child labor. Unfortunately, “domestic work is not recognized as ‘work’ by the Indian government. The state does not value or recognize this work as a contribution to society and the economy.”18 Still worse, women are stereotyped as domestic workers, which also raises the prevalent issue of gender justice. If the ILO recommendations were implemented by the government of India, the domestic workers would have enjoyed the rights and provisions like any other worker of the organized sector. This could help them acquire confidence, self-esteem, and dignity for what they are and for what they do.

Paradoxically, without the domestic workers, the thriving middle class of Indian metropolitan cities would crumble. Therefore, the “globalization of indifference” (Evangelii gaudium, no. 54) toward them must end. We must guarantee improved working conditions, adequate wages, access to much-needed health care, and other rights and privileges. The church, various charitable institutes, and nongovernment
organizations are working to improve their situation and to persuade governments to ratify the recommendations of the ILO Convencion on Domestic Workers. For example, the National Platform for Domestic Workers, which includes twenty organizations from fifteen states, recently submitted a petition demanding comprehensive legislation. They proposed an autonomous statutory body or tripartite board, with compulsory registration of employer, employee, and agency. Indeed, there is hope for the future, but that hope can take a concrete form if, and only if, their work is recognized, their rights are guaranteed by some specific laws, and they are given due respect for what they do and what they are as human beings.

Notes

7. Mahrotra, Domestic Workers, 39.
12. Mahrotra, Domestic Workers, 36.
18. Mahrotra, Domestic Workers, 50.