



# Representations of Kafala Sponsorship System in Western Newspapers: A Critical Discourse Analysis

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## Abstract

There is a specific law on foreign labor working in the Arabian Gulf called Kafala. Kafala system has been used to monitor the stay of all the migrant labourers from different parts of the world who had migrated to Middle Eastern countries. Recently, Kafala system has gained the spotlight by newspapers locally and abroad. However, there is a scare of research on analysing how the media is representing the Kafala system. van Dijk's framework has been used to analyze different newspapers and articles on the representation of Kafala system in Arabian Gulf and Western newspapers. The findings show that there is a similarity in the information aired in the Western newspapers and the Saudi Gazette newspaper, which also seems to be against the Kafala system that has some of the demeaning and inhuman labor laws.

**Keywords:** Kafala System; Gulf Newspapers; Western Newspapers; van Dijk's framework

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## Introduction

Kafala system was used to monitor the stay of all the migrant labourers from different parts of the world who had migrated to Middle Eastern countries, for instance, the United Arab Emirates and Saudi Arabia [1]. The migrants employed in the construction and domestic sectors to earn their living and meet their basic needs. Kafala system required all people who had both skilled and unskilled labor for they could all suit in the working provided one was willing to work. The Kafala system required that the employer be responsible for all legal processes that will ensure the laborer could be allowed to work in Western nations; for instance, it is the employer liable for the visa and his or her employer's legal status. However, the Kafala system has been much criticized by the human rights groups who accuse the method of creating an easy opportunity to exploit workers. Such exploitations include taking passports from employees and delayed payments.

From the BBC news that was published on November 4th, 2020 the heading talked about how Saudi Arabia eased the Kafala system restrictions to migrant workers. From the report, the Kafala system seemed to have a poor relationship between the workers and the employees (BBC, 2020). It also indicates that

the maids were being traded without their consent, and the employers were mistreating them. Employers seemed to have the right to allow visa registration for foreign workers. In the Western world, it is represented as a system that exploits the employees.

## Representation and CDA Studies

Over the past two decades, CDA has been known as an arena of academic-based activity where students and scholars from different fields come together. It also analyses discourse on the grounds of power relations, social structure, and practices [2]. During the past and current decades, many scholars have established CDA and identified it with poetry, for example, the critical discourse of analysis of Marsiya-e-Hussain.

As stated by Elyas and Aljabri (2020), the term 'ideology' described as socio-cognitively shared belief systems that embrace "axiomatic" representations of a group's social identity, is critical to CDA [3]. It is important to note that there are set principles that govern CDA, according to Wodak and Fairclough. They include statements such as the mediated link between society and text, in terms of social action discourse is regarded as being one. Lastly, discourse also follows culture and society. In social semiotics, "real efforts were made to understand systems of representation

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other than language visual images, music, and performance. This understanding is then 'turned back' on language in new theorizations of the characteristics of language [4].

## Literature Review

### Critical discourse analysis (CDA)

Michel Foucault (2019) regarded CDA as some of the ways that addressed knowledge incorporated with the social practices that also touched on various forms of subjectivity and relations in power that tested how knowledge could be applied to them and how well they could be related. Critical discourse analysis is regarded as an approach used by people to view a language as a form of social practice [5]. Many scholars have argued that social practices and linguistic practices constitute one another, and they all focus on investigating how the powers in the society are established and reinforced using language. Critical discourse analysis (CDA) highlights several issues including power asymmetries, exploitation of the people, structural inequalities, and the manipulation of the surrounding [6].

### The Kafala system

It is also spelled as "kefala system"; Arabic: *نظام الكفالة*, romanized: *nizām al-kafāla*; meaning "sponsorship system." This was a system that was used to monitor migrant laborers who had migrated to Western countries and the Middle East countries [7]. Through the sponsorship, also known as the Kafala system in the Middle East, laborers worked primarily in construction and domestic sectors, which included housekeeping. The Kafala system was mostly concentrated and operated in the Gulf Cooperation Council member (GCC) states and other countries from the Middle East which includes; Saudi Arabia, Lebanon, Kuwait, Qatar, Oman and the United Arab Emirates [8]. The system included all the skilled and unskilled laborers. The employers were responsible for the visa of their employees and any other legal document that was required.

### The rise and fall of the Kafala system

Kafala system was considered to be the best form of improving the economies of many countries, which lied in the Middle East and the Western countries [9]. The system created employment opportunities for many people from different parts of the world. It also offered salaries and wages to people who provided cheap labor. However, the organizations started violating human rights by mistreating foreign immigrants [10]. Many human rights organizations started criticizing these organizations claiming that there was the creation of easy opportunities which used to exploit workers. Employers were accused of taking away visas and passports from their employees and abuse them with little chance of legal repercussions [11]. Many employees received low wages and even failed to get their salaries for a long period.

Malit Jr and Naufal (2016) outline the impacts that the Kafala system introduced to employees from foreign nations who went to the Western nations to look for job opportunities. He talks about workers' income and the employment status of employees. He mainly focuses his concerns on the negative impact that accompanied the Kafala system. Kafala system was, however,

associated with many visible effects which meant to disadvantage immigrants' workers. Such effects include unpaid salaries; as it concerned many housekeepers, their salaries were delayed and, in most cases, they were not paid totally [12, 13]. There was a lot of money allocated to recruit and receive housekeepers who would then update the employees on their salaries, but the sponsors pocketed the money leaving the employees unpaid. It was a significant problem to work for six months or more without salaries as sponsors ask for compensation for the recruitment cost.

Working hours and wage rule; the Western countries had imposed neither the minimum working hours nor the minimum wages for housekeepers [12, 13]. This issue of minimum wages and minimum working hours was seen to impose a rule where housekeepers could work for many hours, including day and night, for a minimum of six days a week and eventually no salary.

Personal documents and freedom; in many cases, housekeepers were usually demanded to hand over their passports and thus this ensured the employees had no right to leave at their will. The act of handing over their passport to the employer ensured that the foreign workers were enslaved and their freedom to leave the country was cut short. It also became clear that housekeepers were not able to leave the country without formal approval from their sponsors. Such acts ensured that the housekeepers were trafficked to other places, enslaved, and sexually exploited.

Babar, Ewers and Khattab (2019) talked about the positive impacts of the introduction of the Kafala system to the economies of both the Western countries and the other foreign countries where laborers were drawn from. The high mobility of talented laborers ensured that there is global economic development. The Middle East countries were the most beneficial as they were able to get the important skills required for the exploitation of the natural resources that the countries possess. Kafala system in one way was beneficial to many people from foreign nations who sought jobs.

With the low wages and salaries, one can provide the basic needs for his or her family. With the little money in the form of wages, one can be self-dependent and thus this reduces the problems associated with overdependence at the family level [14]. The system ensured that whoever is willing to work is exposed to different forms of labor and training. Such training offers long-lasting skills which are applicable in the modern world. The Kafala system ensured maximum exposure to people from less developed nations. This exposure ensured that people are enlightened and can get new and various methods of solving their domestic problems.

Damir-Geilsdorf (2016) concentrated his arguments on the purposes for why the Kafala system was introduced, the policies, and the practices that were supposed to guide the Kafala system. Kafala system is also operating in the Western countries where people from different parts of the world are offered sponsorship to go and work in those nations [15] the kafala system is considered to regulate the lives of more than ten million laborers in the Middle East. Furthermore, this Kafala sponsorship system is regarded to give many private citizens located in the Arab

Gulf countries full control over migrant workers' employment and empowerment skills. The Kafala sponsorship also ensures they offer full immigration status to those who migrate to their countries of operation. There was a need for many laborers to enhance industrial revolutions that were experienced in Western countries and the many populations, which led to the expansion of families. Thus, there was a need for housekeepers.

Previous studies which have used Van Dijk's methodology design and framework to analyze newspaper headlines

Elyas & Aljabri (2020) used the CDA framework or approach to investigate some of the hidden ideologies that were used in the guardianship system in Saudi on women representation. It gave the findings from different newspapers that addressed the matter in question. They included The Guardian, Toronto star as well as Washington Post. As the findings proposed, it was evident that out of the six newspapers, three of them viewed both Saudi Women and Saudi Arabia as "others." They finally concluded that the Saudi women were being oppressed.

Gökhan (2016) used CDA in his study that analyzed various ideologies from different newspapers on different cultures. In his study, he compared the newspapers from Europe and Turkish ones and how they addressed the Syrian refugees who were migrating to Europe. From the study, the findings indicated that the Turkish newspapers gave an eye on the tragedy for the refugees and what they had really gone through while the European ones addressed the risks that the refugees were thought to pose to Europe.

### Significance of the Study

Saudi Gazette, on February 4th, 2020 wrote a story about the abolition of the Kafala system following the interventions from the international community [16]. The author seems to indicate that the system violates human rights since the employers mistreat the employees and do not follow the human rights charter that the employer and employees agree on as they sign the contracts. The perspective of the author here is that the abolition of the system should be replaced by a better system that would respect the human rights charter.

## Methodology

We are using van Dijk's framework to analyze different Newspapers and articles about the Kafala system (Van Dijk, 2015).

### Research Questions

- (1) From a CDA perspective how is the Kafala system represented in Western and Arab Gulf local
- (2) Newspapers? (2) What are the ideologies behind these representations?

### Research Design

The research design here would involve the use of reflection based on van Dijk's framework and the positionality of the researchers from various Newspapers both in Saudi Arabia and the Western world; the Saudi Gazette, The Guardian, and BBC News. Using Van Dijk's framework, I would analyze the text given in the newspapers, the social cognition, and the social context,

which would show how the Kafala system is being represented [17].

### Data Collection and Sampling

The data provided here was collected from several sources. They included BBC newspapers and The Guardian, which are famous Western British newspaper, and Saudi gazette, which is one of the leading English newspapers in Saudi Arabia and [16, 17] The reason for choosing these newspapers was based on the fact that they were one of the news platforms that reached out to most of the people in the Western world and Saudi Arabia and other Gulf states. The reports were published between February 4th 2014 and November 4th 2020. The reports were based on the Kafala system that is widely used in Arab Gulf countries.

According to Gentles et al. (2015), the authors for the two newspapers used purposeful qualitative sampling techniques to give specific cases based on their headings that targeted the area of interest. In the Saudi gazette, they gave cases that justified why the Kafala system needed to be abolished [18].

### Data Analysis

The data collected was analyzed using van Dijk's model. This analytical framework was used to investigate the text ideologies relevant to group representations either inside or outside the particular groups. The model puts forward twenty-seven categories that can be used to analyze a discourse critically. However, not all of them are discussed in this article. These are discussed below in line with the BBC News of 2020, 4th November, and Saudi Gazette of 2020, 4th February and The Guardian [16-18].

### Actor Description

According to van Dijk's analytical model, ideologies influence how we talk about other people or individuals. Individuals tend to give a positive impression of their own group while describing other groups negatively Kafala system in the Kingdom of Saudi Arabia is shown to pressure female domestic workers to seek their sponsors' consent while doing any activity of their lives. "Moreover, this reform does not apparently apply to migrant domestic workers, who are some of the most vulnerable workers in the country."

Similarly, The Guardian describes the Kafala system as modern slavery as workers' rights are abused. The workers are tied to a single employer who pays low wages, poor accommodation, extremely unbearable working conditions, and even death [16]. According to the statement by International Trade Unions Confederation (ITUC), the Qatari government agreed on the eradication of the Kafala system as it represents an abuse of human rights which has attracted international scrutiny upon the Qatari government since the country will host the 2022 World Cup finals [16] It also said that these measures agreed upon were to eradicate the Kafala system in Qatar and other Gulf states, including Saudi Arabia and the United Arab Emirates. "Human rights abuses such as Kafala, by which workers are tied to a single employer, low pay, poor accommodation, labouring in dangerous heat and hundreds of unexplained deaths, have been subjected

to intense global scrutiny and criticism since 2010 when FIFA voted for Qatar to host the 2022 World Cup" [16].

### Authority

Quoting authorities' statements or ideas or individuals or entities over the matter in question gives a good arguing point to support a claim [14]. In this BBC news, the Saudi Arabian government is quoted; "The Saudi government said it was seeking to "improve and increase the efficiency of the work environment" This statement was in reference to the government's act of abolishing the Kafala system.

The Guardian reports that the government concession, as reported by state media, came ahead of the International Labour Organization's intention "to hold a formal commission of inquiry into the conditions for migrant workers building Qatar's massive infrastructure programme and 2022 stadiums" (The Guardian, 2017). The ITUC, through its general secretary, Sharan Burrow, said that she would recommend that ILO's commission for formal inquiry be withdrawn following the agreements that the government will improve the working conditions of their workers in Qatar [16].

According to Azfar Khan, a senior migration specialist for the International Labor Organization (ILO), in The Guardian, the Kafala is not compatible with modern labor practices and should be abolished (The Guardian, 2014). He describes that the Kafala system undermines the balance that exists between employers and employees and, therefore, should be eradicated.

### Negative Other-Presentation

The difference between good and bad groups is triggered by ideologies (Van Dijk, 1995). Thus in these news, the Saudi government is described as an oppressive power that is so reluctant to uphold human rights and dignity, as depicted by BBC News.

The Guardian describes Kafala system as modern slavery as workers' rights are abused. It went ahead to point out the human rights abuse of workers having their promised employment contracts replaced by worse terms when they arrive in the country. The ITUC said that the government agreed on putting all worker's contracts in the custody of government authority and that a committee of worker's dispute resolution is formed.

Azfar Khan, in The Guardian, explains how the Kafala system has evolved from its original representation as a practice of the best Arab hospitality to the current unscrupulous system that has become a lucrative business for the system and all insensitive kafeels [17]. The Guardian records that the system has been criticized as a "slave-like" system. This is because the migrant workers are entirely bound to their employers, and those employers often exploit the workers infringing their human rights

### Consensus

Consensus typically refers to the establishment of a general agreement (Van Dijk, 2004). The BBC News and the Saudi Gazette have exercised a consensus in the way they agree with the Saudi government's lifting of the Kafala system, but they point out that

this is not as a result of the country's effort to upholding human rights but because of the rising international scrutiny.

### Disclaimers

Disclaimers are meant to refer to a scenario where something positive is given then denied later (Van Dijk, 1995). The news cited first the fact that the government has made such a great move towards recognizing human rights. Yet, there is still a long way for the Kingdom of Saudi Arabia to achieve total human rights exercise. "However, this is not a full abolition of the Kafala system." BBC News, November 4th.

According to The Guardian, the agreement to eradicate the Kafala system is one thing, but putting into the law and implementing it remains to be another issue that needs future follow up. Nicholas McGeehan, an expert on migrant workers' issues in the Gulf, cautioned that the government has agreed on terms of eradicating the Kafala system, but he says these are only agreements that can be broken (The Guardian, 2017). He goes ahead to suggest that there is a need to hold any hopes until all the details are put in the law and implemented. "All we have today are promises, and promises have been broken before," he said. "I feel we need to put expressions of optimism on hold until we see full details, changes in the law where necessary, and a time frame for promised reforms to be implemented."

Similarly, ITUC said that the agreements were only a breakthrough towards the abolition of the Kafala system. However, it acknowledges that this does not address the main feature of the Kafala system. In a statement, Sharan Burrow, the ITUC general secretary said, "The agreements represented a breakthrough to end Kafala, principally because the government has said employers will no longer have the right to refuse visas for workers to leave the country" [16] Burrow pointed that the central feature of Kafala, which prevents workers moving jobs is not yet dealt with, and thus negotiations would follow afterward.

The Guardian also reports that even though the labor laws forbid the retention of passports and recognize migrant workers' right to complain and recover their passports, there is still fear on the workers' side. This is attributed to the fact that the employees often suffer severe consequences of their attempts to complain over their infringed rights. Most of the time, the employers would treat these efforts as a hostile challenge [17]. Thus, leading to termination or non-renewal of contracts, wage cuts, and even deportation. When worse comes to worst, even the employers exchange the passports with the worker's declaration that they have received their full payment.

### Norm Expression

Norm expression is when explicitly communicating standard explanations [14]. The Guardian recognizes the fact that the law is supposed to bring harmony between the employer and employee. However, it points out that the Kafala system does a lot more than the labor laws; it puts more control in the hand of the kafeel or sponsor [17]. This leads to the employer exploitation that has been reported so much in the Middle East. The employer can dictate the recruitment process and working conditions of the workers. "The Kafala directly contradicts the labor law. The

raison d'être of the law is to bring about a balance, in terms of rights and obligations, between the employer and the employee, but the Kafala puts far too much power in the hands of the employer/sponsor." In this statement, it is clear that the Kafala system seems to operate out of the normal expectations of the law [16].

## Discussion

This research paper aimed to uncover the various ideologies utilized in Saudi Gazette, the BBC News, and The Guardian addressing the issue of the Kafala system. Based on the critical discourse analysis framework, it is evident that the three have shared ideologies, both political as well as semantic ones in describing the kafala system [19]. For instance, BBC News has utilized Actor description, authority; negative other presentation, consensus with Saudi Gazette, and disclaimers in the language choice used to table Kafala system and what takes place. An illustration of Actor description in BBC news is evident where Kafala system in the Kingdom of Saudi Arabia is shown to pressure female domestic workers to seek their sponsors' consent while doing any activity of their lives. "Moreover, this reform does not apparently apply to migrant domestic workers, who are some of the most vulnerable workers in the country."

Saudi Gazette also utilized different language tactics in addressing the issue of kafala system. The first tactic utilized is consensus, where it agrees with the Saudi government's lifting of the Kafala system, but they point out that this is not due to the country's effort to uphold human rights but because of the rising international pressure (Saudi Gazette, 2020). This is also in agreement with what BBC News highlights. This is the most repeated language tactic that is applied in Saudi Gazette.

The Guardian has utilized various language tactics that include Actor description, authority, negative other presentation, consensus, disclaimers, and norm expression. An instance of norm expression is when the law is supposed to bring harmony between the employer and employee. However, it points out that the Kafala system does a lot more than the labor laws; it puts more control in the hand of the kafeel or sponsor This leads to the employer exploitation that has been reported so much in the Middle East. The employer can dictate the recruitment process and working conditions of the workers. "The Kafala directly contradicts the labor law. The raison d'être of the law is to bring about a balance, in terms of rights and obligations, between the employer and the employee, but the Kafala puts far too much power in the hands of the employer/sponsor." In this statement, it is clear that the Kafala system seems to operate out of the normal expectations of the law).

Generally, the articles seem to quote the Saudi government and show they are in consensus with the decision of the government that the Kafala system should be abolished. The BBC News and the Saudi Gazette have exercised a consensus in the way they agree with the Saudi government's lifting of the Kafala system, but they point out that this is not as a result of the country's effort to upholding human rights but because of the rising international scrutiny. With the use of authority language tactic in BBC news, the Saudi Arabian government is quoted; "The Saudi government

said it was seeking to "improve and increase the efficiency of the work environment". This statement was in reference to the government's act of abolishing the Kafala system.

The Western newspapers, The Guardian and BBC news, do not show any biases. However, they apply negative other-presentation well, which is thought of as a form of biased manner. They believe that the Kafala system is not fair enough to workers and needs to be abolished or should be worked on to improve as well as increase the efficiency of the work environment [20]. Thus in these news, the Saudi government is described as an oppressive power that is so reluctant to uphold human rights and dignity, as depicted by BBC News. The Guardian describes the Kafala system as modern slavery as workers' rights are abused. It went ahead to point out the human rights abuse of workers having their promised employment contracts replaced by worse terms when they arrive in the country [16]. The ITUC said that the government agreed on putting all worker's contracts in the custody of government authority and that a committee of worker's dispute resolution is formed.

Azfar Khan, in The Guardian, explains how the Kafala system has evolved from its original representation as a practice of the best Arab hospitality to the current unscrupulous system that has become a lucrative business for the system and all insensitive kafeels (The Guardian, 2014). The Guardian records that the system has been criticized as a "slave-like" system. This is because the migrant workers are entirely bound to their employers, and those employers often exploit the workers infringing their human rights.

Based on the study question that sought to establish how the western newspapers represented the Kafala system, it is evident that the Authors depict this system as one that does not respect labor laws and that treats the employees unfairly. The Guardian further indicates that the Saudi government has been pushed to ensuring the system respects human rights. It was also pushed to abolish the system if it seems to violate the labor laws and human rights. Government efforts have been evident, but the biggest problem lies in the implementation of the agreed changes to help bring better working environments for the immigrants and the employees at large. The Western newspapers have answered the study question and have provided noticeable evidence addressed using CDA.

## Conclusion

In summary, this paper has adopted critical discourse analysis, a unique approach to analyze and explore text ideologies relevant to group representations either inside or outside the particular groups. The general approach has been used to analyze the Kafala system and how it has been addressed in different Middle Eastern and Western newspapers. The model introduces twenty-seven categories that can be used to analyze a discourse critically. However, it is evident that not all the categories were used in the different newspapers. The analysis was based on BBC News 2020, Saudi Gazette 2020, The Guardian 2017, and The Guardian 2014. BBC News and The Guardian were Western based, while the Saudi Gazette had a Middle Eastern origin. The highlighted newspapers have had the best utilization of actor description,

authority; negative other presentation, consensus, disclaimers, and norm expression. The variances in each one are based on the tactic ideologies that the authors have embraced. The Western news and newspapers indicate that the Kafala system does not grant employees the best platforms and needs to be eradicated. However, the Guardian indicates that there is a big problem in abolishing this employer-worker system. There is a similarity in the information aired in the Western newspapers and the news with the Saudi Gazette, which also seems to be against the Kafala system that has some of the demeaning and inhuman labor laws.

In general, the research design offered an excellent opportunity to analyze various news and newspapers. The information that was being analyzed was not biased, as opposed to the representation in the news themselves, and there was a good piece of information about the Kafala system addressed by different authors. This appears to be the strength of the particular study. However, the study did not outline how quality assurance for the data was obtained or analyzed, which serves as a study limitation.

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