

Lurking in the Shadows: Human Trafficking and Sex Work

By: Jennifer M. Phillips

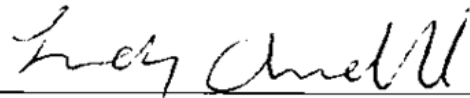
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THESIS APPROVAL

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COMMITTEE APPROVALS:



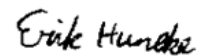
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## ABSTRACT

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This thesis explores the issues surrounding human trafficking (HT) and exposes a great lack of knowledge about human trafficking by local, federal, and international law enforcement agencies. Human trafficking discourse generally spotlights sex trafficking (ST) because of its perceived cruel, frightening, and an inhumane treatment of people—rightfully so. Because of this focus, the issue of labor trafficking (LT) is often ignored. This is in part because a significant percentage of the world’s goods are unnoticeably produced through the use of labor trafficking, ranging from the fish you buy at the market to children’s sports equipment. Also examined within this thesis is how sex tourism affects cities where it is concentrated. While some countries have legalized sex work, underage prostitution is still illegal yet remains a common occupation.

In the context of sex trafficking, this thesis will illuminate the extreme trauma victims face physically, mentally, emotionally, and spiritually. Using feminist theory, it will deconstruct the language and social constructs associated with trafficking to expose the troubling cause-and-effect relationship that marginalizes victims and protects the perpetrators. Due to the race, class, and gender bias prevalent in human trafficking discourse there remains an inadequate understanding of the topic. Lastly, as a result of improper training, healthcare providers and legal authorities unwittingly re-traumatize victims of human trafficking keep the guilty in power.

# **“Lurking in the Shadows: Human Trafficking”**

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## **Chapter 1**

### **Introduction**

This thesis will examine sex trafficking, slave labor trafficking, sex tourism, as well as sex work. It uses feminist theory to deconstruct the language and social constructs associated with trafficking, exposing the troubling cause-and-effect relationship that marginalizes victims and protects the guilty. Due to the race, class, and gender bias prevalent in human trafficking discourse, there is an inadequate understanding and training of healthcare and legal authorities this has served to re-traumatize victims and keep the perpetrators in power. There are many laws in place to help victims of trafficking, after the fact. While it is beneficial to give people tools to heal, putting more preventative strategies into place is recommended. Everyday ‘red flag’ warnings, such as a car staying behind you for too long, a piece of paper on your windshield, or being followed in a store will be exposed. These ‘red flags’ are often so subtle that they are ignored until it is too late, and the victim is trapped in an impossible situation.

Race, class, and gender issues are crucial to the discussion of sex work, sex trafficking, and labor trafficking. For example, sex traffickers utilize racist ideologies that they believe align with their future clientele. Class becomes the most noticeable factor within trafficking issues because those targeted are generally uneducated and come from financially struggling families. These situations create an easily controlled victim because they lack better options. Through these conditions people are consequently forced into slave labor and build so much debt that they are imprisoned within this system. Traffickers bring people in with the promise of substantial income, schooling for their children, and a roof over their heads, but they are ultimately betrayed by these systems of exploitation. Gender issues are disproportionately examined throughout the trafficking discourse by the focused attention on women and children. The Polaris Project, an

organization devoted to fighting human trafficking, statistically shows female traffick numbers at 15,222 while males are at 3,003.<sup>1</sup> These numbers suggest that males should not be outrightly ignored, yet to date their experience is sadly not well explored.

Under the “Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime” there are detailed descriptions of what constitutes human trafficking (HT). While some countries have their own guidelines, they go by the general signifiers of HT, which are the use of fraud, force, or coercion. ““Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving of receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”<sup>2</sup>

One of the most important positions within trafficking is that of the recruiter, also commonly referred to as “wolves” due to their predatory nature. The recruiter is well known within the community for being able to connect people with “job” positions locally or internationally. Recruiters will charge the victims a substantial amount to procure their tickets for travel and various documentation for their new job. Victims find out months later that they do not have a work visa, but instead were given a tourist visa which has a limit on how long they can stay. By the time victims realize what has happened, they have overstayed their tourist visa and are in fear of the possible repercussions. As illustrated here, “wolves” are essential to

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<sup>1</sup> “2019 U.S. National Human Trafficking Hotline Statistics,” *Polaris*, accessed March 10, 2021, <https://polarisproject.org/2019-us-national-human-trafficking-hotline-statistics/>.

<sup>2</sup> “Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,” last modified November 15, 2000, <https://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPersons.aspx>.

trafficking in the essence that they can procure people for these positions. Throughout this thesis a distinction will be made between “recruiters” and “wolves.”

Within Chapter Two the focus will be on the discourse surrounding human trafficking and how it has grown over time as well as what has changed. HT may not be a new issue, but it is still a relatively young area of study. Tremendous strides have been made as people have started to grasp the serious nature of this worldwide injustice. Archaic terminology such as “white slavery” is examined in regard to trafficking.<sup>3</sup> By framing, trafficking as ‘white slavery’ it created a skewed view of the issue by framing it as a “white” problem, in reality this is a human problem. To distinguish trafficking from chattel slavery the term often used is modern-day slavery. While it is imperative to distinguish between these two systems of forced enslavement, racializing the issue has created a domino effect. This has made it difficult to help victims because front line professionals have a prejudice view. Within this thesis, some unique contributions will be the critique of language used by authors to highlight the gendered construct that continues in writings that leads to ineffective policies. This historiography examines trafficking through a feminist theory-focused lens to highlight the race, class, and gender prejudice present within other works.

For Chapter Three sex trafficking (ST) and sex workers (SW) will be examined for their similarities and differences. By examining these groups, a better distinction between them can be made, rather than erroneously placing them into the same category. The examination will begin with a brief overview of laws pertaining to sex workers as well as trafficking victims because the two intersect at points. Where some laws are put in place to deter trafficking, they also put sex workers in jeopardy because they cannot “vet” clients safely online, in turn putting them at risk

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<sup>3</sup> Neal Kumar Katyal, “Men Who Own Women: A Thirteenth Amendment Critique of Forced Prostitution,” *The Yale Law Journal* 103, no. 3 (December 1993) 805.



for violence. The biggest difference between SW and ST is the consent given by both parties regarding what is about to occur. People often take advantage of consent and how it should be freely and enthusiastic given. An important contribution within this chapter is how hospital personnel and law enforcement are trained to handle possible human trafficking situations. Also explored is what clinicians and police could be doing to become more aware of this problem that plagues our global society. This will all come together by mentioning some of the grassroots organizations that are in place to help SW's and ST victims. These establishments have become a vital component to helping and empowering victims of trafficking reclaim their voices and have their stories heard as well as giving them the tools to start their journey to healing. Grassroot efforts for sex workers actively fight for rights to legally and safely perform their job to the best of their ability.

The focal point of Chapter Four will be labor trafficking with the concentration on goods that are produced through the use of slave labor (SL). Forced labor trafficking and slave labor will be used interchangeably. This form of trafficking has a wide reach and can be found in hotels, massage parlors, nanny/maid businesses, construction, nail salons, restaurants, strip clubs, agriculture, as well as mining. Some goods produced using SL are “bananas, beans, brassware, carpets, ceramics, charcoal, chili peppers, coffee, electronics, garments, gypsum, fish, bricks, pornography, shrimp, cassiterite, tobacco, tea, and surgical instruments.”<sup>4</sup> While not all of these goods are examined in Chapter Four it is imperative that, as a society, we understand that the wide-reaching arms of slave labor leaves no one untouched. Forced labor is not only harmful to people, it is also doing irreversible damage to our planet by infecting it with toxins, deforestation, over mining, and poisoning rivers and lakes.

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<sup>4</sup> “Sweat & Toil,” accessed March 1, 2020, *U.S. Department of Labor, Bureau of International Labor Affairs*.

Within Chapter Five is the theme of sex tourism in countries such as Dominican Republic, Netherlands, and Thailand. At the beginning of writing this thesis, sex tourism was designated as a subdivision of sex trafficking to get a wider scope of the subject. Yet it ended with learning about another harmful aspect of sex work, and it should be noted that these individuals are sex workers who just happen to live in holiday destinations. The SW's in these vacation destinations are often oversexualized based on race and the ill-conceived notions that women of color are more feminine and sexually promiscuous. This chapter delves into these misconceptions while examining the history of these locations to see how the sex worker population has grown into what it is today.

One sad and glaring issue seen within sex tourism is child sexual exploitation. Chat rooms and websites specific to child sexual exploitation allow predators to connect with one another. This allows for the sharing of information regarding where a predator can go to either pay for sex with a child by finding a desperate family that is willing to sell their children for the right price. This chapter also details some of the grassroots organizations that are available to community members within these countries. Having groups such as these do the footwork to ensure their community is being safe and taken care of. These establishments pass out condoms to sex workers and administer free STI and HIV tests. Grassroots organizations are making the difference for sex workers and their surrounding population and should be acknowledged.

In conclusion, gender disparity will be examined for what it is and show how within these sections of trafficking that the conversation is still fairly one sided. Trafficking affects everyone around the world, either directly or indirectly, and staying oblivious to that will cause further harm to those living in these harsh conditions. Therapy is not a one-size-fits-all system and there is more than one way to come back from trauma. Furthermore, the body holds painful traumatic

memories as well as the mind. Consequently, victims of trauma need physical as well as psychological healing. This recovery may be a religious or spiritual journey, or an individual might find an entirely new path that works for them, but it is important to understand that there is no wrong way to heal.

## **Chapter 2**

### **Historiography**

Human trafficking (HT) hides in the shadows. This market holds a presence within our economy under the nose of society. Society often claims prostitution is the oldest known profession. However, the exploitation of human bodies being the oldest occupation of our society seems to be more fitting. This literature review will be comprised of HT analysis, law reviews, psychology, post-traumatic stress disorder (PTSD), childhood trauma, police brutality, and how these factors correlate with sex workers. The aforementioned factors are related to the topic of human trafficking. The broad assortment of sources will be presented to validate connections and to serve for a better comprehension of the topic.

People in the profession of sex work (SW) and those who are victims of trafficking often face misconceptions. These fallacies also exist among law enforcement and hospital staff. The lack of engagement from the police force, hospital administrators, and our government is only serving to exacerbate trafficking. This has only served to further harm victims and mis-categorize them. By becoming more aware as a community, we can better strategize for the future. The following scholarly works will be organized by oldest to most recent to allow for a better understanding of how thoughts and perceptions have grown over time. In order to better understand these sources and what they bring to the discourse of human trafficking and sex work they must be examined through the feminist lens. Kimberlé Crenshaw's theory of intersectionality framework will be used extensively to examine the following works to see how race, class, and gender are presented and discussed. This framework will be used to "focus

attention on the vexed dynamics of difference and the solidarities in the context of antidiscrimination and social movement politics.”<sup>5</sup>

In “Men Who Own Women: A Thirteenth Amendment Critique of Forced Prostitution” published in 1993 Mr. Neal Kumar Katyal reviews the Thirteenth Amendment of the United States Constitution, its origins and how it fits into today’s world. Mr. Katyal states “forced prostitution is slavery for purpose of the Thirteenth Amendment’s prohibition against slavery and involuntary servitude; therefore, government officials who fail to enforce laws against pimps are acting unconstitutionally.”<sup>6</sup> Put simply, government officials who do not enforce the full extent of the law do so unconstitutionally. This could go a step further to say society, as a whole, is not doing its part by staying blind to this issue. A common misconception is that ‘white slavery’ is only an issue for white women. Thus, women of color and men are left out of the discourse and literature all together. “In describing the plight of these prostitutes, the new movement used the term ‘white slavery’ to invoke the experience of antebellum female slaves.”<sup>7</sup> Mr. Katyal uses ‘white slavery’ to describe how the two forms of slavery are more similar than one might want to think. Thus, invoking the violation of constitutional rights through force, fraud, or coercion. There is a theme within these works regarding governments lack of control and enforcement regarding trafficking situations. This discourse of trafficking requires a intersectional framework to understand the problem from all facets from childhood to adulthood to comprehend this system of exploitation.

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<sup>5</sup> Sumi Cho, Kimberlé Williams Crenshaw and Leslie McCall, “Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis,” *Signs* 38, no. 4 (Summer 2013): 787.

<sup>6</sup> Neal Kumar Katyal “Men Who Own Women: A Thirteenth Amendment Critique of Forced Prostitution,” *The Yale Law Journal* 103, no. 3 (December 1993) 792.

<sup>7</sup> *Ibid*, 805.

Lindsay Stewart, Angela Sebastiani, Gisella Delgado, and Germán López bring a vital perspective to the discourse. Their 1996 article “Consequences of Sexual Abuse of Adolescents” highlights the correlation of sexual abuse, sex work, and sexual exploitation and how they are linked through significant factors. Some of these factors are early childhood sexual abuse, physical abuse, running away from home, as well as early initiation of sex. “A US Justice Department study of reported rapes in 1992 in 13 states found that of girls under the age of 12 who were raped, one in five was raped by her own father, while 96 percent were committed by family members or acquaintances.”<sup>8</sup> Hollywood contributes to the false belief that victims are barreled into a truck and transported across state lines. Rather, more cases fall under the umbrella of a familial relation exploiting the child, which directly matches up to these findings. “The average reported age of the first occurrence of sexual abuse among the adolescents surveyed was 12-13 years old.”<sup>9</sup> Thankfully, the rape of males was acknowledged, however miniscule. This could lead one to believe male assault is a non-issue. The authors state: “A US study showed that 16 percent of men had experienced incestuous or other sexual abuse.”<sup>10</sup> By only focusing on one gender we are once again ignoring the full scope of human trafficking. Society tells young men to feel comfortable coming forward with these painful stories and then do not include male bodies in these vital conversations. Overall, people’s pain is still being ignored and their voices are silenced.

The HT transnational economy is termed a “shadow market” by Dr. Donna M. Hughes in her work published in 2000 “The “Natasha” Trade: The Transnational Shadow Market of Trafficking in Women.” This underground black-market system that operates within full view of

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<sup>8</sup> Lindsay Stewart, Angela Sebastiani, Gisella Delgado and Germán López, “Consequences of Sexual Abuse of Adolescents,” *Reproductive Health Matters* 4, no. 7 (May 1996) 131.

<sup>9</sup> *Ibid*, 132.

<sup>10</sup> *Ibid*, 131.

society under names such as massage parlor, escort services, maids, and nannies. Dr. Hughes frames this supply and demand issue to its full transnational dimensions. “This gendered system of supply and demand, little or no attention is paid to the legitimacy of the demand. The ultimate consumers of trafficked and prostituted women are men who use them for entertainment, sexual gratification and acts of violence.”<sup>11</sup> Dr. Hughes’ title hints that there is no intention of highlighting men who are victimized. It is a disservice to these men who are rarely if ever the focus in the conversation of victims of trafficking. The author separates trafficking between receiving and sending countries, which creates an interesting perspective. Sending countries are locations where traffickers will find victims so they can sell them to someone in another place in the world. While receiving countries are the locations that victims go when purchased them. “For decades the primary sending countries were Asian countries, such as Thailand and the Philippines. The collapse of the Soviet Union opened up a pool of millions of women from which traffickers can recruit. Now, former Soviet republics, such as Ukraine, Belarus, Latvia and Russia have become major sending countries for women trafficked into sex industries all over the world.”<sup>12</sup> This creates an interesting outlook for the reader, but also gives the view that victims are always being transported internationally. Being able to recognize these people as victims of trafficking comes down to emotional and mental identifying markers such as force, fraud, and coercion. It is vital to cultivate this area of study so as a society we can better spot these problems when they are happening around us.

Dr. Gramegna and Dr. Laczko analyze the HT data mostly within Europe in their 2003 article “Developing Better Indicators of Human Trafficking.” They discuss how we can get more

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<sup>11</sup> Donna M. Hughes, “The “Natasha” Trade: The Transnational Shadow Market of Trafficking in Women,” *Journal of International Affairs* 53, no. 2 (Spring 2000) 643.

<sup>12</sup> *Ibid*, 626.

exact numbers to get a more comprehensive view on this issue. “The data refers primarily to cases of trafficking in women for purposes of prostitution and do not include trafficking in other sectors of work such as agriculture, sweat shops, and domestic work.”<sup>13</sup> Trafficking affects all genders, races, and nationalities. One-sex based conversations ignore half the issue. This text does cover the fear that victim’s experience by coming forth and speaking out on the violence that they experience. Many do not realize the brutality of this life and the threats that are put upon not only you, but your family. When confronted with the fear of physical violence, gang rape, and murder one must decide if the risk of possible death is worth the escape from this inhumane trade.

In 2005 “Ancient Evil, Modern Face: The Fight Against Human Trafficking” written by Dr. Terry Coonan and Dr. Robin Thompson address HT and sex workers and how they are grouped together in society. “The TVPA (Trafficking Victims Protection Act) has it correct; prostitution, when it is inducted by force, fraud, or coercion, negates consent and only then becomes sex trafficking.”<sup>14</sup> This statement further reinforces that difference between trafficking and SW is consent. The act of consent gives power to the person performing sexual acts for money. Sex workers are free to say ‘no’ when they feel endangered and uncomfortable performing the acts requested of them. A victim of sex trafficking does not have the option to say no because they fear the violent repercussions. “Where prostitution is legal and state-regulated, black market prostitution with lower costs also flourishes, and the amount of trafficking increases.”<sup>15</sup> This brings back the supply and demand issue. Getting the lowest price for a service

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<sup>13</sup> Marco A. Gramegna, and Frank Laczko. “Developing Better Indicators of Human Trafficking.” *The Brown Journal of World Affairs* 10, no. 1 (Summer/Fall 2003) 183.

<sup>14</sup> Terry Coonan and Robin Thompson, “Ancient Evil, Modern Face: The Fight Against Human Trafficking,” *Georgetown Journal of International Affairs* 6, no. 1 (Winter/Spring 2005) 49.

<sup>15</sup> *Ibid*, 49.



while also putting workers in more danger. If sex work becomes legal, it could become more challenging for law enforcement to delineate between a sex worker and a victim of HT.

Dr. Julia O'Connell Davidson's 2006 article "Will the Real Sex Slaves Please Stand up?" highlights migration within human trafficking and how they tie together. She focuses on the mafia and cartels, and the hand they have in the shadow market. What Dr. Davidson does not include is that one does not have to travel globally to be a victim of trafficking (VoT). Trafficking holds state, federal, and international penalties. It is impossible to enter the conversation without talking about the laws and the troubling terminology that makes it difficult for law enforcement to recognize what is right in front of them. This subject is often focused on the state laws and do not focus on international penalties. "Since the legislation, like the UN Trafficking Protocol, fails to provide clear guidelines on the degree of deceit, the type and degree of force, or the type of threats that must be present in order for a person to qualify as a VoT, police and immigration officers must use their judgement to decide whether women and girls picked up during routine visits and raids are or are not VoTs."<sup>16</sup> Dr. Davidson introduces a refreshing transnational view on this economy and the resources international governments have at their disposal.

Amanda Roxburgh, Louisa Degenhardt, and Jan Copeland confront "Posttraumatic Stress Disorder Among Female Street-Based Sex Workers in the Greater Sydney Area, Australia" in 2006. PTSD can commonly be found in people who have experienced events such as natural disasters, extreme violence, exposure to combat, childhood abuse, neglect, torture, held captive, or rape.<sup>17</sup> Sex workers experience a range of violent abuse in their profession. Through this study

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<sup>16</sup> Julia O'Connell Davidson, "Will the Real Sex Slaves Please Stand up?," *Feminist Review*, no. 83 (2006): 13.

<sup>17</sup> Amanda Roxburgh, Louisa Degenhardt, and Jan Copeland, "Posttraumatic Stress Disorder Among Female Street-Based Sex Workers in the Greater Sydney Area, Australia," *BMC Psychiatry* 6, no. 24 (May 2006) 2.

the effects of re-traumatization on victims are evident. If someone stays in the cycle of abuse they are building on their symptoms of PTSD. People with PTSD often are left vulnerable to their surroundings. “Symptoms range from re-experiencing the trauma, persistent avoidance of reminders of the event, numbing of responsiveness, and persistent anxiety or hyper-arousal.”<sup>18</sup> This study in particular is useful when studying PTSD rates and effects amongst sex workers. By better understanding the PTSD sex workers and trafficking victims are suffering we can develop better ways of helping them within clinical settings to not retraumatize the victim.

Dr. Donna Sabella is the author of “The Role of the Nurse in Combatting Human Trafficking” contributes her knowledge to the field concerning health care workers.

Victims might present with bald patches where their hair was pulled out, lacerations, bruises, scars, burns, and bite marks. Similarly, people trafficked for their labor can suffer from various physical problems, including chronic back pain, muscle strains and sprains, and cardiovascular and respiratory conditions. Trafficking victims may suffer from malnutrition, dehydration, exhaustion, and dental and visual problems if they’ve been deprived adequate food, water, light, and sleep. Diseases and conditions such as diabetes, cancer, and hypertension may go undetected or untreated. Infectious diseases such as tuberculosis are also a frequent consequence for trafficking victims.<sup>19</sup>

Dr. Sabella spent her career ensuring nurses are trained how to spot human trafficking. Through this text she details how nurses and clinicians can be better trained to spot HT. This could have been quite the effective article if there was more content that focused on professionals in the healthcare field more heavily. With Dr. Sabella being in the health field, a professor, and an advocate for this training, there should have been more information on what needs to be done. There is a list of questions a healthcare provider can ask to distinguish if a patient is in danger. Sabella urges nurses not to push possible victims into talking about their experience because this could further traumatize the victim. Dr. Sabella notes the possibly

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<sup>18</sup> Ibid, 2.

<sup>19</sup> Donna Sabella, “The Role of the Nurse in Combatting Human Trafficking,” *The American Journal of Nursing* 111, no. 2 (February 2011) 32.

extensive trauma these people have within their lives from sexual, physical, mental and emotional and what hospital professional can do to further educate themselves.

Dominique E. Roe-Sepowitz conducted a research study for her 2012 article “Juvenile Entry Into Prostitution: The Role of Emotional Abuse.” “This study explores the life experience of women who entered prostitution as juveniles (also called the commercial sexual exploitation of children) compared to those who entered at age 18 or older. This study also tests whether childhood physical, sexual, and emotional abuse are related to entering prostitution as a juvenile versus an adult.”<sup>20</sup> Roe-Sepowitz completed her study in Phoenix, Arizona and does not include men and transgender persons because it was a facility for women only. The study lacks a well-rounded view due to being a single-sex facility. It still provides good insight to the past abuse (sexual, physical, mental, emotional) these women endured. Traffickers look for specific qualities in a potential victim. They are looking for someone who needs a roof over their head, possibly a drug habit, emotionally vulnerable, dependent, easily manipulated, and physically inferior. “Fifty-five percent of the participants reported experiencing physical abuse in childhood, 45% reported experiencing childhood emotional abuse, and 79% reported experiencing childhood sexual abuse. . . Two thirds of the participants reported a history of running away from home.”<sup>21</sup>

In 2013, Dr. Steven Seidenberg and Dr. Winky Lewis, authors of “Of Human Bondage: Slavery Continues to Haunt the Modern World, but Efforts to Eradicate it are Growing” compiled a comprehensive overview of the issues, background, and market figures for trafficking in human bodies. The overview gives context to where we are now and future fights by going

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<sup>20</sup> Dominique E. Roe-Sepowitz, “Juvenile Entry Into Prostitution: The Role of Emotional Abuse,” *Violence Against Women* 18. No. 5 (2012) 562-63.

<sup>21</sup> *Ibid*, 570.

over past attempts to curb this growing economy of human slavery. In a refreshing turn, the authors put some of the weight on the underfunded law enforcement. “Human trafficking is a relatively safe criminal endeavor, due to a combination of ineffective and underfunded enforcement efforts, along with victims who are unwilling or unable to assert themselves. And there is a ready supply of potential victims.”<sup>22</sup> Arguably the most critical statement here is the urging of law schools and other legal assistance providers to enact some form of pro-bono system to help victims get the justice they deserve. Advising victims on how to seek and gain back power in their lives is the first step. “Such measures are vital, says ABA President Bellows, because “until we offer necessary protections, we won’t eradicate this problem.”<sup>23</sup>

In 2014 “Human Wrong vs. Human Rights” by Dr. Lerum, put Hollywood on the chopping block and takes it apart for its overly sensationalized portrayal of HT. While this article is much shorter than most referenced, it contains riveting information that shocks the reader. “Ann Jordan (director of the Program on Forced Labor and Trafficking at American University) and others have shown, the methodologies, categories of analysis, and empirical basis of these sensationalized stories are often not subjected to scholarly peer review and, in many cases, are widely discredited by social scientists and activists working with sex workers on the ground.”<sup>24</sup> Dr. Lerum shines a light on efforts to bridge an alliance between anti-trafficking organizations, Protestant Christians, and radical second-wave feminists. These groups believe a woman would never choose this life if they had the choice. While the life of SW is not for everyone, there is an overall lack of understanding. Many believe that sex work and sex trafficking are one in the same. One must have the knowledge and right set of questions to evaluate if someone is a victim

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<sup>22</sup> Steven Seidenberg, and Winky Lewis, “Of Human Bondage: Slavery Continues to Haunt the Modern World, but Efforts to Eradicate it are Growing,” *ABA Journal* 99, no. 4 (April 2013) 54.

<sup>23</sup> *Ibid*, 57.

<sup>24</sup> Kari Lerum, “Human Wrong vs. Human Rights,” *Contexts* 13, no. 1 (Winter 2014) 23.

of trafficking. Many HT victims do not self-identify, so posing the correct questions becomes critical to properly assess the situation. “Social workers collaborate with police officers to “rescue” sex workers and then coerce them into “diversion” programs (or face incarceration).”<sup>25</sup> Misidentifying a sex trafficking victim can lead to unnecessary jail time, time that they could be using to attend therapy and heal from their extensive trauma.

An incredibly significant resource within this work has become *Blood and Earth: Modern Slavery, Ecocide, and The Secret to Saving the World* by Kevin Bales published in 2016. Dr. Bales is a Professor at the University of Nottingham, UK and teaches Contemporary Slavery and Research Director of the Rights Lab. Dr. Bales is Co-Founder of the Free the Slaves organization, Principal investigator for the Antislavery Usable Past, and has served on the International Cocoa Initiative for thirteen years.<sup>26</sup> All of this contributes to his knowledge put forth in his text. Dr. Bales covers environmental instability and how cutting costs puts not only the victims at risk, but also the stability of our world. Materials and goods covered are such as granite, gold, cassiterite, fish, and shrimp. Within every good discussed another layer is revealed leading the reader to acknowledge how traffickers are exploiting and poisoning our earth. Dr. Bales also has a way of writing the topic of slave labor, so it is readable and engaging for every level of reader. This becomes important because the public no matter age or education level should be aware of what is happening on our planet to fellow citizens every day. This helps us as a community to become more involved and aware to the suffering of others motivating us to understand what we can do to make a difference. Dr. Bales manages to touch upon the affect

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<sup>25</sup> Ibid, 23.

<sup>26</sup> “School of Politics and International Relations,” *University of Nottingham*, accessed March 16, 2021, <https://www.nottingham.ac.uk/politics/people/kevin.bales>.

labor trafficking has on the whole family as a unit, instead of narrowing his focus to adults, acknowledging children are often forced into slave labor as well.

“Childhood Experiences of Sexual Violence, Pregnancy, and Marriage Associated with Child Sex Trafficking among Female Sex Workers in Two US-Mexico Border Cities” 2018 was a public health study by Dr. Sabrina Boyce. This study closes the gap of literature missing in “relationships of marriage, pregnancy, and sexual violence when younger than 16 years with child sex trafficking.”<sup>27</sup> Throughout this text it is found that there are no effective prevention efforts put into use that effectively reduced the chance of child sexual exploitation. Researching sexual abuse with young children can be difficult and victims can slip through the cracks. Studies such as this are difficult to read, the numbers are something that never lie. This is the only way we can know the full scope of the problem if one day we hope to eradicate the sexual exploitation of children.

Law enforcement is on the front lines fighting trafficking. There are several different units such as police on the ground, Special Victim’s Unit, and a Trafficking Persons Unit. Dr. Amy Farrell, author of the 2019 article “Failing victims? Challenges of the Police Response to Human Trafficking” writes “despite the legislative advances, traditional police responses to crime continue to fall short of meeting the needs of crime victims, particularly victims of interpersonal violence such as domestic violence, rape, sexual assault, and child abuse.”<sup>28</sup> Police often arrest first and ask questions later. This creates a society of distrust where our community members feel like the police cannot help the residents. “Distrust toward the police may be

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<sup>27</sup> Sabrina C. Boyce, Kimberly C. Brouwer, Daniel Triplett, Argentina E. Servin, Carlos Magis-Rodriguez, and Jay G. Silverman, “Childhood Experiences of Sexual Violence, Pregnancy, and Marriage Associated With Child Sex Trafficking Among Female Sex Workers in Two US-Mexico Border Cities,” *AJPH Research* 108, no. 8 (August 2018) 1050.

<sup>28</sup> Amy Farrell, Meredith Dank, Ieke de Vries, Matthew Kafafian, Andrea Hughes, and Sarah Lockwood, “Failing victims? Challenges of the police response to human trafficking,” *Criminology & Public Policy* 18 (2019) 651.

exacerbated for human trafficking victims coming from countries where the police are known to be corrupt and violent, especially as one of their biggest concerns if they have a visa, is deportation.”<sup>29</sup> Law enforcement goes through brief trainings on how to spot indicators of HT, but they are not fully qualified to handle the situation. On the ground police have to contact the Trafficking Victim’s Unit and have them come down to ascertain the situation. Police should be better trained to handle situations involving trafficking victims.

There has been a tremendous amount of growth within the field of human trafficking where the discourse has evolved from using the term ‘white slavery’ to involving hospital personnel and law enforcement into the discussion. While great strides have been made to widen the discourse there is still a lack of conversation regarding the aspect of race, class, and gender violence. The pattern through these works shows an emphasis on women and children and while they are impacted at a statistically higher rate than men are that does not mean as researchers, we turn a blind eye to male suffering. A significant change over time within specifically labor trafficking has been the acknowledgment of the negative environmental impact slave labor has on the world around us. While this is still a growing acknowledgment that is not discussed in depth within many texts there is a hope that this area of study will evolve over time and become a vital section of study in human labor trafficking.

Scholarly works regarding human trafficking have profoundly grown in the past thirty years. More research needs to be done on how we can implement better trainings on how to spot trafficking. More importantly ensuring victim’s gain back the agency over their lives so they can begin to heal from their trauma. Through the findings one thing holds true, more needs to be done to train law enforcement, clinicians, and the judicial system to appropriately handle victims

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<sup>29</sup> Ibid, 653.

of crime. The focus within human trafficking discourse is often the economics surrounding the issue. The consumerism surrounding this global trade does not help the victims that so desperately need help. These victims want their voices to be heard. The 13<sup>th</sup> Amendment is in place to ensure society would be safe from all forms of human bondage. Slavery has technically been abolished for 154 years. While slavery has changed faces, it is still prevalent amongst our communities. Over time the conversation of trafficking has shifted from sex trafficking enveloping the whole of the conversation to slave labor being a part of the conversation. So often males were left out of the discussion regarding trafficking as a whole and slowly they are being brought into the discourse.



## Chapter 3

### More Than a Piece of Ass: Issues in Sex Work and Sex Trafficking

For centuries, society has conflated sex workers and sex trafficking victims. By using the derogatory term *prostitution*, we have criminalized the profession of sex work and anyone associated with it. By becoming more aware of our surroundings, communities can notice the red flags that are ever present in society. Human rights violations surround us. Society has decided to become blind to these misdeeds. As such, ignoring the pain and suffering of others becomes normalized in our society. Though an uncomfortable topic to address, it is still necessary. As Shelly Reed states,

As a society we love to profile the pedophile. It gives us all a collective sigh of relief if we can say, without any doubt, this is what a pedophile looks like. I have some unfortunate news for society. I was raped by a banker, a Colonel in the Air Force, a car salesperson, a housing contractor, and many other people who purchased me with their middle-class, college-level incomes.... They are everywhere. They are talented artists. They are successful business people. They are military personnel. Stop putting your comfort level above the truth. The truth is never comfortable.<sup>30</sup>

When it comes to sex work (SW) and sex trafficking (ST) it is necessary for society to understand the difference—particularly law enforcement. SW and ST have more commonalities than meets the eye. Being able to distinguish one from the other is important for law enforcement. “Results suggest that a young girl in northern Mexico presenting with a pregnancy at age 14 years or having experienced sexual violence at age 11 years old could have a 1 in 3 chance of subsequently being sex trafficked.”<sup>31</sup>

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<sup>30</sup> Shelly Reed, 2015, “*The Rhetorical Possibilities of Representation: How Survivor Narratives Frame Sex Trafficking*” Thesis, Colorado State University, 101.

<sup>31</sup> Sabrina C. Boyce, Kimberly C. Brouwer, Daniel Triplett, Argentina E. Servin, Carlos Magis-Rodriguez, and Jay G. Silverman, “Childhood Experiences of Sexual Violence, Pregnancy, and Marriage Associated With Child Sex Trafficking Among Female Sex Workers in Two US-Mexico Border Cities,” *AJPH Research* 108, no. 8 (August 2018) 1052.

Human trafficking (HT) is defined as “the recruitment, transportation, transfer, harboring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments of benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”<sup>32</sup> The trafficking of human beings has become a bustling economy. There are many facets to take into consideration within trafficking such as sex, labor, marriage, child, and organ. “Human trafficking earns profits of roughly \$150 billion a year for traffickers. . . \$99 billion for commercial sexual exploitation, \$34 billion in construction, manufacturing, mining, and utilities, \$9 billion in agriculture, including forestry and fishing, \$8 billion dollars is saved annually by private households that employ domestic workers under conditions of forced labor.”<sup>33</sup> Shadow markets hide within plain sight unless one knows where and how to look. Shadow markets frequently link themselves to the business of HT.

Coercion, force, and fraud are the main identifiers used by law enforcement and HT shelters to determine if someone is a victim of trafficking. The use of force includes physical beating, burning, torture, or gang rape. This ensures the victim’s fear, meaning they are too afraid to leave their abuser due to fear of punishment. Fraud is a tool used by traffickers to retain servitude. Fraud includes blackmail, false promises of a better life, and the opportunity to make more money. Coercion is also a means used by traffickers. Coercion is the combination of force and fraud by using blackmail, threats of violence, and manipulating one’s insecurities. “Jill Leighton, a teenage runaway forced into prostitution by a man who picked her up from the streets and held

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<sup>32</sup> Frank Laczko and Marco A. Gramegna, “Developing Better Indicators of Human Trafficking,” *The Brown Journal of World Affairs* 10, no. 1 (summer/fall 2003) 180.

<sup>33</sup> “Human Trafficking by the Numbers,” Human Rights First American Ideals. Universal Values, last modified January 7, 2017, <https://www.humanrightsfirst.org/resource/human-trafficking-numbers>.

her captive. A customer offered to help her leave; but the customer was working for her trafficker, and she was beaten and gang-raped for trying to escape.”<sup>34</sup> Jill Leighton’s story is an example of the range of deception traffickers employ.

Human trafficking was coined ‘white slavery’ to dissociate it from the Trans-Atlantic slave trade, as well as “to invoke the experience of antebellum female slaves.”<sup>35</sup> This terminology can be problematic when it leads the mind to believe white community members experience danger while people of color do not. Not only are all people of color being left out of this conversation, males are also largely ignored. Men are inserted into the discussion as “sexual abuse is a problem for young men as well” while “a US study showed that 16 percent of men had experienced incestuous or other sexual abuse.”<sup>36</sup> Statistics of men trafficked within the sex trade are lower than women. Regardless, they are being pushed aside and ignored from the discourse. This market does not discriminate based on race, nationality, sex, or gender. If there is a demand, traffickers will find the supply to get their profits one way or another.

The 13<sup>th</sup> Amendment is the first law that covered slavery, trafficking, and the exploitation of human bodies in the U.S., ratified on December 6, 1865. “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”<sup>37</sup> The 1865 passage of this amendment means nothing as it is still violated in the year 2021 — 156 years later. There are many differences between the slavery of 1865 and the slavery we have in our

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<sup>34</sup> Donna Sabella, “The Role of the Nurse in Combatting Human Trafficking,” *The American Journal of Nursing* 111, no. 2 (February 2011) 34.

<sup>35</sup> Neal Kumar Katyal, “Men Who Own Women: A Thirteenth Amendment Critique of Forced Prostitution,” *The Yale Law Journal* 103, no. 3 (December 1993) 805.

<sup>36</sup> Lindsay Stewart, Angela Sebastiani, Gisella Delgado and Germán López, “Consequences of Sexual Abuse of Adolescents,” *Reproductive Health Matters* 4, no. 7 (May 1996) 131.

<sup>37</sup> “Abolition of Slavery,” Interactive Constitution Made by National Constitution Center, accessed November 17, 2019, <https://constitutioncenter.org/interactive-constitution/amendment/amendment-xiii>.

current society. The violation of constitutional rights through force, fraud, or coercion remains a permanent fixture. “Forced prostitution is slavery for purpose of the Thirteenth Amendment’s prohibition against slavery and involuntary servitude; therefore, government officials who fail to enforce laws against pimps are acting unconstitutionally.”<sup>38</sup> A main issue commonly talked about is the lack of knowledge surrounding laws that prosecutors can use to charge a perpetrator of trafficking. The government has become a part of this growing issue by not being aware of the tools available to prosecute traffickers.

The Mann Act was the first law that outlined trafficking as we know it today. “The Commission’s work resulted in the passage of the Mann Act of 1910, which prohibited the transportation of women across state lines for immoral purposes.”<sup>39</sup> This trafficking law was ratified in 2000 and became the Trafficking Victims Protection Act (TVPA). “The act establishes human trafficking and related offenses as federal crimes and attaches severe penalties to them. It also mandates restitution be paid to victims of human trafficking. It further works to prevent trafficking by establishing the Office to Monitor and Combat Trafficking in Persons, which is required to publish a Trafficking in Persons (TIP) report each year.”<sup>40</sup> The TVPA was ratified several times in its short life. The more society becomes aware of the HT issue, the more society must expand to change this law to ensure it brings the victims the greatest amount of justice.

Sex work differentiates from sex trafficking because SW’s are not being ‘handled’ or ‘controlled’ by a pimp. The sex worker also gets to keep the money she/he makes. A sex worker can work out of their home, hotel, on the street, or have an online base where they find clients.

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<sup>38</sup> Neal Kumar Katyal, “Men Who Own Women: A Thirteenth Amendment Critique of Forced Prostitution,” *The Yale Law Journal* 103, no. 3 (December 1993) 792.

<sup>39</sup> Roy Lubove, “The Progressive and the Prostitutes,” *The Historian* 24, no. 3 (May 1962) 313.

<sup>40</sup> Current Federal Laws,” *Polaris: Freedom happens now*, accessed November 17, 2019, <https://polarisproject.org/current-federal-laws>.

“President Donald Trump recently signed into law the Fight Online Sex Trafficking Act and Stop Enabling Sex Traffickers Act (FOSTA-SESTA), which holds social media platforms liable for content that ‘...promote[s] or facilitate[s] the prostitution of another person.’ Sex workers have widely critiqued this bill, arguing that it does not differentiate between forced trafficking and consensual sex work, and that it restricts their ability to vet clients online.”<sup>41</sup> While this is a step in the right direction, it becomes a safety issue for sex workers — considering female sex workers are eighteen times likely to be murdered by a serial killer.<sup>42</sup> The ability to vet clients online is an important step to being safer in the sex work profession.

The most significant difference between ST and SW is the consent that can be given by the person performing the sexual acts. Consent is having the power to give a verbal agreement for an action to begin, continue, or stop. A sex worker holds the power to say yes or no. Conversely, a victim of sex trafficking does not have the power to deny a customer or pimp regardless of the task due to the fear of violent repercussions. The following quote is from a woman named Muchaneta who is a sex worker in South Africa and proves the violent outlook clients have towards the workers they are paying.

So we went together where he lives, without him telling me he lived there with many other men. I was to find out the hard way as all six men then slept with me without putting on condoms. I cried helplessly as I had nowhere to go and report. I was afraid to go to the police for fear of being returned home as my papers are not in order. In addition, sometimes going to the police when you are a prostitute they do not listen to you and instead say ‘she who goes looking for scars will get them, you got what you were looking for.’<sup>43</sup>

This story may seem to be a random occurrence, but it is an everyday risk in the life of a sex worker.

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<sup>41</sup> Jooyoung Lee and Sasha Reid, “Serial Killers & Their Easy Prey,” *SAGE Journals* 17, no. 2 (May 1, 2018) 50.

<sup>42</sup> *Ibid*, 48.

<sup>43</sup> Felicia and Muchaneta, “Sex Workers’ Stories,” *Agenda: Empowering Women and Gender Equity*. No. 82 (2009) 114.

December 17, 2003 became the International Day to End Violence Against Sex Workers in a show of solidarity and to raise awareness of the violence that this profession experiences. This was first acknowledged in 2003 as a vigil of remembrance for the victims of the ‘Green River Killer’ Gary Ridgway. The Green River Killer began murdering around 1982 and did not get caught until 2001. Ridgway said, “They were easy to pick up without being noticed. I knew they would not be reported missing right away and might never be reported missing. I picked prostitutes because I thought I could kill as many of them as I wanted without getting caught.”<sup>44</sup>

While Ridgway confessed to seventy-five to eighty murders, only forty-eight were confirmed. Ridgway is quoted saying “She who goes looking for scars will get them, you got what you were looking for.”<sup>45</sup> These are common views from the public regarding violence against sex workers. The belief is that SW’s are in a dangerous profession; therefore, they deserve the mistreatment and violence that comes their way. “The majority of violence against sex workers is not just violence against sex works — it’s also violence against transwomen, against women of color, against drug users, against immigrants. We cannot end the marginalization and victimization of all sex workers without also fighting trans-phobia, racism, stigma and criminalization of drug use, and xenophobia.”<sup>46</sup> These notions combined with the fact that sex workers are “selling their bodies” allows society to condemn women who do not buy into their so called “purity culture.” The term “purity culture” is problematic because it leads society to believe anyone who is not sexually “pure” is not worthy of respect.

Trauma affects every person differently. Abuse of children can range from psychological, mental, sexual, and emotional. While some of these traumas are easily detected, most of them are hidden

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<sup>44</sup> Jooyoung Lee and Sasha Reid, “Serial Killers & Their Easy Prey,” *SAGE Journals* 17, no. 2 (May 1, 2018) 48.

<sup>45</sup> Felicia and Muchaneta “Sex Workers’ Stories,” *Agenda: Empowering Women for Gender Equity* 82 (2009) 114.

<sup>46</sup> “Homepage,” December 17<sup>th</sup>, accessed November 17, 2019, <https://december17.swopusa.org/>.

and may stay concealed unless someone looks deeper. A survey conducted in 2018 in Tijuana and Ciudad Juárez with 603 female sex workers (FSW) as participants it was found that “a young girl in northern Mexico presenting with a pregnancy at age 14 years or having experiences sexual violence at age 11 years could have a 1 in 3 chance of subsequently being sex trafficked.”<sup>47</sup> This study may be out of date in 2021 but it still holds importance for this discussion. The statistics of childhood sexual assault are grossly underreported. Children do not understand the abuse they receive or how to ask for help. As adults, it is hard for us to understand why a child would not come forward with this abuse in their lives. Yet, if abuse is all a child experiences it is perceived as normal behavior.

Children in sexually abusive homes are often exploited by the parents to get drugs, money, or obtain free rent. They use their child as a ploy to get what they need. Dominique E. Roe-Sepowitz completed a study of women who entered prostitution as an adolescent compared to those who entered at eighteen years or older. Further she researched if they were abused sexually, mentally, physically, and emotionally as a child. “They found that women with a history of childhood sexual abuse had higher rates of prostitution involvement and entered prostitution slightly younger than those without a history of sexual abuse. Substance use or a substance use disorder did not appear to affect age of entry into prostitution in their sample.”<sup>48</sup>

The sexual exploitation of children occurs when someone enters into the sex work profession under the age of eighteen. Children this young are known to sell themselves for means of survival, which is called “survival sex.” This can be used in exchange of food, shelter, drugs, or

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<sup>47</sup> Sabrina C. Boyce, Kimberly C. Brouwer, Daniel Triplett, Argentina E. Servin, Carlos Magis-Rodriguez, and Jay G. Silverman, “Childhood Experiences of Sexual Violence, Pregnancy, and Marriage Associated With Child Sex Trafficking Among Female Sex Workers in Two US-Mexico Border Cities,” *AJPH Research* 108, no. 8 (August 2018) 1052.

<sup>48</sup> Dominique E. Roe-Sepowitz, “Juvenile Entry Into Prostitution: The Role of Emotional Abuse,” *Violence Against Women* 18, No. 5 (2012) 566.

money. “Women with a history of childhood sexual abuse had higher rates of prostitution involvement and entered prostitution slightly younger than those without a history of sexual abuse. A history of running away, though, is associated with entering prostitution at a younger age, but only affected entry into prostitution for those who were commercially sexually exploited in their early adolescents.”<sup>49</sup> Early childhood abuse can leave people with mental attributes that traffickers look for in a potential victim. Some of the mental attributes become dependency, drug addiction, depression, lack of self-confidence, feeling unable to refuse unwanted advances, shame, guilt, and difficulty maintaining personal boundaries. Some of the behavioral impacts include earlier sexual initiation, sex with multiple partners, unprotected sex, the inability to negotiate, and use contraceptives.<sup>50</sup> People with possible PTSD are easily manipulated because they need stability in their lives and the trafficker exploits their vulnerabilities.

While law enforcement tries their best, they cannot be blamed for the lack of attention put on trafficking. Most of society know of trafficking in some form or another, but can rarely spot it. Law enforcement personnel should be better trained to spot HT. Through more effective training police will become more active in the efforts to eradicate HT. “In recognizing these challenges, groups that promote more effective policing such as the Office of Victims of Crime (OVC) and the IACP (International Association of Chiefs of Police) have invested in training agencies in victim-centered response. . . provided training and technical assistance to more than 1,000 law enforcement agencies.”<sup>51</sup> This is a step in the right direction to ensure our police force is trained appropriately to spot these crimes. There are 18,000 federal, state, county, and local agencies in

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<sup>49</sup> Ibid, 566.

<sup>50</sup> Lindsay Stewart, Angela Sebastiani, Gisella Delgado and Germán López, “Consequences of Sexual Abuse of Adolescents,” *Reproductive Health Matters* 4, no. 7 (May 1996) 131.

<sup>51</sup> Amy Farrell, Meredith Dank, Ieke de Vries, Matthew Kafafian, Andrea Hughes, and Sarah Lockwood, “Failing victims? Challenges of the police response to human trafficking,” *Criminology & Public Policy* 18 (2019) 650.



the United States.<sup>52</sup> Suddenly, 1,000 agencies do not seem as significant when there are 17,000 yet to be trained. The OVC has a detailed outline for those who want to be involved of the training. This program contains three main objectives. “To enhance the quality of services available to assist victims of human trafficking. To develop resources that commemorate the 20<sup>th</sup> anniversary of the passage of the TVPA. To develop a key resource to improve the response to victims of HT wherever they are identified.”<sup>53</sup> The most significant portion of this training is ensuring that a victims’ safety is not jeopardizing their physical or emotional healing. Victims are often told that if the police find them, they will be put in jail or deported. Law enforcement elicits more panic than comfort. “In 2016, only 51% of victims of serious violent crime reported their victimization to the police.”<sup>54</sup>

Law enforcement have attempted to profile something that cannot be profiled, a trafficking victim can look like anyone and everyone. It is a commonly viewed stereotype by society that police are known to arrest first and ask questions later. “A detective in the Northeast explained that it is more difficult for the police to recognize victimization when people do not fit the stereotype of an iconic human trafficking victim, particularly when victims do not express gratitude about being “rescued” by the police or are not young, White, and U.S. citizen.”<sup>55</sup> This creates a community of distrust when it becomes known that police are not looking to help or give a referral to those in need. As a society we need to pull away from incarceration being the

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<sup>52</sup> Duren Banks, Joshua Hendrix, Matthew Hickman, and Tracey Kyckelhahn, “National Sources of Law Enforcement Employment Data,” *Bureau of Justice Statistics* (April 2016) 1.

<sup>53</sup> “OVC FY 2019 Specialized Human Trafficking Training and Technical Assistance and Resource Development,” Office for Victims of Crime, Google, accessed November 25, 2019, <https://www.ovc.gov/grants/pdfxt/FY19-Human-Trafficking-Specialized-TTA.pdf>.

<sup>54</sup> Amy Farrell, Meredith Dank, Ieke de Vries, Matthew Kafafian, Andrea Hughes, and Sarah Lockwood, “Failing victims? Challenges of the police response to human trafficking,” *Criminology & Public Policy* 18 (2019) 651.

<sup>55</sup> *Ibid*, 659.

go-to for problems we do not know how to appropriately deal with. This only hurts those who were victimized and leaves them open to be exploited in the future.

What didn't happen at the hospital was almost as harmful as the beating Mimi had suffered. No one questioned why such a young-looking girl was out late on an unusually cold night, underdressed and wearing too much makeup. And no one thought to separate Mimi from the man accompanying her in order to find out more about what happened. If they had, they might have learned that "Mimi" wasn't her real name; it was Elis. . . She was an 18-year-old girl from Brazil who'd been trafficked to Las Vegas.<sup>56</sup>

Nurses are critical when spotting possible human trafficking cases. Contrary to popular belief traffickers will often take their victims to the hospital for care. The image of traffickers is a ruthless, violent, fear-invoking human being. However, in reality traffickers who buy and sell human bodies are going to ensure their investment is taken care of. This is evident through the previous quote regarding Elis. The traffickers went through the process of kidnapping, grooming, and breaking their victims' souls so they will not let them die because they will lose their "investment."

There are small indicators one can look for that are seemingly unimportant but can lead to saving someone's life. "The person doesn't speak English and someone else is speaking for them. The person doesn't have any identification or travel documents, or someone else is holding the documents. The person appears to be under the control and supervision of someone who never leaves the person alone. The person appears depressed, frightened, anxious, or otherwise distressed."<sup>57</sup> If a health care worker identifies a possible HT case the most important thing is to not directly intervene — one must proceed with caution. Clinicians can demand the possible trafficker leave the room, so they can talk with the patient. During this small but incredibly significant time you must be as efficient as possible. Some of the questions clinicians should ask

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<sup>56</sup> Donna Sabella, "The Role of the Nurse in Combatting Human Trafficking," *The American Journal of Nursing* 111, no. 2 (February 2011) 29.

<sup>57</sup> *Ibid*, 34.

are: “Where are you from? What brought you to the United States? How did you get here? Are you paid for your work? How much do you earn? Are you allowed to go out on your own? Have you been threatened with violence or harm if you decide you want to leave your job?”<sup>58</sup> Many victims do not self-identify, so blatantly asking if they are a trafficking victim could prove useless. These questions seem to avoid the issue of what the patient has gone through, but answering these enquiries can provide the clinician a better understanding of the situation. These questions have been tailored to get the information necessary, while providing someone with a safe and confident space. If someone was to dive into such personal questions it would only serve to re-traumatize the victim. Jill Leighton ran away from her home in 1981 to escape physical and sexual abuse at the age of fourteen years old, that is when she met Bruce and for the next three years was brutalized everyday by her captor.<sup>59</sup>

For three years I was forced to let men rape me for Bruce’s profit. During that time, I’d nearly been killed several times, including Bruce’s failed attempt to perform an abortion on me after I became pregnant. In 1982, I entered a suburban Los Angeles hospital bleeding extensively from my vaginal area. On my wrists, ankles, and neck were burns, cuts, and scars. I had been hung from the ceiling by my wrists while Bruce shoved a broken, long-neck beer bottle into my vagina in an attempt to remove the fetus. Fearing retaliation, I didn’t communicate to the doctors what had actually transpired. Instead, I remained silent. Had these doctors given any thought to their ethical oaths it should have occurred to them that the bruises, scars, strangulation marks, et cetera, were inconsistent with attempting to abort my own child. Exactly how did I destroy my own larynx attempting to abort my own child? How did I self-inflict leather strap burns around my wrists and ankles?<sup>60</sup>

Becoming aware of programs available is the best thing you can do as an advocate for both trafficking victims’ and sex workers rights’. There are several organizations dedicated to helping victims of trafficking. Many of these establishments help all effected — men, women, and children. The National Human Trafficking Hotline is available 24/7 to receive calls. These

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<sup>58</sup> Ibid, 35.

<sup>59</sup> Jesse Sage and Liora Kasten, *Enslaved True Stories of Modern Day Slavery*, (New Jersey: Griffin, 2008), 62.

<sup>60</sup> Ibid, 76-77.

workers will provide the information necessary for the victim to safely seek further help and direct them to a safety shelter in their area.

Prajwala, is an Indian company that began in 1996 in south India and has since spanned to international operations. They have worked tirelessly throughout the years to develop rehabilitation centers and work certification programs for survivors to take back the control in their lives. Most recently they have launched “Swaraksha” a community awakening caravan to counter trafficking in three states of Telangana, Odisha & Andhra Pradesh.”<sup>61</sup>

Urban Light stands out amongst other shelters because they work on helping young boys and men who are at risk for trafficking in Thailand. They state, “A movement dedicated to restoring, rebuilding and empowering the lives of young men who are so often forgotten within the dialogue of abuse, exploitation and trafficking.”<sup>62</sup> Urban Light guides young men through eight pillars to help their community lead a life free from exploitation. The pillars are health, employment, housing, education, harm reduction, prevention, outreach, and legal support.<sup>63</sup> There are several programs around the globe, but most of the services are women-only facilities. Anyone can be a target of trafficking. Focusing on one sex only illuminates half the issue. Urban Light estimates the numbers of trafficking victims as such in the US there are 60,100 victims, Mauritania has 155,600, Thailand 475,300, and Indonesia at 714, 100.<sup>64</sup>

Sex workers and advocates tirelessly work toward de-criminalizing the profession of sex work for decades, as well as promoting safer streets. The brutality that sex workers face in their line of work becomes a normality within our society. Customers and everyday people feel they

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<sup>61</sup> “Milestones,” PRAJWALA, Google, accessed November 24, 2019, <http://prajwalaindia.com/milestone.html>.

<sup>62</sup> “Urban Light Ending the Exploitation of Boys in Thailand,” Urban Light, Google, accessed November 24, 2019, <https://www.urban-light.org/#home>.

<sup>63</sup> “Be the Light,” Urban Light, Google, accessed November 24, 2019, <https://www.urban-light.org/our-work>.

<sup>64</sup> “Our Mission,” Urban Light, Google, accessed March 27, 2021, <https://www.urban-light.org/our-work#why-ul-matters>.

can be violent and threaten workers without legal repercussion. Many projects partner with organizations that are dedicated to creating safer streets. This could be beneficial not only for sex workers but our entire community.

The Sex Workers Outreach Project (SWOP) in the United States gained momentum in 2003 when they rallied and protested the crude treatment of Shannon Williams, a high school teacher and sex worker in the San Francisco Bay area. She had her life crash around her in 2003 when she was arrested with prostitution charges and her private life became public. Bay Area sex workers came to Ms. Williams defense and protested her arrest and mistreatment.<sup>65</sup> SWOP currently contains chapters in Tucson, Los Angeles, Sacramento, Orlando, Tampa, Atlanta, Hawaii (state-wide), Chicago, Kentucky (state-wide), Baltimore, Minneapolis, Portland, and Seattle.<sup>66</sup> A newer branch of this organization is the POC-led chapter SWOP located in Seattle. The POC SWOP is currently working on a partnership with the Green Light Project. The Green Light Project is growing through Detroit creating safer streets for our community. “Participants install high-definition cameras and upgrade to high-speed network connections capable of allowing for consistent video streaming to DPD (Detroit Police Department). Participants also agree to provide adequate lighting on all parts of their properties — and to making other improvements as needed to ensure that their businesses are customer-friendly, safe, and inviting.”<sup>67</sup>

The Red Umbrella Project (REDUP), based out of Brooklyn, New York was created out of a need to give a voice back to the workers in sex trades. They also work to give their members the

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<sup>65</sup> “Mission Statement,” SWOP USA, Google, accessed November 24, 2019, <https://swopusa.org/about-us/mission-statement/>.

<sup>66</sup> “Chapters,” SWOP USA, Google, accessed November 24, 2019, <https://swopusa.org/chapters/>.

<sup>67</sup> “Project Green Light Detroit,” City of Detroit, Google, last modified January 1, 2016, <https://detroitmi.gov/departments/police-department/project-green-light-detroit>.

skills of political analysis so they can better navigate social and economic justice issues.<sup>68</sup> People in this organization are fighting the decades-old stigma with “the blanket assumption that all people in the sex trades are victims does us a grave injustice. The victim narrative grays the line between consent and coercion, making it more difficult for people in the sex trades who are victimized – by clients, pimps, police, and courts – to seek justice.”<sup>69</sup> This project brings the injustice that sex workers face to the forefront and say they deserve justice just as anyone else. For centuries, society has perceived sex workers as the bottom-of-the-barrel, lowest in society, and criminals. This perception has been based solely on their occupation. While it may be hard for some to understand why a sex worker chose this career, it may be just as hard for others to comprehend why someone would want to be an engineer or historian. Sex work has remained legal in a few counties in Nevada, but activists argue the profession must be de-criminalized across the U.S.

Another organization working towards de-criminalizing of prostitution is Call Off Your Old Tired Ethics (COYOTE). Since its foundation in 1973, COYOTE continues their work in repealing prostitution laws. Their beliefs would enable sex workers to work their profession in a safer manner.<sup>70</sup> The need for a pimp would become obsolete. Sex workers rarely come forward with their sexual assault because it is seen as a non-issue in the justice system. No one believes a sex worker can be raped when they are selling the service of sex. “COYOTE members have also testified at government hearings, served as expert witnesses in trials, helped police with investigations of crimes against prostitutes, and provided sensitivity training to government and

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<sup>68</sup> “Criminal, Victim, or Worker?” Red Umbrella Project, Google, last modified October 2014, <https://www.nswp.org/sites/nswp.org/files/RedUP-NYHTIC-FINALweb.pdf>.

<sup>69</sup> Ibid.

<sup>70</sup> “What is COYOTE?,” COYOTE LA, last modified 2004, [http://coyotela.org/what\\_is.html](http://coyotela.org/what_is.html).

private non-profit agencies that provide services to prostitutes.”<sup>71</sup> COYOTE provides training to government officials. Society needs to accept sex workers and learn from them rather than criminalizing this profession. By doing this we can move towards combatting human trafficking while remaining supportive of sex workers.

While the list of commonalities is perhaps longer than the differences of SW and HT victims, both hold equal importance. In the effort to understanding these communities and the selling of human bodies, one must look at the whole picture. Such as acknowledging the prevalence of childhood abuse as a strong similarity between SW and ST victims. As a society we must collectively come together to erase this cruel and violent trade of human bodies. The government needs to put money towards appropriate training for all branches of law enforcement. Nurses should be required to take courses such as sexual assault nurse examiner (SANE) so they are equipped to handle sensitive situations. People in power need to be aware of the tools at their disposal to handle a trafficking situation should it arise. As a society we need to take care of one another and stop letting others be forgotten. Noticing little things can save a life.

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<sup>71</sup> Ibid.

## Chapter 4

### Everyday Goods: Brought to Us by Labor Trafficking

Forced slave labor is one aspect of human trafficking that touches almost every single person in the world. Slave labor (SL) can be found through agriculture, apparel, electronics, to the fish in your grocery store to things you perhaps never considered such as bricks, rubber, cassiterite, as well as granite. While a recruiter may be looking for a certain gender, depending on the work that needs to be done, trafficking does not discriminate based on age or race. While in India Kevin Bales visited a granite quarry and spoke with the slave master and the two talked about the slaves at work ““See the girl playing with the hammer?” asked a local investigator. “Along with the child, the size of the hammer grows, and that’s the only progress in her life.””<sup>72</sup> Children often find themselves in a life of trafficking for a variety of reasons. Motives such as their family was made false promises by the recruiter and this unknowingly puts them in trafficking, or they want to help their financial circumstances and instead end up in dangerous situations. Traffickers and recruiters knowingly prey on people’s weaknesses so they can exploit them to their advantage.

Rationally, slavery is just so obviously wrong in so many ways. Hacking away at the environment that sustains us, that is the *only* source of our sustenance, is both wrong and stupid. There’s no credible defense for either, just a tangled mess of rationalizations and justifications that mask hurtful greed. Slavery and environmental destruction are irritational, but then so is, all too often, culture. When a whole culture is convinced they are right in their wrongheadedness, we’ve all got a problem. . . . When a culture decides that people who look a certain way are evil or subhuman or a threat, then it becomes a lot easier to use them or enslave them or just dispose of them.<sup>73</sup>

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<sup>72</sup> Kevin Bales, *Blood and Earth: Modern Slavery, Ecocide, and the Secret to Saving the World*, (New York: Random House, 2016), 4.

<sup>73</sup> *Ibid*, 246.



One of the first cases within the United States involving labor trafficking was in 1983 out of Chelsea, Michigan. Robert Fulmer and Louis Molitoris were both in their sixties but when interviewed they were found to have the intelligence of someone around eight to ten years of age. These two men were working at a dairy farm owned by Ike and Margarethe Kozminski along with their son John. Fulmer and Molitoris were forced to work seven days a week at seventeen hours a day with often no pay. The victims were often physically and verbally abused for the work they did not complete, they had discouraged the workers from leaving and in the few times they did attempt to escape they were brought back.<sup>74</sup> By doing this the Kozminski family violated the 18 U.S. Code § 241 because it states that “if two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same.”<sup>75</sup> This 1983 case set a precedent for future cases as well as started the acknowledgment of labor trafficking issues within America as well as abroad.

One such law that has been put into place to ensure materials are ethically sourced is the “Dodd-Frank wall Street Reform and Consumer Protection Act passed in July 2010 and came into effect in 2011. . .this law requires US companies that import products containing certain minerals to report whether they get their minerals from Congo or one of the surrounding countries. If a company reports that its supply chain passes through the region, they then have to report what they are doing to trace the minerals and prevent their purchases from funding the

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<sup>74</sup> United States v. Kozminski, 487 U.S. 938 (1988), [https://scholar.google.com/scholar\\_case?case=8832526571245844043&q=united+states+v.+kozminski&hl=en&as\\_sdt=6,37&as\\_vis=1](https://scholar.google.com/scholar_case?case=8832526571245844043&q=united+states+v.+kozminski&hl=en&as_sdt=6,37&as_vis=1).

<sup>75</sup> “18 U.S. Code § 241 – Conspiracy against rights,” *Legal Information Institute*, Cornell Law School, accessed March 9, 2021, <https://www.law.cornell.edu/uscode/text/18/241>.

armed groups.”<sup>76</sup> This is a significant law, but it speaks out solely against products containing certain minerals and while slave mining for minerals, is a large issue, it is not the only material that has problematic ties.

Another law that is broader regarding goods produced is 19 U.S. Code §1307. Convict-made goods; importation prohibited where “all goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by convict labor or/and forced labor or/and indentured labor under penal sanctions shall not be entitled to entry at any of the ports of the United States.”<sup>77</sup> There is also a current drive for countries to ratify the PO29 – Protocol of 2014 to the Forced Labour Convention, 1930. Some of the provisions of the ratification of the PO29 include

educating and informing those considered particularly vulnerable. Strengthening labour inspection and other service responsible for implementation of these laws. Supporting due diligence by the public and private sectors. Protecting victims from punishment for unlawful activities that they were compelled to commit. Ensuring victims’ access to appropriate and effective remedies, such as compensation, irrespective of their presence or legal status in the territory.<sup>78</sup>

Many laws have been put into place to help trafficking victims but countries around the world have a history of practicing peonage. The peonage system is something often used within labor trafficking for the purpose of locking someone into a system of forced labor and thinking they are being punished for a crime they committed. This was a system often used in the United States when prisoners were forced to work in fields during their time sentenced.

It works like this: a traditional chief, a policeman, a local official, or a member of a militia will arrest someone. The charge might be anything from loitering to carrying a knife or being a “terrorist.” Whatever the charge, the arrest has either no basis in law or rests on some petty and rarely enforced minor ordinance. It is simply a way of gaining control over a person.

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<sup>76</sup> *Blood and Earth*, 63.

<sup>77</sup> “U.S. Code §1307. Convict-made goods; importation prohibited,” *Legal Information Institute*, Cornell Law School, accessed March 9, 2021, <https://www.law.cornell.edu/uscode/text/19/1307>.

<sup>78</sup> “The Protocol to the Forced Labour Convention,” *International Labour Organization*, accessed March 9, 2021, [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_321414.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_321414.pdf).

Playing out this charade, the arrest will then be followed by one of three outcomes. The victim may simply be put straight to work in the mines as a prisoner under armed guard. Alternately there may be a sham trial in which the individual will be “sentenced” to work and again taken to the mines as a prisoner. Finally, the fake trial may result in the arrested person being “convicted” and then fined a significant sum of money. Unable to pay for the fine, either the individual will be sent to the mine to “work off” the fine, or the debt will be sold to someone who wishes to buy a mineworker.<sup>79</sup>

Being in this system of peonage puts people at risk for countless health issues considering they will be underfed, dehydrated, and over worked with little to no option regarding healthcare. This puts workers in a dangerous situations where they are falling ill and, in most cases, dying from easily treated illnesses.

From countries such as India, China, Thailand, or America there are many diseases and infections victims can succumb to when working in such hazardous conditions. Safety equipment is essentially nonexistent on these platforms. When mining there is no ventilation for the workers and no masks, so they can protect their lungs from breathing in possibly harmful rock dust. One of the slow killers within slave labor mining is silicosis. This is where “the lungs fill with microscopic sharp-edged rock dust. The dust makes the lungs bleed and form scar tissue. As the scar tissue expands, the lungs can’t bring oxygen to the body. In time even an otherwise healthy person withers away, slowly but irreversibly suffocating to death.”<sup>80</sup> While this dangerous microscopic rock dust makes its way into the workers lungs, they also can fly into their eyes and cause damage. Victims that are stuck in the cycle of slave labor often have to take a loan out from their “boss” to receive medical treatments because they are not paid enough to be able to afford things like a visit to the doctor. Workers are dying from seemingly easily treated ailments because they cannot pay for the treatment without getting more in debt. Cassandra

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<sup>79</sup> *Blood and Earth*, 24.

<sup>80</sup> *Blood and Earth*, 49.

Balchin, a journalist living in Pakistan who investigated the kilns, found that “Unable to afford the small fees at government clinics, the kiln workers who live in crowded communal huts are affected by tuberculosis, typhoid, malaria, cholera and diarrhea—some of their children simply dying of cold in the winters.”<sup>81</sup> While some of these slave labor goods are more recent such as mining for cassiterite others have been around for centuries.

“From the beginning of human history, slaves have been used to make bricks. Stories in the Bible attest to Hebrew slaves making bricks for their Egyptian masters. Egyptian tomb paintings from 2000 B.C. show slaves at work in brick kilns. When hundreds of thousands of African-Americans were re-enslaved after the Civil War in the peonage system, many were consumed by brick kilns.”<sup>82</sup> Bricks are something we see every day. We see bricks being used to build houses, as edging for a garden, a sidewalk in someone’s backyard, as well as for sale in stores. We see these bricks with little to no thought about how they got to where they are now because it is not something society members commonly ask themselves. While the truth is there are whole families working in brick kilns around the Middle East and across Asia. “In Pakistan there are about 7,000 brick kilns. A kiln produces between 500,000 and 2 million bricks each time the fire goes round the circuit. . .annual production of some 65 billion bricks. . .With 15 to 35 families at each kiln, there are something like 150,000 to 200,000 families at work in the kilns. . .the total workforce is around 750,000 people just in Pakistan.”<sup>83</sup> To fire brick kilns and keep the bricks at the required temperature of 1,500 for months at a time some companies cannot always afford the price of charcoal so instead they will burn old tires, used motor oil, plastic, and assorted rubber

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<sup>81</sup> Kevin Bales, *Disposable People: New Slavery in the Global Economy*, (Berkeley: University of California Press, 2000), 126.

<sup>82</sup> *Blood and Earth*, 108.

<sup>83</sup>*Ibid*, 111.

materials.<sup>84</sup> This creates a greenhouse gas nightmare for CO<sub>2</sub> production into our atmosphere that pushes the earth everyday closer to an unstable climate.

While some may say if workers are being paid it cannot count as slave labor because they are being given a wage. These families are not even paid enough to be able to save, live a healthy life and send their children to school. Whole families work all day for the extraordinarily little they have, and are not free to leave the brick kiln without severe repercussions. “On average, families are paid 100 rupees (\$2) for every thousand bricks they produce. Working full tilt a family makes 1,200 to 1,500 bricks a day, but perhaps 10 percent of these will not dry properly and thus will be spoiled. If not thwarted by rain, the family might earn 700 to 800 rupees (\$14 to \$16) in a good week. But the costs of the minimum essentials needed to keep a family alive are exactly this amount. On weekly earnings of 700 rupees, a family of four or five can have a bare diet of wheat roti (flat, unleavened bread), vegetable oil, lentils, onions, and sometimes a few other vegetables.”<sup>85</sup>

Bricks are not regularly thought about because we just see the brick but not the story behind it. The truth is there is a whole family struggling behind that brick just to stay alive. They slave for countless hours a day in the hot sun with almost no food and no clean water to stay hydrated with. Without clean drinking water available, workers quickly get sick with dysentery.<sup>86</sup> “When I was younger, there was a time when I was so desperate to be free from these debts. I took my family from here and went back to my home, but the landowner’s men came to my village and forced us to return. They tied me to that tree there and beat me. They electrocuted me and did not let me eat. I was still tied to that tree when they sold one of my daughters to a *dalal* (trafficker).

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<sup>84</sup> Ibid, 109.

<sup>85</sup> *Disposable People*, 126.

<sup>86</sup> Siddharth Kara, *Bonded Labor: Tackling the System of Slavery in South Asia*, (New York: Columbia University Press, 2012), 91.

They said, “This is payment for the work you have not done since the day you tried to cheat us.””<sup>87</sup> The most prevalent similarity with some of these goods is they play a significant role within our society while others are unnecessary.

Cassiterite is often referred to as tin ore and is mostly mined around the Democratic Republic of the Congo. “But circuit boards won’t work without the ore slaves are digging in the Bisie mine: cassiterite. Cassiterite is simply tine ore. Tin is used to make solder, and solder is what, literally, holds electronics together. The solder (the word comes from the Latin “make solid”) used in electronics is a mixture of 63 percent tin and 37 percent lead. . .in the production of our cellphones, laptops, and any other object (cars, toys, baby monitors, all the way up to jumbo jets and super tankers) that needs electronics.”<sup>88</sup> Cassiterite is a highly valuable mineral within our society that makes a lot of technology possible. While this is true there has to be a more realistic way of bringing this out of the earth rather than through slave labor with insufficient safety measures to protect the workers. This should be a basic human right to work safely and without fear and yet within these systems it is not the norm.

In the 1980 the people of the Congo and Bisie mines lived in peace surrounded by these precious stones and minerals. That is until the technology age truly hit and cassiterite became an incredibly valuable resource. It is said that the original villagers who found the wealth of minerals are gone and no one knows what happened to these residents.<sup>89</sup> “During the Congo Wars, armed gangs were drawn to the mineral riches of the site and killed, enslaved, or drove away anyone already there.”<sup>90</sup> With the lack of knowledge and care for suitable safety equipment people are often injured or killed. Workers are often killed when rocks fall on them and they are

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<sup>87</sup> Ibid, 79-80.

<sup>88</sup> *Blood and Earth*, 48.

<sup>89</sup> *Blood and Earth*, 48.

<sup>90</sup> Ibid, 48.

crushed to death or earthquakes create a tumbling effect and people will be trapped in the mines either to slowly die or be crushed with fellow workers. A common problem is overcrowding, this promotes a great area for illness and infections to grow and spread like wildfire. Sexually transmitted diseases are common “the few women present, with little control over their bodies and no protection, are raped or used by many men and infection spreads.”<sup>91</sup> With the very little these people have they are unable to ever get a doctor or medicine to cure themselves of the infections that are raging between workers. Victims are not freely given money because in this place everything comes with a price and if you truly need medical attention it will be added to the debt that you will owe. If you are found trying to steal minerals to sell on your own, you are severely punished. “This is where the girls are butchered like goats. And if anyone is suspected of swallowing precious minerals, they just cut open their bellies.”<sup>92</sup> Cassiterite could be mined through non-exploitative means if people the personal greed could end and policing of trafficking was taken seriously. Some products are not as easily controlled, when people are out in the ocean with little to no enforcement of the laws there are very few rules one must abide.

The most common types of fish talked about are tilapia, cod, shrimp, and dry fish. “Fish is one of the most traded commodities globally and is of particular importance to developing countries (FAO, 2021a, p. 67). Some 57 million tons of fish were exported in 2010. The following year States exported fish to the value of US\$125 billion (FAO, 2012a, p. 68). The demand for and trade for fish has increased steadily over a number of decades.”<sup>93</sup> While farm fishing has become increasingly popular over the years, slave labor on fishing boats is still a significant issue. “A report published by the Thomson Reuters Foundation in mid-2017 found

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<sup>91</sup> Ibid, 49.

<sup>92</sup> Ibid, 47.

<sup>93</sup> International Labour Office, *Caught at Sea: Forced Labour and Trafficking in Fisheries* (International Labour Organization, 2013): 4.

that three-quarters of the 116,000 migrant workers on Thai fishing ships are trapped in debt bondage, forced to labor in abysmal conditions.”<sup>94</sup> Like so many others stuck in labor trafficking you are not able to take a sick day because they are not allowed and you must continue working. “I got sick. Once I had a fever, I was too sick to work. The boss came and beat me till I got up and went back to work. It was always this way, fevers and diarrhea. While I was there, seven or eight people in the fishing camp died of diarrhea. The guard would just take their bodies into the forest and leave them.”<sup>95</sup> Many children stuck in this system of slave labor know they will never get out unless they risk their lives to run away so, many stay in the place of work out of fear of leaving.

While male adults are working on ships, children work bringing in the days catch and must sit on the floor and filet fish after fish. The knives they use for fileting are incredibly sharp and the workers often cut themselves but are not given adequate care and must continue working. “It was cold. We were always cold and wet. My clothes would be soaked from wading into the water to the boats, and the fish guts were everywhere, splashing onto us as we cut them open. We sat on the wet ground all night. If we slowed down or stopped the boss would hit us, if we weren’t moving fast when we hung the fish on the racks he’d hit us with a long stick he carried. All the time he’d yell at us, calling us filthy names.”<sup>96</sup> This story from Dublar Char an island of Bangladesh where a child slave laborer is forced to work within these violent conditions.

The European Union, trying to play their part, is being responsible and as transparent as possible for their community regarding LT. Tracing goods like this it can become difficult, but if companies or countries were willing to put in the effort to trace such merchandise it could be

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<sup>94</sup> Hyeon Jae Seo, “Trapped at Sea,” *Harvard International Review* 39, no. 2 (Spring 2018): 46.

<sup>95</sup> *Blood and Earth*, 73.

<sup>96</sup> *Ibid*, 72.



done and become the new normal. “The EU Common Fisheries Policy directs that all fish ‘be traceable at all stages of production, processing and distribution, from catching to harvesting to retail stage’ (Article 58(1) of Council Regulation No 1224/2009). EU Council Regulation 1005/2008 requires that all fishery products imported into the Community is accompanied by a catch certificate, which must be validated by the flag State of the Fishing vessel (Article 12)”<sup>97</sup>

The US has their own version of a protection law that prohibits goods brought to you through the use of slave labor. This is the 2016 amendment to the Smoot-Hawley Tariff Act of 1930 which impacts those that were found to be shipping labor trafficked materials.<sup>98</sup> This law essential bars passage to companies and organizations wanting to bring in goods produced through the use of slave labor. The issue with this is how is border control to know what is and is not touched by LT? There are many issues with this law and with HT still being a large issue, that is proof alone that this law is not as effective as some would hope.

Fishing is a way of life for many countries and it is their main source for income, but this is often on the backs of slave labor and to the utter detriment of the sea and our oceans. “By 2050, some studies predict, there will be more plastic waste in the sea than fish, measured in weight. The oceans are despoiled and depleted because most governments have neither the inclination nor the resources to protect them.”<sup>99</sup> The ocean covers more of our earth than land and the question is how governments could possibly cover such ground and patrol everything that takes place. Policing our oceans on a higher level and taking our oceans health into consideration should not be a difficult task. Consider one of the things often over fished is plankton, which

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<sup>97</sup> International Labour Office, *Caught at Sea: Forced Labour and Trafficking in Fisheries* (International Labour Organization, 2013): 45.

<sup>98</sup> Sandra Lee Bell, “US Prohibits Imports Made With Forced Labor: New Law is a Force to be Reckoned With,” DLA Piper, last modified September 6, 2016, <https://www.dlapiper.com/en/us/insights/publications/2016/09/us-prohibits-imports-forced-labor/>.

<sup>99</sup> Ian Urbina, *The Outlaw Ocean: Journeys Across The Last Untamed Frontier*, (New York: Random House, 2020), 47.

heavily contributes to oxygen production on earth. During the process of photosynthesis, phytoplankton take carbon dioxide into their bodies and release the oxygen, storing the carbon in their bodies.<sup>100</sup> The reason behind over fishing plankton is to transform it into a protein-rich animal food and since 1950 their population has decreased by 40% through the commercial fishing of Norwegian and Japanese conglomerates.<sup>101</sup> Slave labor on fishing vessels and the environmental issues are closely related issues. Hyeon Jae Seo is the author of “Trapped at Sea: Blood, Sweat, and Tears of Thailand’s Fishing Industry” states that

Labor trafficking cannot be divorced from the environmental effects of overfishing. Technological advances in fishing equipment, unsustainable fishing practices, and rampant breaches of environmental regulations have led to severe overfishing along Thailand’s success in the tiger shrimp market has increased the use of trawlers—weighted nets that are pulled along the sea floor. In addition to catching shrimp, trawlers accumulate many other species that inhabit the ocean floor, leading to rapid depletion of marine life populations.<sup>102</sup>

The process of extracting gold from the earth is time consuming and excruciating for workers in these mines who poison their bodies as well as the earth and waterways every day. Within the other goods mentioned gold is different strictly because it is not a necessity within our society. Gold is mined by slaves for nothing more than the purpose of making jewelry. The day begins as workers make their way down into the mines often around three a.m. with a flashlight strapped to their head because of the lack of electricity. “Deep in the earth the veins of quartzite, granite, shale, and other minerals twist and swirl around each other like marble cake. Forget about clean, flat layers of sedimentary rock, gold is found in metamorphic minerals, born of volcanoes and incredible pressure and heat, stirred by earthquakes and the grinding of tectonic plates.”<sup>103</sup> Once

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<sup>100</sup> “If The Ocean Dies, We All Die!,” *Sea Shepherd*, accessed April 2, 2021, <https://seashepherd.org/2015/09/29/if-the-ocean-dies-we-all-die/>.

<sup>101</sup> *Ibid.*

<sup>102</sup> “Trapped at Sea,” 46.

<sup>103</sup> *Blood and Earth*, 135.

rock chippings are crushed into a fine dust it is taken to a stream where it is repeatedly washed. Once the dust is successfully washed, what is left behind is a bucket full of black looking mud and a few drops of mercury are dropped into the bucket and stirred into the mud by the hand of a worker.

Once the mercury is dropped into the water the worker will take their hand, without a thought to the dangers of mercury poisoning themselves through their skin and stir the toxic water. Through this process the mercury will attach and become an almost waxy ball because it bonds with the gold. Once you find one of these pebbles you squeeze it until the excess mercury drips back into the water to be stirred further to gather more gold.<sup>104</sup> Mercury is most poisonous when someone is breathing in the fumes, but it can also be absorbed through the skin. Exposure to mercury at this rate could have lasting harmful effects on the workers. Some of the effects from mercury poisoning include headaches, chills, chest tightness, coughs, hand tremors, nausea, vomiting, and diarrhea.<sup>105</sup> This bucket is a toxic combination of mud, water, and mercury is dumped into a stream that will flow down to a nearby village.

The harmful side effects of gold tie in with fish and that of our oceans and water ways because of the bucket with poisoned water making its way to homes, farms, and animals. In extreme cases of mercury poisoning a person or fetus can show symptoms of Minamata Disease. This disease was originally found off the Minamata Bay in Kyushu, Japan in 1959.<sup>106</sup> This can occur when the mercury combines with the bacteria in the water and becomes a highly toxic form called methylmercury. This contaminates fish through their gills and when the bigger fish

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<sup>104</sup> *Blood and Earth*, 141.

<sup>105</sup> "Health Effects of Exposure to Mercury," *United States Environmental Protection Agency*, accessed March 11, 2021, <https://www.epa.gov/mercury/health-effects-exposures-mercury>.

<sup>106</sup> Mandana Minai, "Methylmercury and Human Embryonic Development," *The Embryo Project Encyclopedia*, last modified April, 18, 2016, <https://embryo.asu.edu/pages/methylmercury-and-human-embryonic-development>.

eat the smaller fish they become further infected with this toxin. If a pregnant women consumes a fish that is also contaminated it makes its way to their fetus and when born, the child will have several possible developmental or physical issues. These issues include “lack of eye coordination, convulsions, neck instability, intellectual disability, reflex, growth, and cerebellar deficits, hyperkinesis, hypersalivation, hyperkinesia, dysarthria, strabismus, microcephaly, and paroxysmal symptoms.”<sup>107</sup> Gold is a material that in essence does not contribute to the society as a necessary object; the purpose of gold is jewelry.

The clothing industry is well known for having issues regarding human rights as well as labor violations. Brands such a Forever 21 sell their clothing for incredibly cheap prices which brings the mind to wonder if they are selling their items for so little how can they afford to pay workers a decent wage? “According to Business Insider, “One Los Angeles factory worker (Forever 21) told Bloomberg BusinessWeek she was paid 12 cents a piece to sew vests that sell for \$13.80. It would take 67 vests an hour to earn \$8 minimum wage.” There is no way I would be able to sew 67 vests per hour. Maybe 2...if I am lucky.”<sup>108</sup> Forever 21 does have a pledge on their clothing website saying, they will not obtain their cotton from Uzbekistan because they use intensive slave labor to source the cotton.<sup>109</sup> While these pledges are comforting how do we as a consumer society know if they are obeying their own ethical guidelines? Nike, on the other hand, has a Nike Manufacturing Map so you can see their locations and the brands under their company as well as Hurley to Converse. Through this map you can click on a country such as Indonesia and see they have a total of thirty-four factories with eleven for apparel, five for

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<sup>107</sup> Ibid.

<sup>108</sup> Kristin Schulz, “Why We Can’t Stay Forever 21,” *END SLAVERY NOW*, last modified December 29, 2016, <https://www.endslaverynow.org/blog/articles/why-we-cant-stay-forever-21>.

<sup>109</sup> “Social Responsibility,” *Forever 21*, accessed March 8, 2021, <https://www.forever21.com/us/socialresponsibility/socialresponsibility.html>.

equipment, and eighteen for footwear. Within these Indonesian factories 77.5% are female and 0.3% are migrants with the average age of twenty-nine.<sup>110</sup> This in-depth map that Nike provides shows that they are making efforts to be transparent to their customers this ensures consumers they are acting responsibly within their company. Throughout Nike's website you can not only find their companies' sourcing standards, but also human rights and labor compliance standards, fair labor association reaccreditation, and occupational health & safety.<sup>111</sup>

Migrant workers are often left vulnerable to domestic servitude because of language barriers and being away from a support system makes them particularly vulnerable to this type of violence. Domestic labor is found within most countries, but the most mentioned issues are within Dubai and the United States. Within Dubai the "migrant labor in Dubai is structured by the *Kefala*, or labor sponsorship system . . . Under the *kefala* system, each migrant worker is tied to a sponsor, or *kefala*, who also functions as his/her employer. Residence and legal working papers for the migrant depend on the relationship with the sponsor. In the case of disputes with the sponsor-employer, migrant workers can be left without legal permits to remain in the UAE."<sup>112</sup> This *kefala* system is put in place to ensure workers are safe and have a clear hierarchy so they know who to contact when things are uncomfortable or become violent. What further hurts migrant workers in this area is "according to Article 2 of the General Provisions: Arabic shall be the language to be used in all records, contracts, files, data, etc. . . . provided for in this Law or in any orders or regulations issues in implementation thereof. Arabic shall also be used in instruction and circulars issues to employees by their employer."<sup>113</sup> When a person has a clear

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<sup>110</sup> "Nike Manufacturing Map," *Nike*, accessed March 8, 2021, <http://manufacturingmap.nikeinc.com>.

<sup>111</sup> "Making Product Responsibly," *Nike*, accessed March 8, 2021, <https://purpose.nike.com/making-product-responsibly>.

<sup>112</sup> Pardis Mahdavi, *Gridlock: Labor, Migration, and Human Trafficking in Dubai*, (Stanford: Stanford University Press, 2011), 49.

<sup>113</sup> *Ibid*, 50.

language barrier and is unable to read the document they are signing, they cannot consent to what is happening.

During the six months that Minia worked for this family, she suffered beatings from her madam (female employer and head of the household) and sexual advances from the male head of the household and his son. Made to work up to eighteen-hour days, the family often locked Minia in the house when they left and did not provide her dinner on most weeknights. When she complained, she was beaten, and the male head of household would make further advances toward her, making sexual threats that he would rape her one night while she was asleep. . . She ran away from the apartment. . . After several hours, a Bangladeshi policeman came to ask Minia about her situation. “He asked me why I had left the home of my employers, why I didn’t appreciate them and all they did for me,” . . . Minia hoped that the police would chastise him for abusing her and withholding her pay. Instead, however, her employer was lectured about the importance of not letting his housemaid out of his sight. He was told to take her home, be more careful, and not to let women like her roam the streets without supervision.<sup>114</sup>

This story goes to show the corrupt police contributing to the problem since it is seen as a “home issue” they do not get involved even when someone is being severely abused. There is little to no places someone can turn when they are a domestic servant, especially in cultures where it is seen as normal.

Domestic servitude is also alive and well in the United States despite what society may want to believe. The levels of deceit know no bounds when trying to entrap someone into a life of slave labor. Lying about basic necessities such as stable income, adequate housing, to proper schooling for children.

Shortly after she (Natalia from Ghana) arrived in the U.S., the father she was living with began to physically and sexually abuse the young girl, creating a constant environment of fear for Natalia. For the next six years she was forced to clean the house, wash clothes, cook, and care for their three children, often working 18 hours a day while receiving no form of payment. She was never allowed to enroll in school as the family had promised, go outside, or even use the phone.<sup>115</sup>

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<sup>114</sup> Ibid, 132-33.

<sup>115</sup> Bandana Purkayastha and Farhan Navid Yousaf, *Human Trafficking: Trade for Sex, Labor, and Organs*, (Cambridge: Polity Press, 2019), 65.

Natalia's family was lied to and told that if she went to the US she would be enrolled in school and given a good education. The levels of deceit by traffickers know no bounds whether it is lying about educational opportunities, wages, or suitable living arrangements.

Agriculture is an area of labor trafficking that is well known to be a problem and is harder for society to ignore as they pick up a container of strawberries or a head of broccoli from their local grocery store. While the community acknowledge there is a significant problem with farm slave labor, they often do not know what they can do. One system put in place in the H-2A visa where a foreigner can come into the United States and work either temporarily or for the season.<sup>116</sup> While this structure is put in place to help workers come into the U.S. there are some laws that protect these migrant laborers. "The most important law that provides protection to all workers in the United States is the Fair Labor Standards Act (FLSA) of 1938. This act guarantees minimum wages, overtime pay, and other rights and standards for workers, but the act did not originally cover most farmworkers. Almost three decades after its original passage, in 1966 the FLSA finally included farmworkers, but only on large farms, and only related to certain minimum wage provisions. To this day, small farms are not covered, and overtime wages still do not apply to farmworkers on farms of any size."<sup>117</sup> While this law protects some it does not protect all. It was found that between 2015 and 2017 there were 797 victims of labor trafficking that had guest worker visas; and "nearly half of the victims of labor trafficking reported to the National Hotline during this period whose immigration status was identified were foreign nationals holding legal visas."<sup>118</sup>

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<sup>116</sup> Siddharth Kara, *Modern Slavery: A Global Perspective*, (New York: Columbia University Press, 2017), 87.

<sup>117</sup> *Modern Slavery*, 106.

<sup>118</sup> "Broken Temporary Work Visa System Facilitates U.S. Labor Trafficking," *Polaris*, last modified June 5, 2018, <https://polarisproject.org/press-releases/broken-temporary-work-visa-system-facilitates-u-s-labor-trafficking/>.

Many companies worldwide will state in their policies that they do not contribute to labor trafficking, but in reality, when it comes to food supplies, things can get a little grey. Nestlé is putting their best foot forward in this fight. While their work initially started in the 1990's researching cacao trees and why they were dying, their effort towards saving these trees took off in the early 2000's. In the 2000's they began the "Fine Cocoa Programme" started in Ecuador and Venezuela that laid the foundation for the Nestlé Cocoa Plan. In 2002, "they partnered with the International Federation of the Red Cross and Red Crescent Societies (IFRC) to improve clean water, sanitation and hygiene in rural communities in the Côte d'Ivoire and Ghana."<sup>119</sup> A significant landmark for the company of Nestlé was reaching 100% sustainable cocoa supply in the UK and Ireland in 2015. In 2019, Nestlé published its second *Tackling Child Labour report* and then in 2020 released the first *Tackling Deforestation Progress Report*.<sup>120</sup> This company is achieving great strides towards a more ecological responsible way of doing things. Nestlé has acknowledged that labor trafficking in cocoa plantations is a significant issue and are doing their part. Consumers can always check the "chocolate scorecard" to see where their favorite companies are ranking and what labor certification they are currently holding.<sup>121</sup> Nestlé is currently sitting at a C+ and is UTZ Certified on the "chocolate scoreboard". It is important to be aware of your power as the purchaser and become mindful that not all companies are what they seem.

Another company trying to make a good example is Mars Incorporated; Mars has a wide reach and brands such as Ben's Original Rice, Twix, Snickers, Pedigree dog food, Dove

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<sup>119</sup> "Introducing the Nestlé Cocoa Plant," *Nestle Cocoa Plant*, accessed March 11, 2021, <https://www.nestlecocoaplan.com/read-more#our-progress>.

<sup>120</sup> Ibid.

<sup>121</sup> "Child Labor in Your Chocolate? Check Our Chocolate Scorecard," *Green America*, accessed April 29, 2021, <https://www.greenamerica.org/end-child-labor-cocoa/chocolate-scorecard>.



chocolate, Greenies dental treats, Nutro feed clean dog food, Tasty Bite, Royco, 3 Musketeers, Eclipse gum, Altoids, as well as Big Red gum.<sup>122</sup> Mars started putting out a “Modern Slavery Act Statement” in 2016 and continued only until 2019, which contains seventeen pages dictating their companywide initiative to ethical employment and sourcing of goods necessary for their varying and wide multitude of products. “We believe all need to take action to fix what is broken about global supply chains. National governments must enforce and strengthen their own labor laws, and companies have a responsibility to conduct due diligence to identify and respond to human rights risks.”<sup>123</sup> The language within the statement is notable because it is also a call to action for other companies to step up and make better choices because they can make the difference if they refuse to use slave-labored goods. What perhaps could be the difference, and make the most change, is corporations holding other businesses responsible for their actions. It is important to note that in “2015 the U.S. Labor Department reported more than 2 million children are exploited in cocoa-growing regions.”<sup>124</sup> While consumers appreciate seeing a trafficking statement from their favorite companies, this number would not be as large if companies were not contributing to the problem. Companies often will have many people in the middle that take care of a variety of tasks and they perhaps may never know that their cocoa is in fact unethically sourced.

All these commodities tie together because within our world they all range from an indulgence to essential. As a society we have become hypocritical for the outrage of sex trafficking of women and children while victims are forced to work endlessly every day to bring

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<sup>122</sup> “Made By Mars,” *MARS*, accessed March 11, 2021, <https://www.mars.com/made-by-mars>.

<sup>123</sup> “Modern Slavery Statement 2019,” *MARS Tomorrow starts today*, last modified 2019, accessed March 11, 2021, 5.

<sup>124</sup> Peter Whoriskey and Rachel Siegel, “Cocoa’s Child Laborers,” *The Washington Post*, June 5, 2019, <https://www.washingtonpost.com/graphics/2019/business/hershey-nestle-mars-chocolate-child-labor-west-africa/>.

forth materials and goods so the rest of society can purchase these goods. Where there is a demand there will always be a supply. The most significant contributor to slave labor is purely the consumer because we are a society driven by capitalism. While sex trafficking makes money, slave labor cuts cost, perhaps that is why society can turn a blind eye towards labor trafficking. In reality, if companies paid their workers a decent wage they would have to raise prices of their goods and could possibly lose customers due to the inflated cost. While sex trafficking often weaves into labor, trafficking through massage parlors and strip clubs is the only faction of slave labor that gets much attention, compared to agricultural labor. By paying attention to only one section of LT you ignore 97% of the issue. There is construction, restaurant work, domestic labor, nannies, hotels, as well as transportation, and resorts. “And many of the anti-trafficking mechanisms in place to protect females against sex trafficking—including laws, data collection practices, and authorities trained to identify trafficking—have not been extended to male victims of trafficking.”<sup>125</sup> The most significant grey area is that of men. Labor trafficking is often thrown to the wayside because sex trafficking is commonly seen as more deplorable than slave labor. Both have their different trials and violence attributed to them, but that does not mean that one deserves more space than the other does. While grassroot organizations try their best, they come up against the odds that, while these victims are being abused and forced to work in horrible conditions, there is often not a better choice for them.

The biggest issue is the of lack of options for victims in these situations. There is a severe absence of education for these people, and that is perhaps where the root of the problem lies because with an education can search out a good job. While sometimes families are lied to and told their children are going to school in another country, just to end up being a domestic slave,

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<sup>125</sup> “Trapped at Sea,” 47.

their family realizes education could be the change needed. This is not to say that educated people do not fall victim to the same tricks such as a promise of suitable income, stable living conditions, and reasonable working hours. These are qualities that people look for in a job and consider themselves lucky when they think they found the right fit. That is why traffickers use these as a pull factor to get residents to come with them, and before you know it, victims are trapped into this debt. Many victims find it embarrassing to return to their home country without repaying the debt because they are made to believe they got themselves into this situation.

## Chapter 5

### Look With Your Eyes Not With Your Hands: Global Sex Tourism

The term “sex tourism” leads the public’s imagination to mysterious places shrouded in terms such as exploitation, sex trafficking, coercion, and manipulation. In reality sex tourism is when a person travels to another state or country with the intention of having intercourse with local people.<sup>126</sup> Sex tourist encounters can be as simple as voyeurism where one can watch people dance in the nude, see a sex show, receive oral sex, or have sexual intercourse. The issue is not that tourists are paying for sexual experiences, but that they are not regularly practicing safe sex and are therefore spreading STI’s and HIV/AIDS, knowingly or unknowingly contributing to forced child sexual exploitation, as well as reinforcing racist ideologies of the hypersexualized ‘Other.’ Countries such as the Dominican Republic, Netherlands, and Thailand have a long and complicated history with sex work and are notable places for sex tourists to frequent. “Sex tourism has only developed as a legitimate area of tourism studies since the late 1970s. Indeed Erik Cohen, one of the most widely quoted commentators on sex tourism, noted in 1982, ‘It is remarkable ... that a relationship so often casually observed, which provoked so much indignation and exhortation, has generated little interest in serious, unbiased and systematic sociological or anthropological research.’”<sup>127</sup> Researching sex tourism under the lens of human trafficking is beneficial because it is important to differentiate one from the other so as a society we can educate ourselves and understand what is and is not the issue.

“Sex-tourist destinations do, however, share certain characteristics: women’s poverty in these spaces in the developing world leads to their participation in the sex-tourist industry. . . .second,

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<sup>126</sup> Erica Lorraine Williams, *Sex Tourism in Bahia: Ambiguous Entanglements* (Chicago: University of Illinois, 2013), 20.

<sup>127</sup> Chris Ryan and C. Michael Hall, *Sex Tourism: Marginal people and liminalities* (Routledge: New York, 2001), xi.

global economic inequalities have resulted in more sex-tourist destinations in the developing world; and, finally, inexpensive travel opportunities have permitted more—and less moneyed tourists to circulate the globe.”<sup>128</sup> There are many reasons a person would go into sex work as a profession and every reason is different from the other, but the main goal is economic stability. Financial desperation has pushed a large number of workers into sex work as a means to support their families.

Dr. Pasuk Phongpaichit studies economic corruption within Thailand as well as social movements.<sup>129</sup> Dr. Phongpaichit in 1981 published *Bangkok Masseuses: Holding up the Family Sky* where she interviewed Lek on the topic of prostitution within Thailand.<sup>130</sup> “Lek is a woman who works in a massage parlor in Bangkok. Lek was pushed into sex work by her family because they were in financial need and their farm was in desperate financial need.”<sup>131</sup> Lek’s story is not a rare one. This creates a power dynamic where the client feels they can push the boundaries of comfort and safety for the sex worker and demand things they normally would not. “As Enloe (1989) points out, to succeed, sex tourism requires Third World men, women, and children to be economically desperate enough to enter into prostitution; once an individual does so, it becomes more difficult to leave.”<sup>132</sup> Financial desperation is a key component within sex tourism because you want to go somewhere your dollar will go further. People that are in a lower income or poverty area become desperate for income of any kind. Amalia L. Cabezas is the author of *Economies of Desire: Sex and Tourism in Cuba and the Dominican Republic*. Dr. Cabezas did on

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<sup>128</sup> Denise Brenna, *What’s Love Got to do With it? Transnational Desires and Sex Tourism in the Dominican Republic* (Durham: Duke University Press, 2004), 28.

<sup>129</sup> “Pasuk Phongpaichit,” accessed March 19, 2021, <http://pioneer.netserv.chula.ac.th/~ppasuk/cv.htm>.

<sup>130</sup> Bangkok Masseuses: Holding up the Family Sky; Official blessings for the “Brothel of Asia,” *CABI CAB Direct*, accessed March 19, 2021, <https://www.cabdirect.org/cabdirect/abstract/19841808681>.

<sup>131</sup> Ryan Bishop and Lillian S. Robinson, *Night Market: Sexual Cultures and the Thai Economic Miracle* (New York: Routledge, 1998), 99.

<sup>132</sup> Edited by Kamala Kempadoo, *Sun, Sex, and Gold: Tourism and Sex Work in the Caribbean*. (Lanham: Rowman & Littlefield Publishers, 1999), 67.

ground research and lots of footwork compiling information for her text and through the men she interviewed there was one conclusion. “But men with whom I spoke understood that the women they were involved with were doing so out of economic desperation.”<sup>133</sup> Sex tourists travel to these locations specifically so they can dominate and have a superior sense of power and control because they have the financial means to do as they wish.

One of the prior notions heterosexual male sex tourists travel with is the racist belief that women in foreign countries are subservient and more feminine than the women in their home countries. This creates a racist image of the sexualized ‘Other,’ where all women of color are sexualized because of their skin color. “You think of those incredible . . . women, ranging in colour from white chocolate to dark chocolate, available to you at the subtle nod of your head or touch -of-your-hat.”<sup>134</sup> This quote comes from a self-confessed sex tourist in the Caribbean, you can see the racism come through to construct the sexualized ‘Other.’ Tourists are wanting sex, but specifically with someone racially different than themselves.

Yet, when they encounter a black female sex worker more is expected in way of household chores while they are in the home of a client. Black female sex workers are often asked not only to perform sexual services for their clients, but also while there it becomes assumed by the client that they will perform household duties. This includes cleaning the space, dishes, and general kitchen work.<sup>135</sup> This just goes forward to prove the client travels with racist ideals because it is further stated that a white sex worker would not be expected to clean a client’s home during their brief stay. These men continue to believe they can treat women of

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<sup>133</sup> Amalia L. Cabezas, *Economies of Desire: Sex and Tourism in Cuba and the Dominican Republic* (Philadelphia: Temple University Press, 2009), 134.

<sup>134</sup> Edited by Stephen Clift and Simon Carter, *Tourism and Sex: Culture, Commerce and Coercion* (Boston: Cengage Learning, 2010), 42.

<sup>135</sup> *Sex Tourism in Bahia: Ambiguous Entanglements*, 115.

color as they wish with no fear of a backlash. “During the night he dreams of standing at the toilet urinating. “I ended up pissing on her clothes. Next morning, she was very nice about it. Never mind, she said. . . . These girls tended not to get overly stressed. Not like your American Women who have been known to maul a man for leaving the toilet seat up.”<sup>136</sup> It’s not that a woman of color does not want to say anything out of “respect” for their client, but often they fear the repercussions if they do choose to speak up.

“The demand for African, Asian, and Latin American prostitutes by white Western men may “be explained in part by culturally produced racial fantasies regarding the sexuality of these women” and that these fantasies may be related to “socially formed perceptions regarding the sexual and moral purity of white women.”<sup>137</sup> Where women of color are hypersexualized white women are desexualized because they are seen as ‘moral and pure.’ Sex tourists have a deeply rooted hatred for Western or white women. One of the common threads in sex tourism is the belief that Western women are cold, unfeeling, they constantly say no to men’s advances. ““Feminism” has corrupted and ruined Western women. One-character asserts that “fucking a white woman is a step away from homosexuality.”<sup>138</sup> Feminism advocates for women to empowering themselves and being able to comfortably say no to a man no matter the circumstances, which in turn threatens patriarchy.

While a sex worker is subject to their client’s desires, they are ultimately in control of what happens and what does not happen. Sex workers are frequently painted as victims within society and that they need to be saved. However, they have flipped the script and have begun exploiting the tourist to get what they need. “It is argued that the sex worker is subordinate at both a

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<sup>136</sup> *Night Market*, 167.

<sup>137</sup> *Sun, Sex, and Gold*, 37.

<sup>138</sup> *Night Market*, 167.

personal and structural level because of male demand, and because males generally occupy the higher income levels.”<sup>139</sup> While the client holds more power financially than the sex worker it just means the worker will try harder to get as much as they can from this person financially. This does not always come in the form of cash but also meals, gifts, and the possibility of a visa to leave their country. For sex workers in Sosúa in the Dominican Republic the common goal is to leave their country. The way for this to happen is find a man and have him fall in love so they can obtain this visa and leave their country for good.

Regardless of other opinions sex work is like any other job; you have a schedule to keep, clients to see and maintain relationships with, and a proper appearance is encouraged. The reason to have a job is the same for every person around the world from Thailand to Mexico, to be financially independent and live a better life. Empower Foundation frames the validation issues regarding sex work best with the following quote.

All jobs carry risks to our health. Some jobs carry a high risk of danger to our physical health like police work, military, fire rescue, crocodile handling, asbestos mining and snake catching. Other jobs have hidden dangers like the high risk of violence faced by taxi drivers, gas station attendants and psychiatric nurses. Other jobs present risks to our emotional or psychological health like social workers, air traffic controllers, psychiatrists, mine clearers and oncology nurses. These occupations are recognized as work. There is not talk of abolishing any of these jobs. Instead occupational health and safety standards were developed and are continually improved on to limit the risks. Sex work is nowhere near as risky as those occupations. However because it is often not recognized as work, the occupational risks that do exist are left unaddressed.<sup>140</sup>

Sex education around the world is fraught with misinformation. This only leads to the spreading of STI's, HIV/AIDS, unwanted and unplanned pregnancies. During one meeting that was organized to teach women about such things like female odor and STI prevention the

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<sup>139</sup> *Sex Tourism: Marginal people and liminalities*, 55.

<sup>140</sup> “Staying Healthy,” Empower University, accessed November 30, 2020, [http://www.empowerfoundation.org/education\\_en.html#](http://www.empowerfoundation.org/education_en.html#).



Ministry of Health was brought in to teach the women about condoms and how to correctly use them.<sup>141</sup> “Near the end of the presentation, two women volunteered from the audience to demonstrate how to place a condom on a dildo yet were unable to do so correctly despite the fact that each had been a sex worker for over a year.”<sup>142</sup> This goes to show how safe sex is not taken seriously. Sex workers need to be taught safe sex practices to better protect themselves and their clients. We live in a world of discomfort and secrets where sex is hidden under a veil of shame and judgmental opinions. When society is not taught how to protect themselves as well as others it is a disservice to everyone. Non-visible STI’s include chlamydia, gonorrhea, hepatitis B, herpes, human papillomavirus, syphilis, trichomoniasis, and notably HIV which is included because it can take years for someone to develop symptoms.<sup>143</sup> Professionals in risk taking jobs are always given protective gear such as goggles, hard hats, and hazmat suits. Sex workers are also in risk-taking jobs, so it should be up to city governments to distribute condoms to registered sex workers so they can cut down on the number of STIs in their country and lead their community to a healthier and sex positive way of life.

For sex tourists there are notable places of travel. Places such as Sosúa in the Dominican Republic, Bangkok, and Amsterdam. Sex workers in these locations benefit from the constant influx of travelers. While the notion of skin color and sexual prowess are racist ones, they choose to use this to their advantage and exploit the client as well.

“The Caribbean serves as a playground for the richer areas of the world to explore their fantasies of the exotic and to indulge in some rest and relaxation, and the racialized-sexualized bodies and energies of Caribbean women and men are primary resources that local governments

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<sup>141</sup> *Sun, Sex, and Gold*, 224.

<sup>142</sup> *Ibid*, 224.

<sup>143</sup> “STDs,” *Planned Parenthood*, accessed November 30, 2020, <https://www.plannedparenthood.org/learn/stds-hiv-safer-sex>.

and the global tourism industry exploit and commodify to cater to, among other things, tourist desire and needs.”<sup>144</sup> Tourists come to the Sosúa with the preconceived notion that sex is readily available for low prices and that every person is willing. This gives the tourist a feeling of anonymity to behave differently than they would at home. In the home countries of sex tourists, they risk friends and family finding out about their promiscuous affairs, so they instead travel abroad to a place where they can pay for sex judgement free. “A study conducted by CESDEM/AIDSCAP in 1996 found that 78.8% of the respondents working in bars and cabarets were below thirty years of age. Of the sex workers in the area of Puerto Plata, Sosúa, and Montellano who work in bars and cabarets, 34.4 percent have less than five years of schooling, 52.5 percent have from five to eight years, and 11.9 percent have from nine to twelve.”<sup>145</sup> The problem with tourists traveling with the intention of sexual activities is you never know who you are having sex with and if that person is of age or a child. In the Dominican Republic the country prohibits brothels and soliciting for sex and the age of consent is set at 18.<sup>146</sup> While prostitution is legal within the Dominican Republic having sex with an underage person can get you arrested and sent back home where you will be tried for your crimes in your home country.

There are many notable activist groups for sex work in the Dominican Republic such as Movimiento de Mujeres Unidas/ Movement of United Women (MODEMU) was founded in November of 1996. MODEMU was born through the concern of the spread of HIV in 1985.<sup>147</sup> “MODEMU was born with the objectives of promoting the human rights of commercial sex

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<sup>144</sup> Mark Padilla, *Caribbean Pleasure Industry Tourism, Sexuality, and AIDS in the Dominican Republic* (Chicago: The University of Chicago Press, 2007), 5.

<sup>145</sup> *Sun, Sex, and Gold*, 97.

<sup>146</sup> Sandra E. Garcia, “U.S. man Gets 17 Years in Prison for Traveling to Dominican Republic to Prey on Girls,” *The New York Times*, August 21, 2018, accessed December 2, 2020, <https://www.nytimes.com/2018/08/21/us/sex-minors-arrest-dominican-republic.html>.

<sup>147</sup> “MODEMU Founded,” *Global Network of Sex Work Projects*, accessed December 2, 2020, <https://www.nswp.org/timeline/event/modemu-founded>.

workers (including health, social and labour rights), fighting against trafficking and for the human rights of trafficked women who have returned to the Dominican Republic.”<sup>148</sup> MODEMU continues to educate the local population by holding workshops to raise awareness about equality, wages, working conditions, health, and safety.<sup>149</sup> This gives sex workers a safe place to go where they can learn accurate and up to date information on how to perform their jobs in the safest possible way. Another notable organization within the Dominican Republic is the Centro de Orientacion e Investigacion Integral (Integral Investigation of the Center for Orientation) (COIN), established in 1987. COIN works to provide outreach to sex workers and community members living with HIV. This organization started by passing out condoms and prevention information across the Dominican Republic. COIN and MODEMU worked closely through the years and came together to publish their monthly newsletter *La Nueva Historia: Periodico de la Noche (The New Story: Journal of the Night)*.<sup>150</sup>

The HIV/AIDS epidemic that continued into the 1990s drew attention to STIs and spurred many organizations to open in response to better understand from where the issue was stemming. The Pan American Health Organization (PAHO) looked into Suriname, Belize, Dominican Republic, Curaçao, Jamaica Puerto Rico, and Guyana. The studies showed that largely heterosexuals and sex workers were leading in transmission rates. “Once in the room, the woman will inspect the man’s genitals for signs of disease. If he passes this inspection, she will wash his genital area with an alcohol solution, and they will proceed with the sex act.”<sup>151</sup> This goes on to further show the lack of knowledge that has been spread throughout communities

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<sup>148</sup> “MODEMU Founded,” *Global Network of Sex Work Projects*, accessed December 2, 2020, <https://www.nswp.org/timeline/event/modemu-founded>.

<sup>149</sup> *Sun, Sex, and Gold*, 121.

<sup>150</sup> “COIN Founded in Dominican Republic,” *Global Network of Sex Work Projects*, accessed December 2, 2020, <https://www.nswp.org/timeline/event/coin-founded-dominican-republic>.

<sup>151</sup> *Sun, Sex, and Gold*, 228.

because not all STI's and viruses are visible. The only way to protect sex workers is to create a safe space where there are regular health checks and clients know that safe sex with a male or female condom is nonnegotiable.

The Contagious Diseases Prevention Act of 1908 reached Thailand like many others where sex workers were forced to register with the government and all “houses of ill-repute” had to hang a lantern outside to ensure they could be spotted. This enabled sex workers to be registered with the government and receive more adequate care to prevent the spread of STI's and protect public health. These laws were not enforced and soon became ineffective to control the growing sex worker population and brothels.<sup>152</sup> If the Contagious Diseases Prevention Act of 1908 would have been more successful it's possible that STI would not have become as rampant during the Vietnam War. Thailand was used as a place of rest and relaxation (R&R) for troops during the Vietnam War (1955-75). “The use of Thailand as a place of ‘rest of relaxation’ during the Vietnam War led to the development of an infrastructure geared towards capital accumulation through the provision of entertainment services, including prostitution.”<sup>153</sup> The large-scale tourist industry in Thailand has deep U.S. military ties considering their R&R. They would use this time to take in the local culture and participate in sexual adventures with local people.<sup>154</sup> While the United States government tried their best to discourage sex while abroad with film productions such as *Where The Girls Are*. “*Girls* was considered an “urgent requirement” and an “urgent need” by United States Air Force headquarters in July 1968. During

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<sup>152</sup> Erin Sanders-McDonagh, *Women and Sex Tourism Landscapes: Contemporary Geographies of Leisure, Tourism and Mobility* (New York: Routledge, 2017), 36.

<sup>153</sup> *Tourism and Sex*, 11.

<sup>154</sup> *Women and Sex Tourism Landscapes*, 37.

a trip to Southeast Asia, Air Force Secretary Harold Brown was “shocked as to the high VD rates.”<sup>155</sup>

One highly respected foundation within Thailand is the Education Means Protection Of Women Engaged in Recreation (EMPOWER) founded in 1985. This organization began with Pi Noi traveling to bars and the Patpong district of Bangkok talking with community members. The sex workers Pi Noi interacted with were fascinated by her English so Noi began offering small classes to those who wanted to learn.<sup>156</sup> The word got out about these classes and soon they were teaching dozens of women new skills so they could get out of the sex trade. “In 2005 The Rockefeller Foundation agreed to support to Empower in becoming Empower University. In many ways Empower had been a university for many years. In addition to the 30,000 sex workers who have studied with Empower, Empower Foundation has increasingly become recognized as the strongest and most successful organization for sex workers in South East Asia.”<sup>157</sup> EMPOWER is also responsible for giving a HIV/AIDS transmission and prevention informational pamphlet. This resource continues to be updated with information to ensure sex workers are given the correct information.

A disturbing portion of the information regarding STIs and HIV/AIDS within Thailand talks about the myth that Asian people cannot get infections because it is seen as a foreigner problem. “‘Don’t worry about AIDS’ said . . . (a) prostitute . . . ‘Most of our clients are Asians and AIDS is a disease of you foreigners. We Asians do not have to worry.’”<sup>158</sup> This mindset is

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<sup>155</sup> Sue Sun, “*Where the Girls Are: The Management of Venereal Disease by United States Military Forces in Vietnam*,” *Literature and Medicine* 23 no. 1 (2004): 68.

<sup>156</sup> “EMPOWER Foundation founded in Thailand,” *Global Network of Sex Work Projects*, accessed December 2, 2020, <https://www.nswp.org/timeline/event/empower-foundation-founded-thailand>.

<sup>157</sup> “EMPOWER University,” *EMPOWER Foundation*, accessed December 2, 2020, [http://www.empowerfoundation.org/education\\_en.html#](http://www.empowerfoundation.org/education_en.html#).

<sup>158</sup> *Night Market*, 44.

highly problematic because it leads society to think that condoms and barrier methods are unnecessary and that is where you get your rise is STI transmissions. “There are claims that men are turning to younger women and girls because they believe them to be free of sexually transmitted diseases, including AIDS, and that this has led to an increase in demand in children. It is also claimed that some Asian men believe that sex with a virgin can cure AIDS and other venereal diseases and that tourists from China or Taiwan actively seek out young children.”<sup>159</sup> The belief that a virgin can cure AIDS is exceptionally troublesome because the person who is positive then further infects another person and leads them into a life of health complications and hardships.

Amsterdam holds one of the longest well recorded histories of sex work and it has changed from legal to illegal over centuries. This began in 1413 where

a bye-law of Amsterdam issued decree on the keeping of brothels in the city: Because whores are necessary in big cities and especially in cities of commerce such as ours – indeed it is far better to have these women than not to have them – and also because the holy church tolerates whores on good grounds, for these reasons the courts and sheriff of Amsterdam shall not entirely forbid the keeping of brothels.<sup>160</sup>

Within most societies it was seen as a necessity to have sex workers because to have a happy society you must enable men to imbibe in their sexual needs. For these reasons sex workers can be found within cities, mining camps, and military camps. Stereotypically it has been seen that when men are sexually satisfied it creates a peaceful society. In 1911 Amsterdam flipped because of the moral panic surrounding the “white slave trade” spread across the world. Because of this panic, brothels were banned as part of the Laws on Public Morality to protect sex workers from exploitation.<sup>161</sup> While the sex slave trade became a worry, the government decided

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<sup>159</sup> Heather Montgomery, “Buying Innocence: Child-Sex Tourists in Thailand,” *Third World Quarterly* 29 no. 5 (2008): 905.

<sup>160</sup> *Women and Sex Tourism Landscapes*, 51-2.

<sup>161</sup> *Women and Sex Tourism Landscapes*, 53.

to cancel sex work all together instead of policing the issue and creating safer workspaces for sex workers. As a society we know that just because something is made illegal it will not magically disappear. Often times it makes things more highly valued and harder for police to track down. This perhaps causes greater issue with sex trafficking because it becomes hidden behind a veil and talked about in backrooms. Once again, in October 2000 the Dutch Government moved to decriminalizing sex work as long as sex workers met certain regulations. This was advantageous considering Amsterdam's sex district brings in so much money for their country from tourism and they can tax the business.<sup>162</sup> It is important to note that even though sex work is legal in Amsterdam it is not without its issues surrounding trafficking. Amsterdam has found that through legalizing sex work they have deterred, specifically brothel business owners, from directly participating in trafficking. The shortcoming of legal sex work has been also removing the ban on 'pimping' was removed from the Dutch Penal Code, but if a pimp is found exploiting a sex worker they can be prosecuted for the offence of human trafficking.<sup>163</sup> The legalization in 2000 also pushed law enforcement to put a heavier focus on business owners and neglected the system of exploitation between pimps and sex workers.

Being in these sexual spaces has become for everyone it has "offered a space where female consumers are welcomed and encouraged to participate in visual behaviors that might normally be off-limits to them."<sup>164</sup> Women are encouraged and welcomed into these sexual spaces which is a healthy change where women are feeling more free to explore sexuality in an open and accepting way. With the ever-changing laws regarding sex work within Amsterdam, a

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<sup>162</sup> Ibid, 55.

<sup>163</sup> Wim Huisman and Edward R. Kleemans, "The Challenges of Fighting Sex Trafficking in the legalized prostitution Market in the Netherlands," *Crime, Law and Social Change* 61, no. 2 (2014): 219.

<sup>164</sup> Ibid, 11.

host of activist groups have come out in recognition of sex work as a profession and continually fight for rights within their city.

One such activist group is Red Light Unite, that was founded in 2019 by sex workers who have worked in the red-light district. They are currently fighting to keep their windows and not to be moved out of their current locations. The city of Amsterdam has begun to see window prostitution as degrading; Udo Kock, a deputy mayor at the time, said in a statement. “It is outdated to treat sex workers as a tourist attraction.” Femke Halsema, Amsterdam’s first female mayor, has also raised the possibility of covering the brothels windows with curtains, or moving the brothels out of the area altogether, and putting them in more discreet buildings in another neighborhood.”<sup>165</sup> By covering these windows it makes workers feel shame for being a sex worker and decreases clientele, so this move could be extremely harmful for sex workers. The layout of the current location for the red-light district has actually proven useful when it comes to the health and safety of the workers. The small close-knit space makes it easier for outreach groups to get to all the people working so they have can have discussion over STI’s and practicing safe sex. Since the workers are space wise so close it makes it easier for you to notice a new worker and they can ensure safe sex is being practiced. Many of the windows in the district will have a ‘safe sex’ display sticker that tells customers that condoms will be used during all sexual activity.<sup>166</sup> The Amsterdam sex workers have found a way to work with the community and have a safe space for themselves as the workers and the clients as well.

The early sex education, free STI testing, as well as free contraceptives within the Netherlands, has contributed towards the low STI and HIV/AIDS rates. “Dutch girls are able to receive free hormonal contraceptives from the GGD. The teens are asked very few questions and

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<sup>165</sup> Anna Russell, “The Uncertain Fate of Amsterdam’s Red-Light District,” *New Yorker*, October 22, 2019.

<sup>166</sup> *Tourism and Sex*, 141.



their visits are completely confidential. . . There is free and confidential sexually transmitted infection testing in the city of Amsterdam for all ages. . . This service is offered at the Sexually Transmitted Infection Outpatient clinic and run by the GGD. The tests themselves are free and you do not need insurance, so it does not discriminate against financial status.”<sup>167</sup> It is important to take into account the representation of migrant sex workers in Amsterdam’s population, which range from 60% to 75%.<sup>168</sup> Workers who migrate to Amsterdam for sex work must register for a work and resident permit to be able to access benefits given to Dutch nationals.

The systems in place in Amsterdam go on to show that with the right resources widely available, STI’s and HIV/AIDS do not have to run rampant. This success within Amsterdam can be tied to the privilege this society has. While the Dutch have a long-standing history with sex work they also acknowledge it as a strong benefactor to their society as well as the red light district being a large tourist pull, whether it be for sexual adventures or voyeurism. The intersectionality of race, class, and gender is at play within the Dutch success in protecting their society. Amsterdam has a heavy spotlight on the red light district and their sex workers, and while others would like to follow suit and protect their residents, they simply do not have the comfort of choice. There is a lack of funds, knowledge, and government help.

Within sex tourism forced child prostitution is a large issue, but it is not discussed in depth within the sex tourism field of study. “In the brothels serving local men, where there’s a premium on extreme youth and virginity, a girl who has not yet menstruated brings a price more than sixty times the usual.”<sup>169</sup> While the term pedophile is easily thrown about it is often wrong

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<sup>167</sup> Coral E. Hackler, 2008, *Sex Education in Amsterdam: What They Do and Why They Choose to do it*, Fort Lewis College, 10.

<sup>168</sup> Anna Tokar, Jacob Osborne, Robbert Hengeveld, Jeffrey V. Lazarus, and Jacqueline E. W. Broerse, “‘I Don’t Want Anyone to Know’: Experiences of Obtaining Access to HIV Testing by Eastern European, Non-European Union Sex Workers in Amsterdam, The Netherlands,” *PloS One* 15 no.7 (2020): 2.

<sup>169</sup> *Night Market*, 8.

and directly “refers to a diagnostic paraphilic disorder.”<sup>170</sup> There are different terms for people who have sexual thoughts and impulses towards underage children so as to not lump everyone into a single category. There is paedophile “which involves a specific and focused sexual interest in pre-pubertal children.” Preferential child sex abusers are “individuals who preferred sexual objects are children who have reached or passed puberty.” Situational child sex abuser is someone who does not consistently have sex with or seek out children to have sex with, but they do on occasion participate in child sexual abuse.<sup>171</sup> “Child prostitutes ‘service’ between 2 and 30 clients per week, that is, somewhere between 100 and 1500 clients a year.”<sup>172</sup> No one likes to see these numbers; they are a fact of life for the children in these horrible situations. Countries have tried to push for the protection of children such as the End Child Prostitution in Asian Tourism (ECPAT). With the creation of ECPAT it has passed legislation that “was passed in a variety of countries allowing for prison sentences of up to 17 years for men found guilty in their home states of sexual crimes against children abroad.”<sup>173</sup> While this does help ensure perpetrators will be punished for their crimes there are ways of evading these laws put in place.

There is an ‘old boy’ network of men who are attracted to children and they meet up with like-minded individuals to get advice. They call themselves ‘Boy Lovers.’<sup>174</sup> When these ‘Boy Lovers’ meet up, they are able to divulge secret locations, struggling families willing to sell their children, or brothels that have child sex workers. People who have an obsession with virginity can pay families to have sex with their children. “Having ‘an obsession with virgins.’ The man

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<sup>170</sup> “Independent Inquiry Into Child Sexual Abuse,” *IICSA*, accessed March 20, 2021, <https://www.iicsa.org.uk/key-documents/1412/view/independent-inquiry-into-child-sexual-abuse-iicsa-vscp-terms-phrases.pdf>.

<sup>171</sup> *Tourism and Sex*, 76.

<sup>172</sup> *Tourism and Sex*, 59.

<sup>173</sup> Heather Montgomery, “Buying Innocence: Child-Sex Tourists in Thailand,” *Third World Quarterly* 29 no. 5 (2008): 903.

<sup>174</sup> *Tourism and Sex*, 56.

concerned boasted of having paid the families of eight Dominican girls aged around 11 in order to rape them, and had shown pornographic photographs of one of his victims to his sex tourist friends.”<sup>175</sup>

While the mind of a client can be a disturbing place it is necessary to understand why they think the way they do. “The little girls, 10 or 12 years old, I wouldn’t describe them as innocent, they’re not innocent, but they’re fresh. They don’t have the attitude of the older whores. The older whores have gone downhill. They use foul language. They drink. They’re hardened. The little girls, they’re not experienced. They’re not hardened, they want to please you, they don’t know what to expect, you get a better service from them.”<sup>176</sup> Just because these are young children does not mean they do not experience violence from clients. Take Rosario Baluyot for example, she was 11-12 years old, living on the streets, she had to resort to sex work to feed herself and she was ultimately killed by an Austrian doctor named Heinrich Ritter. Ritter abused Baluyot with a vibrator and did not remove it afterward causing an infection which led to septicemia. Baluyot experienced liver failure from glue sniffing and when these combined it led to her death. Ritter was eventually charged with rape and murder of young Baluyot and was sentenced in 1989, becoming the first foreigner to be convicted of child sexual abuse in the Philippines.<sup>177</sup> While this should have set a precedent for change, children continue to be sold and sexually abused with no end in sight.

One-way traffickers can get around the legal repercussion of their actions is bribing local officers who are willing to turn an eye for the right amount. “But the police see them stealing, and they don’t do anything. They stand a little farther away, and they watch the woman stealing

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<sup>175</sup> *Ibid*, 56.

<sup>176</sup> *Ibid*, 64.

<sup>177</sup> Heather Montgomery, “Buying Innocence: Child-Sex Tourists in Thailand,” *Third World Quarterly* 29 no. 5 (2008): 915.

from the tourist. When the tourist leaves, they go find the woman, and they tell her, “Give me my cut.” The police are here to defend the tourist first and to defend the Dominicans, too, for a few pesos they also turn into criminals.”<sup>178</sup> This leaves sex workers in panic because they work in a job known for abuse and violence and they cannot turn to law enforcement for help out of fear they will be further victimized. While forced sex work is a common fear amongst sex workers, it does not compare to the harassment, exploitation, coercion, abuse, and incarceration that they face from the local police. “The violence against women by the state police inspires horror. All of the women interviewed denounced the treatment they receive from the police as the worst part of sex tourism.”<sup>179</sup>

Sex workers are more afraid of police brutality than being sex trafficked, this proves the immense hatred this profession faces from law enforcement. This further goes to show the negative stigma held against sex workers and the lack of protection they have within their communities. “He was last seen leaving the Anchor with a German man and, reported some sex workers, a female sex worker. His body was found the next day on farmland owned by an original Jewish settler in the outskirts of Sosúa. His genitals had been mutilated and his body was wrapped in barbed wire. . . Dominicans recounted that the alleged murdered paid U.S. \$20,000 to the Sosúa police to secure his release.”<sup>180</sup> This is an example of the power tourists believe they have considering they can pay their way out of jail and the corruption of law enforcement. When you can kill a person with no punishment as long as you can pay your way out. This demonstrates to sex workers that they are of no true importance to the police and their safety is of no concern.

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<sup>178</sup> *Sun, Sex, and Gold*, 118.

<sup>179</sup> *Ibid*, 114-15.

<sup>180</sup> *What's Love Got to do With it?*, 159.

Most of the attention and discourse surrounding sex tourism falls under the man as the client and the female as the sex worker. This only serves to further perpetuate the gender roles within our society by ignoring the other half of the spectrum of the female sex tourist and male sex workers. While their numbers are not as prolific as those of the male sex tourist, they are still significant. “Thus they have been sympathetically described as ‘lonely women’ whose ‘economic and social ability to travel alone is being exploited by Caribbean tourism’ and by the ‘beach boys’ who offer the possibility either of a ‘holiday romance’ or ‘sexual harassment.’ Indeed, few studies refer to the phenomenon of ‘female sex tourism’ but prefer instead the term ‘romance tourism.’”<sup>181</sup> By not studying female tourists as well, it does a disservice to the ongoing discussion. Female sex tourism is viewed differently because it is commonly noted that women are emotion-based creatures thus a female cannot have sex without emotions. “The tendency to de-sexualize female sex tourism by labelling it as ‘romance’ hides the complexities involved in the social interaction between affluent, Western women and poor Black men.”<sup>182</sup>

There is always a power dynamic when someone is paying for a sexual service, but this creates an interesting moment where a man is put under the financial distress and becomes dependent on a woman. The thing that separates the male from the female sex tourists is the outright acknowledgement that men are paying for sex from a sex worker, but women do not see this as a sex worker—client relationship alone. In a study of 240 female tourists from the Dominican Republic and Jamaica “about a quarter answered that, yes, they had been offered sex on a commercial basis, but not a single respondent in either country admitted to having ever taken up the offer. Clearly these women did not perceive their sexual encounters with local men

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<sup>181</sup> Jacqueline Sánchez Taylor, “Dollars Are a Girl’s Best Friend? Female Tourists’ Sexual Behaviour in the Caribbean,” *Sociology* 35 no. 3 (2001): 750.

<sup>182</sup> *Tourism and Sex*, 45.

as prostitute—client transactions or view their sexual partners as prostitute/gigolos. This is interesting given that almost 60 per cent *did* acknowledge an economic element to their relationship.”<sup>183</sup>

This creates a power dynamic where the woman is the consumer and the man is the sexual provider. “Problem with the male sex tourism/female romance tourism distinction is that it rests on and reproduces essentialist understandings of male and female sexuality. The local man is assumed to be necessarily getting some benefit beyond the economic simply because he is a man getting to have sex with a woman. Likewise, it is assumed that the female tourist *must* be being exploited in some way, simply because she is a woman giving a man sexual access to her body.”<sup>184</sup> Most black men will focus on tourists because they can “sell” themselves based off the rumors of the black man’s physical attributes. “His successful business thus relied on the fact that he lived up to the racist stereotype these tourist women held of the ‘big black dick.’”<sup>185</sup> This brings to light the hypocritical issues surrounding male and female sexuality. Women are expected to be pure and moral while it’s acceptable for men to indulge and sow their wild oats. So, when a female participates in sex tourism it is seen as a search for love or that the male sex worker is exploiting the woman. “The efforts were grounded in a persistent masculinist definition of the problem: that nonmarital sexual relations corrupted womanhood and turned women into “loose” and degraded beings yet was essential for the healthy development of manhood.”<sup>186</sup> Our society punishes women for their sexuality and celebrates men for theirs.

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<sup>183</sup> Jacqueline Sánchez Taylor, “Dollars Are a Girl’s Best Friend? Female Tourists’ Sexual Behaviour in the Caribbean,” *Sociology* 35 no. 3 (2001): 754.

<sup>184</sup> *Ibid*, 759.

<sup>185</sup> *Tourism and Sex*, 49.

<sup>186</sup> *Sun, Sex, and Gold*, 10.

While talking about sex tourism within a trafficking context may seem misplaced it is important to differentiate the two. Sex work and trafficking may appear the same, but it is important to know that someone doing sex work does not make someone a victim. Indeed, sex workers are performing a job. If someone will take the time and is willing to just ask a question or help that could make all the difference in the world. The root of the issue is that these sex workers have been given no other skills to enable them to work outside the home. While some like the sex work profession there are just as many that wish they could do anything else, but they have been 'left behind' and taught no skills to carry them on in life. If our society was given an adequate education and a chance at a job, they would not have to resort to selling their bodies. Often when sex workers have the spotlight shine on them it is with negativity, and as a society we forget the struggles sex workers face every day working with risk of infections and violence. It is important to remember that sex workers are a profession as well and they deserve to feel safe while performing their jobs. This can be accomplished by having registration for workers so they can receive proper information, condoms, health screenings, but also opportunities to learn other skills so they can apply for a job. Through the history of sex work regarding the Dominican Republic, Thailand, and Amsterdam you can see the lack of care given by city governments in keeping their own community safe.

## **Chapter 6**

### **Conclusion**

This thesis has not only demonstrated how HT plagues a variety of societies with its vicious inhumane treatment of people, but how the discourse so often only pays attention only to fragments of the issue. Human trafficking is not solely a female and child problem, but something that endangers all segments of our community. By using the feminist theory lens the language has been examined and critiqued for the negative connotations that words can so often hold. Language holds more power than most people realize; it can start wars, crumble empires, or bring nations together. Traffickers know that to break someone of their spirit is to take their voice away. If someone is too afraid to speak because the consequences are too frightening to think about, they can be more easily controlled. Both educated and uneducated society members have fallen for the false promises that traffickers put forth because they know what people want more than anything, is stability in their lives and providing for their families.

While exploring the topic of sex work is such a way may seem unconventional, it is important because the two are so often confounded into one topic. It is important to know the difference between the two. While sex workers and sex trafficking victims hold many differences, they also have several similarities. Both sex workers and sex trafficking victims face unprecedented violence in their lives and neither chose this fate, but it is thrust upon them by either a client or their captors. Society says that a sex worker has chosen this profession so they should also expect cruelty at every turn. It is as if saying mine workers deserve to be crushed by rocks because of their profession or a firefighter deserves to burn in a building simply because that is the profession they chose. If we do not think of these professions in this manner how is it



that sex workers are treated with so little care within our communities? All labor exploits the body in some fashion.

Sex work is seen in our society through the lens of patriarchal domination. The people who need to understand how to spot a sex trafficking victim are professionals on the front lines such as law enforcement and hospital personnel. Police officers encounter countless scenarios in which they have to make choices and sometimes under stressful circumstances. What may look like a sex worker may in fact be a trafficking victim in need of very serious medical and psychological care. Nurses play the same role as a cop in that they only see a sex worker, but if only, they asked simple questions of inquiry they could reveal the truth. Some victims in these situations, in these moments, are too afraid to say anything and only need to be asked a simple question to make them feel comfortable and safe enough to be honest and come forward with their situation.

Labor trafficking often falls to the wayside to make more room for sex trafficking, but to say one is more important than the other is degrading for the countless numbers of victims who suffer from slave labor every day. Victims work tirelessly to bring materials out of the earth, turn clay into bricks, and pick vegetables in a field; all this is done while the rest of the world seemingly turns a blind eye. Governments and law enforcement are constantly paid off so their community members can be treated as slaves and work to provide for the rest of society. While also being forced to poison the earth through dumping mercury contaminated water into streams, setting fire to plastic, rubber, and engine oil creating a toxic mixture that goes into the atmosphere creating a greenhouse gas nightmare, as well as overfishing in oceans slowly killing off all aquatic life. The environmental damages that come with cutting corners are unbelievable and could be entirely avoidable. If traffickers and recruiters were held accountable and proper

measures were put in place to protect the residents who work day-in and day-out the world could be a better place as well as a healthier planet. All these things are easier said than done, but it begins with holding companies chargeable for their actions. Many corporations need to do more than putting on their website that they do not knowingly contribute to slave labor. We have power as the consumer to ask where their materials are sourced because if they are truly sourcing ethically, they should have nothing to hide. While it seems easier to go about your day not wanting to think about the tediousness because you think you do not contribute to this overwhelming issue. Virtually nothing is untouched by the hands of slave labor in our world.

Social constructs of race, class, and gender inequalities are rife within cultures across the world. This becomes clearly evident within the chapter relating to sex tourism. While the initial purpose of this section was to highlight the sex trafficking issue abroad it ended up as something completely different. Sex tourism simply put, is where someone travels to a location specifically for sex with someone from that culture. Some of the most notorious locations known are Thailand, Netherlands, and the Dominican Republic. Sex workers in these locations are oversexualized strictly based of their race while they benefit from the influx of tourism, they also face violence and income issues. Their income is solely based off these tourists spending money on them and when your income is dependent on another human's kindness it can be a slippery slope because you never truly know if they will come through or not. The biggest issue within sex tourism is the lack of information regarding STI's and HIV/AIDS as well as the lack of protection available to workers. This is a combination of not knowing, lack of availability, and absence of necessary funds. This all becomes a dangerous combination, but all could come down to countries not properly educating their citizens of proper self-care and safe(r) sex.

Grassroots organizations are prominently highlighted for the reason that they provide numerous educational avenues for community members; from skilled labor training, teaching sex workers how to put on condoms, to having small therapy sessions with like-minded people. One such organization within Thailand is the Education Means Protection of Women Engaged in Recreation (EMPOWER), founded in 1985. This organization goes around the Bangkok area educating sex workers about STI and HIV/AIDS and how they can be transmitted. This makes all the difference because they are doing the footwork and going out to the workers instead of expecting them to travel. That is why grassroots groups can make more of an impact, they are willing to go out to the community instead of assuming workers will eventually make their way to find help.

This work is relevant because human trafficking is more than posting #savethechildren on a social media post. Chattel slavery was abolished around the world and the thirteenth Amendment was added to the United States Constitution in 1865; the buying and selling of human bodies has yet to cease. This is not just an issue within one country, but it exists worldwide and society as a whole need to acknowledge the part they play. While society may not directly have a part in trafficking, they are surely buying slave labored goods, because even if someone wanted to trace every material and ingredient in a purchase, not all companies are as transparent as others. In addition, understanding that trafficking is not a single gendered issue becomes of grave importance because that is perhaps the most appalling injustice when the suffering of males is ignored. By ignoring men, we are also ignoring the suffering they have endured with trafficking.

The end of slavery is an aspiration we all share. The protection of our marvelously beautiful and life-sustaining natural world is something we all know is right. The possibility of reaching such ideals comes rarely, and when it does, it usually comes at the dangerous crossroads of opportunity and crisis. What we decide to do at this intersection

is a test of how we respond to the most distant, the powerless, and the voiceless. No one is forcing us to choose one way or the other. We don't have to be consistent, but we have no choice but to engage. Either we act to make our ideals reality or we do nothing and attempt to un-know what we know.<sup>187</sup>

As a consumer and human being, I urge us as a community to engage in conversations that normalize the dialogue of human trafficking as an evolving issue. Making a post on social media is a good start, but it is not enough, creating a lasting difference is when you show up for these individuals through volunteering or becoming an advocate through a local grassroots organization. As a society, we should be pushing to destabilize the problematic cultural norms through researching large corporations and becoming aware of their ethical stance on labor outsourcing. These small changes, while they may seem insignificant, can create a domino effect and lead others to begin questioning the seemingly insignificant purchases we make every day. This is the first step we can take as a global community to address an issue that effects us all. Worry about your neighbor, the person walking down the street, your nail technician, and the person waiting your table at the local restaurant. We will not put an end to this modern day-slavery until we start asking the hard questions and that can simply begin with something as simple as "Are you ok?"

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<sup>187</sup> *Blood and Earth*, 247.

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