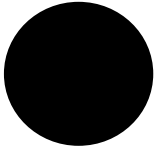


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# The Fight to End Global Slavery

*E. Benjamin Skinner*

Human trafficking may be just the latest topic *du jour* among U.S. foreign policy elites and UN humanitarian types, but mention the underlying crime—slavery—to foreign officials and the reaction is often confused and explosive. “For God’s sake, don’t go talking about brutal slavery here,” says Jay Kumar, the Social Secretary of Araria, one of the poorest districts in Bihar, the poorest state in India. Waving his finger, speaking from his one-room office building, Kumar, whose position required him to respond to allegations of child labor, is instead categorically denying that the two dozen recently freed child slaves that I had met in his district were ever in bondage.

Kumar explains: “You see, poor people are not rational, so I compare them to monkeys.” He then told me a story. On a sweltering day, a mother monkey left her baby on the hot earth in order to climb a tree and keep from scalding her own feet. This, he said, is why parents give their children to human traffickers.

Since 2001, when I began investigating modern-day slavery worldwide, I found that while public officials always condemned slavery as an abomination, few acknowledged that it actually existed in their jurisdictions. Instead, “traditional caste relationships” were omnipresent, as were “intertrib-

al abductions,” “underage sex workers,” mere “child laborers” or “backward poor people.” But slavery, universally-recognized as a crime against humanity, was a chimera, a relic of a bygone era.

“We have no steel pens: everyone is free,” says Kumar. “While it is not the highest virtues that govern the universe, it is not possible that slavery exists in this district.” Yet, according to a May 2009 report of the International Labor Organization (ILO), there are 9.3 million forced laborers in Asia. The antislavery group Free the Slaves, the American wing of the world’s oldest human rights organization, estimates that there are between 10 million and 20 million slaves in India alone, hundreds of thousands of whom come from Kumar’s state. To be clear, neither group uses the term “slavery” loosely. Free the Slaves defines “slaves” as those forced to work, held through fraud, under threat of violence, for no pay beyond subsistence. Worldwide, there are more slaves today than at any point in human history. In India alone, there are probably more in bondage than in the rest of the world combined.

## *Negotiated Sales*

During five years of travel in over a dozen countries, I met hundreds of slaves, sur-

vivors, and human traffickers. I witnessed negotiations for the outright sale of human beings on four continents, and I was offered a child slave for \$50 in Haiti. In northern India, bondage was never far below the surface. I found slavery in the unmapped quarry villages that ring Shankargarh, in the soot-choked, glass-producing city of Firozabad, in brick kilns near Allahabad. In Varanasi's red light district, I spoke with child prostitutes held in squalid conditions in single-cell brothels that reeked of human feces. According to an estimate issued by India's Central Bureau of Investigation this May, there are a million such child sex slaves across the country.

The Indian hand-knotted carpet industry is one of the few areas that has seen a possible drop in the number of slaves over the past decade thanks to international outcry and sustained local activism. Yet, while a handful of non-profits have freed thousands of slaves through raids and rehabilitation, hundreds of thousands more remain in bondage. I spoke with dozens of slaves, survivors, and alleged slave masters in the carpet belt of Uttar Pradesh, a state that contains some 8 percent of the world's poor. Here, traffickers, after luring children away from desperate parents, force their young victims to work for little or no pay in horrendous conditions. The spinning loom, or *charakha* was, to Mahatma Gandhi, "my sword," and "the symbol of India's freedom." Today, another type of loom is the unfortunate symbol of slavery in India.

A week before speaking with Jay Kumar, I met a 14-year-old named Jainandan, whose hard face could occasionally be coaxed into a smile. The boy was born to subsistence farmers in a Bihari village. As a child, he was shy, but loved to dance during local festivals. When he was nine, Changar, a teenage neighbor, approached the boy's parents with a tantalizing offer: he would teach Jainandan how to weave and provide for his

family. Jainandan's parents sent him with Changar, who took the boy some 500 miles away to Handia, a town in neighboring Uttar Pradesh.

For four years, Jainandan lived in Handia, where he did indeed learn to weave. In fact, he was forced to weave every day from 4 AM until 11 PM, with one short break at 10 AM to eat and wash. At night, he and nine other boys slept in the loom. At first, the warp yarn would slice open his soft hands, and Raj Kumar, the plant's owner (no relation to the Bihari official), would pour scalding oil on the wounds to cauterize them. After several months, he lost significant feeling in his hands, developed thick calluses, and contracted a persistent respiratory infection from wool fibers and dust in the unventilated loom. When he failed to work hard enough, Kumar's father would beat him. On three occasions, Jainandan tried to flee. Each time, he was caught. After Jainandan's third and final attempt, Kumar tied the boy's hands to a pole, and beat him until he passed out.

According to Bihari officials, however, there is no slavery in India. The law forbids it. The attitude is hardly isolated. Today, there exist more than a dozen universal conventions and more than 300 international treaties banning slavery and the slave trade. Since 2000, the United States and other nations have passed more than 100 new laws against "human trafficking," a term of art, a euphemism for the modern-day slave trade. But eliminating slavery by fiat does not eliminate the vile practice. The laws may be on the books, but a February 2009 report released by the United Nations Office on Drugs and Crime (UNODC) found that a majority of the 155 countries studied had never registered a single trafficking conviction.

### *Narrowly Focused*

Most governments and international organizations that do back up laws with enforce-



©Kay Chernush for the U.S. State Department

Young hands, old trade.

ment have focused narrowly on cross-border trafficking, thus repeating the fundamental error of the early abolitionist efforts: they attack the international slave trade, but not slavery itself. While William Wilberforce, Thomas Clarkson, and others in the first antislavery movement succeeded in banning the slave trade across the British Empire in 1807, it was another quarter century before slavery itself was abolished throughout the colonies. Even then, abolition did not apply to India. Only a decade after the Slavery Abolition Act did the British declare that Indian slaves were free to leave their masters if they so wished. Many slaves, however, “chose” a lifetime of servitude over an uncertain future with few prospects for self-sufficiency. Soon, officers of the Raj began referring to “voluntary” or even “benign” slavery. By 1926, the British summarily declared that slavery had been eradicated from India.

Today, most anti-slavery mandates are again concentrated not on slavery itself, but rather on the slave trade. An exception is the flagship American law, the thrice-reauthorized 2000 Trafficking Victims Protection Act (TVPA), which calls for combating “the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.” Notably, traffickers don’t have to move their victims in order to violate this law, and several have been successfully prosecuted for “harboring.” But internationally, the most prevalent form of slavery—lifelong, in some cases hereditary, debt bondage—is rarely prosecuted. While hard numbers are few and scattered, the most comprehensive global study to date, the May 2009 ILO report, estimates that 87 percent of forced laborers are never

“trafficked,” in the UN definition of the word.

Furthermore, if a slave is trapped in a form of bondage other than commercial sexual exploitation, he or she is highly unlikely to be freed through police intervention. Few nations publish data on labor trafficking. Fewer still actually prosecute it. In 2007, some 90 percent of trafficking prosecutions worldwide, according to the U.S. State Department, targeted sex traffickers. Conversely, the vast majority of slaves are not forced into prostitution. In 2005, the ILO published a global study (the precursor to the 2009 report) which found that just 11 percent of forced laborers were trapped in commercial sexual exploitation.

The worldwide focus on sex trafficking, largely to the exclusion of more prevalent forms of slavery, stems from the reductionist approach of the last American administration. Though his second term yielded a broader, more balanced policy, it was President George W. Bush’s first-term leadership on trafficking that set the international tone. On September 23, 2003, Bush made history by speaking out in stark terms against modern-day slavery in front of the United Nations General Assembly, and pledging an extra \$50 million to fight it. Yet Bush only decried one discrete form of slavery in the speech: child sex trafficking, a monstrous crime to be sure, but a small fraction of the “trade in human beings for any purpose” that the president purported to address.

### *Strange Bedfellows*

In those early years, U.S. trafficking policy reflected the loudly articulated opinion of a small but powerful coalition of academic feminists and religious, predominantly evangelical conservatives who pushed for passage of the TVPA. This coalition, reconstituted in 1998 by a neo-conservative Washington insider named Michael Horowitz,

had first shared common cause a decade earlier during the failed war on pornography. The trafficking measure they championed had grown out of a crime bill drafted by the Department of Justice, whose Civil Rights Division recognized that victims of involuntary servitude in many forms, not just forced prostitution, were ill-served by existing federal statutes.

But the strange bedfellows of the evangelical-feminist coalition were only expressly concerned with one form of slavery. “In our battle over the TVPA,” Horowitz explained, “‘Less Is More’ is the big, flashing neon sign. And if you can focus on a problem that galvanizes everybody, the ripple effects have enormous positive impact on a whole lot of other reforms. If you want to end the enslavement of those in debt bondage in the brick factories in India, the best thing you can do is put all of the sex traffickers in jail, and just drive a stake right through the heart of that system. The connection is these ripple effects,” said Horowitz, “where if you succeed in taking out some people, you send a message to everybody else saying: ‘You’re next.’”

The feminist wing of the coalition, spearheaded by the New York-based groups Equality Now and the Coalition Against Trafficking in Women (CATW), made no secret of its wish to see trafficking legislatively equated with organized prostitution. In the end, lawmakers worded the TVPA carefully, reflecting the input of President Bill Clinton’s Justice and State departments, along with bipartisan congressional staffers who studied the issue intensively. Under the criminal provisions, in order for an adult woman to be considered a victim of sex trafficking, the state would need to prove that she had been compelled into commercial sex by means of “force, fraud, or coercion.” Senators Paul Wellstone and Sam Brownback, the act’s sponsors, also included language that, just as “trafficking in persons is not

limited to the sex industry,” counter-trafficking efforts should also expand to combat all forms of bondage. Yet despite failing to equate trafficking with prostitution in the original law, along with its three subsequent reauthorizations, the coalition continued to press its cause vocally and publicly.

On November 13, 2007, in New York City, I asked a panel featuring CATW co-executive director Norma Ramos, as well as

CATW’s founder, Dorchen Leidholdt, to raise their hands if they felt every prostitute, bar none, was a slave. In front of a packed theater near Lincoln Center, both women shot their

hands up. The other members of the panel, including Mark Lagon, who had recently been confirmed as President Bush’s Ambassador-at-Large to Monitor and Combat Trafficking in Persons, looked decidedly confused. But Lagon sheepishly raised his hand as well.

In far more determined ways that preceded Lagon’s appointment, Bush administration policy had already consciously blurred the lines between prostitution and trafficking. “It is a vicious myth that women and children who work as prostitutes have voluntarily chosen such a life for themselves,” began a January 6, 2005, State Department Fact Sheet. Thus, while most in the trafficking field agreed that prostitution is always exploitative and often abusive, the previous administration took it a step further: it defined prostitution as slavery.

During Bush’s first term, while a few quiet, diligent State Department diplomats and Justice Department prosecutors worked to combat slavery in all its forms, at the cabinet-level and above, trafficking meant prostitution. And with the TVPA mandating

the State Department to push trafficking policies abroad, the new and amended laws—and more consequentially, the attitudes of law enforcement—that proliferated worldwide in that period, reflected that view.

The net effect of the confused policy was highlighted by the UNODC in their February report: “the number of convictions is in-

“The focus on sex trafficking, largely to the exclusion of more prevalent forms of slavery, stems from the reductionist approach of the Bush administration.”

creasing, but not proportionately to the growing awareness (and probably, size) of the problem.” Put another way, while we dither over definitions, governments shirk their duties, and real slaves languish in the shadows.

### *Battling Dubai*

On June 1, 2005, the State Department, in its annual human trafficking report, condemned the United Arab Emirates for failing to combat slavery adequately in various forms. That day, I spoke with the man responsible for fighting slavery in Dubai, Lt. Col. Dr. Mohammed Abdullah al Mur, director of the Human Rights Section of the Dubai Police. Al Mur was untroubled by the censure: “Our laws are taken from our religion which is Islam,” he told me. “The Islamic religion forbids any non-religious sexual relationships between a man and a woman or a man and a man outside of marriage.” Al Mur affirmed that Emirati laws forbade trafficking, which the colonel also equated with prostitution. And prostitution, al Mur implied, was a crime against

morality, rather than against humanity. When the Dubai Police cracked down on brothels, they typically detained and deported the prostitutes, and allowed their clients to avoid charges.

Real slavery was not hard to find in Dubai's brothels. Two nights before meeting al Mur, I attended "Russian Night" at the York International Hotel in the tourist district of Bur Dubai. That evening, dozens of women from across the globe offered sex for money in the hotel bar. Some were Chinese or Korean, a few were African. Two women said they were from Djibouti. Many claimed to be Russian, though they were from Central Asian republics.

Maria, a 30-year-old bottle-blond Uzbek with fiery eyes, was working the York that night. She had two children in Uzbekistan, and with no local means of supporting them, she'd made a desperate decision to come to Dubai, knowing that there would be work as a prostitute. The woman who had arranged for Maria's transportation, in concert with a Russian organized crime cell, seized her passport on arrival and changed her nationality on forged documents. The madam made clear that Maria had to pay off a \$10,000 debt, and was not allowed to return to Uzbekistan without doing so. Maria hated it in Dubai, she told me, but if she tried to escape, "the mafia said they will kill my children." As she spoke, an older woman approached. That's my madam, said Maria. The conversation ended abruptly.

Maria's story, to my ears, was textbook sex trafficking. She had willingly entered prostitution, but then was forced to stay in it, under threat of violence, in order to service a debt. It was a sadly typical tale, one that I heard repeated in various forms across the globe. But it was far from the most brutal case that I encountered.

In rural Moldova, a young woman told me of being raped repeatedly without a condom after a neighbor—like most sex traf-

fickers in Europe, a woman—sold her into forced prostitution in Turkey. After she became pregnant, she escaped with the help of a client, who turned out to be a rival pimp, who then forced her to have an abortion and put her right back into sex slavery. In a particularly haunting episode in an underground brothel near Bucharest's Gara de Nord rail terminus, a pimp offered me a trade: a tearful, suicidal young woman with Down syndrome in exchange for a used car.

But these clear-cut cases of slavery are not necessarily representative of every woman working in prostitution. Others were originally trafficked, but when I spoke with them, they were working independent of any pimp, and had made conscious decisions to stay in prostitution, despite the dangers. In the Netherlands, I heard a common refrain: there was simply more money in prostitution than any other line of work available to women with little education and shaky employment histories. These women were certainly in need of assistance and unusually vulnerable to abuse, but they were not slaves.

### *A Political Definition*

Buffeted in four legislative cycles by a larger, if quieter, coalition of service providers, antislavery activists, Justice and State Department experts, who all opposed a dilution of the trafficking law, the Horowitz coalition failed to redefine prostitution as trafficking in the TVPA. But, in the Bush years, it succeeded in pressing for national security directives and funding restrictions that rested on that same equation.

In 2003, Rep. Christopher Smith (R-NJ), a close ally of Horowitz, added a provision to the first TVPA reauthorization that would "prohibit the use of funds to promote, support, or advocate the legalization or practice of prostitution." After that reauthorization, U.S. grantees had to pledge their loyalty to the principle of ending prostitution by fiat.

Several anti-trafficking organizations protested, arguing that the restriction hindered their access in helping the most desperate victims. Several agreed that prostitution should be a crime, but felt it should be distinct from slavery, a crime against humanity. Others, who were primarily concerned with freeing those held in the many forms of slavery other than forced commercial sex, simply did not understand why they were required to sign a pledge that had nothing to do with their work.

A skilled and ruthless Republican operative, Horowitz claimed credit for the early retirement of Nancy Ely-Raphel, the first director of the State Department's Office to Monitor and Combat Trafficking in Persons, whom he labeled an "apparatchik." He also claimed credit for the appointments of Ely-Raphel's two successors, John Miller, a former Republican congressman from Seattle, and Lagon, a former aide to Senator Jesse Helms. Both men had little experience in the relatively new field of trafficking before assuming office, and that suited Horowitz fine. He and his coalition would happily define the terms of their mandate.

But, in the end, Miller and Lagon had other ideas. By his fourth year in office, Miller, whose staffers were largely independent trafficking experts, had adopted an expansive view of slavery, as does the TVPA, and began to evaluate countries' efforts to combat forms of slavery other than mere sex trafficking. Lagon was an even faster learner, and increased the proportion of U.S. trafficking grants that went to combat non-sex trafficking. Both men lobbied hard to drop India to Tier Three of the annual State Department evaluation, a status that, under

law, could trigger non-trade sanctions. Among other rationales, they argued that India, despite having comprehensive laws proscribing the practice, had roundly failed to address its massive problem of debt bondage.

While, in the latter half of the Bush administration, slavery policy thus expanded

“In an underground brothel near Bucharest's rail terminus, a pimp offered me a trade: a tearful, suicidal young woman with Down syndrome in exchange for a used car.”

and matured to address bondage in all its forms, it also faded as a priority. Secretary of State Condoleezza Rice steadfastly refused to hold India, a key regional ally, accountable for countenancing debt bondage, and the president did not give a single, major speech on trafficking during his second term. Despite increasing demands for technical support, victim services, and police training, the national budget to combat human trafficking—which, under Bush, averaged less than one percent of the national budget to combat drug trafficking—plateaued during the last three years of the administration.

On August 17, 2008, Pastor Rick Warren, citing a Free the Slaves estimate, asked then-Senator Obama what he would do to free the “27 million people living in slavery right now.” Obama pledged to make fighting “the various forms of slavery” a “top priority” in his presidency. It was an obvious answer when speaking to an evangelical audience. Obama, like Bush, recognized that, as a group, evangelicals were more attuned to the cause of modern-day slavery than was any other voting block.

How quickly things change. A month later, Lehman Brothers filed for Chapter 11 bankruptcy, the U.S. government seized control of American International Group (AIG), and Obama's opponent, Sen. John McCain, suspended his campaign to focus on what he labeled the "cratering" economy. When President Obama was sworn in earlier this year, he put the country on economic life support, and took charge of two foreign wars that still cost the nation dearly in blood and treasure. For Obama to fulfill his pledge to prioritize slavery, he will need both uncommon focus and creativity.

### *Getting Creative*

President Obama's early personnel choices augur well. Hillary Clinton, shaken after a personal meeting with an HIV-positive survivor of sex trafficking during a 1994 trip to Thailand, lobbied her husband on the issue as First Lady, and raised modern-day slavery several times during her January confirmation hearing, pledging that "we're going to have a very active women's office, [and] a very active office on trafficking."

Secretary Clinton made two ambassadorial recommendations that reflected the pledge. In March, the Senate confirmed Melanne Vermeer, co-founder of Vital Voices, as head of the newly-created Office on Global Women's Issues. An international women's organization, the Washington, D.C.-based Vital Voices has developed some of the most effective anti-trafficking programs in the nonprofit world. On June 10, Lou de Baca was sworn in as the new director of the State Department's trafficking office, succeeding Mark Lagon. In the anti-trafficking realm, de Baca has a sterling reputation akin to that of Patrick Fitzgerald, the aggressive and high-powered U.S. attorney general. He was one of the handful of lawyers whose cases served as the wellspring for the original TVPA. At the Justice Department, he became one of the nation's most

successful federal prosecutors, winning convictions of over 100 traffickers, and assisting with the rescue and rehabilitation of over 600 slaves who had been held in all types of bondage. More recently, as Majority Counsel at the House Judiciary Committee, he was a principal drafter of the final reauthorization of the TVPA, which President Bush signed into law last December.

With the help of his colleagues at the Justice Department's Civil Rights Division, de Baca locked up more sex traffickers than anyone in U.S. history, but he has taken an equally vigorous approach to prosecuting labor traffickers. The law, which he helped write, is explicit: no one form of trafficking is any more tolerable than any other. His mind is very clear on another point of policy: prostitution is a crime, whereas slavery is a crime against humanity.

Now de Baca faces the daunting task of transmitting his knowledge and passion to public officials like Bihar's Jay Kumar and Dubai's Mohammed al Mur. He will soon find, as did his predecessors, that in order to free and truly rehabilitate slaves, he must go far beyond educating government functionaries. In particular, de Baca must seize his authority to fund anti-slavery programs worldwide. Last year, the budget for such programs was \$17 million, a whopping .000006 percent of the federal budget.

Even if Obama scales up his budget request for trafficking in the years ahead—which he must do if he hopes to claim real abolition as part of his legacy—realistically, de Baca's budget will never come anywhere near that of his counterpart at the Drug Enforcement Administration. But if he chooses grantees carefully and evaluates their performance rigorously, he can make his tiny budget the difference between slavery and freedom for tens of thousands of people annually.

If American foreign policy is to lead to real global abolition, it must involve some



development programs directed at socially isolated and deeply impoverished populations that are already being targeted by traffickers. The end of slavery cannot wait for the end of poverty, however. Across the globe, I talked to hundreds of poor parents and found that, quite distinct from Kumar's description, they were not selfish "monkeys" selling their children. On the contrary, they were constrained but rational actors, making devil's choices between watching their children slowly starve or die of preventable diseases, versus selling their children to support the rest of the family—or, as was the case with Maria in Dubai, yielding themselves to traffickers and an uncertain fate. Millions more are trapped in violent bondage, held hostage to fictional debts, simply because the only way to get loans in emergencies is through creditors who demand repayment in perpetual, unpaid labor.

### *Ultimate Costs*

In the aggregate, programs that liberate slaves, prosecute traffickers, then provide survivors and their communities with formal microcredit structures, along with basic health and educational provisions, are relatively inexpensive. Though their partners in different parts of the world require widely varying investments, Free the Slaves estimates that, on average, it costs about \$400 to free and comprehensively rehabilitate a slave to the point of self-reliance.

Jainandan was one of the few lucky beneficiaries of such a program. In July 2005, at 2 PM, he heard an enormous commotion outside the loom, and prepared to hide. The owner had, like so many traffickers, drilled a fear of authority into his slaves. Four police officers rushed the building before the boys could take cover. With them

were members of the Free the Slaves-funded Diocesan Development and Welfare Society (DDWS), who took six of the boys to Bal Vikas Ashram, a rehabilitation center for freed child slaves near Allahabad.



Jainandan: free at last.

When I met Jainandan, after several months of rehabilitation, vocational training, and basic education at the ashram, he was preparing to return to Bihar, where the organization would soon provide him and his family with an income generation package. (A typical DDWS grant to a survivor's family totals roughly \$124, and Jainandan would soon invest the money wisely, starting a small general store.) Equally important, DDWS—through partners based in Bihar—would provide counseling and a lifeline in the months and years ahead.

Christmas Day at Bal Vikas Ashram is a celebration. The director of DDWS, Raymond D'Souza, a Catholic priest, plays a tambourine while another activist beats the *dhholak* drum. All the survivors, who are mostly Muslim, sing along in Hindi: "Every child has a right to education/Every child has a right to childhood/Every child has a right to be free." Jainandan, his eyes rolled back, dances with abandon.

"This is a most happy day," he says. "Everywhere I see happiness." ●