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# QUESTIONING THE DISCURSIVE CONSTRUCTION OF TRAFFICKING AND FORCED LABOR IN THE UNITED ARAB EMIRATES

PARDIS MAHDAVI AND CHRISTINE SARGENT



## ABSTRACT

*This paper investigates interactions between issues of labor, gender, sexuality, migration, and statehood through the lens of Dubai's unskilled foreign migrant workers. Using ethnographic research methods, including participant observation and in-depth interviews, this paper explores the conflation of discourses on trafficking, migration, and sex work through migrants' narratives. The study is organized around three central questions: 1) What are the social, economic, and political circumstances and structures that make Dubai a major migration and trafficking destination? 2) How do policies about global migration and trafficking, written and brought to fruition in Washington, DC, contrast with lived experiences of migration and forced labor in different countries with different social and political topographies? 3) How do cultural norms about gender, sexuality, morality, and migration influence the implementation of anti-trafficking policy and legal enforcement in Dubai? This study aims to question and deepen our understandings of labor, migration, and socioeconomic development in a rapidly changing, urbanizing environment while contributing to differing discourses on migration, trafficking, and prostitution in the Gulf countries.*

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The United Arab Emirates (UAE) is a destination country for men and women trafficked for the purposes of labor and commercial sexual exploitation.... [We recommend that the UAE] continue to increase law enforcement efforts to identify, prosecute and punish acts of sex trafficking.... In practice, government authorities continue to interpret the anti-trafficking law to exclude some who have been forced into commercial sexual exploitation of labor. (*U.S. Department of State 2008*)

Most of the girls I know, like I mean most of them who are working with me where I was working in Deira, well they are kind of like me. We all left the Philippines to come to work in Dubai. You could say we are like the other OFW's (Overseas Filipino Workers), but our work is the business of sex. But you see it makes more sense this way, right? I mean you don't see so many sex workers on the streets of Manila any more. There is [a] reason. The reason is that it's much easier to be a sex worker somewhere other than home. Like I could never stay in Manila and work as a sex worker. For one thing, the money isn't as good as it is [in Dubai], and also, what would my parents say? Then everyone would know what I do. In Dubai I make a lot of money and send it home to my parents, and we have remodeled the house. They are less concerned with what I'm doing because I send home a lot of money. I mean it's not that they don't know, but there isn't the same stigma attached to... to... to, well, being a sex worker overseas. It's seen as working hard for the family; that's why so many of us do it. That and the money. (*Female, 25, sex worker from the Philippines*)

I hate it here [in Dubai]. I want to go back home, back to India. I haven't seen my family, my wife, my kids, not in four years. No one told me it would be like this here. No one said that we would live like animals, twelve people to a room, fifty people to a bus. That's why I got out of construction, I was not made for it; my body not made for it, not at all. It was so hot all day, I couldn't handle it; I was sick all the time, so my boss moved me to his friend's company, that's why I drive this taxi now, but the money isn't better. I only have just begun to pay back my debt from coming over here. And everyone demands answers. My family back home wants to know where is the money? My parents want to know what I am doing over here, my boss wants me to work harder; my other boss has put a tracking device in my taxi. I'm not allowed to

stop, to eat or drink during the day. I have been sick, but what can I do? I just have to go on. Why did nobody tell me Dubai was like this?  
*(Male, 33, taxi driver from India)*

## INTRODUCTION

Conversations about sex work, human trafficking, labor, and migration have been on a collision course over the last two decades. Policymakers, academics, and activists working on these issues have conflated them within tropes of race, class, and gender in ways that have served to marginalize the populations most affected by policies and portraits painted about their lives. Most problematic, “trafficked”<sup>1</sup> persons, migrant laborers, and sex workers have been excluded from the opportunity to contribute their own narratives to the programmatic paradigms into which they have been scripted. Additionally, global rhetoric about human trafficking is markedly focused on sex trafficking and has constructed the issue (in the minds of the public and policymakers alike) in specifically gendered, raced, and classed ways. The archetypal trafficking victims are women, minors, or female minors who have been tricked or forced into human slavery, often for the explicit purpose of sexual exploitation. Most recently, this image has taken on a postcolonial, racialized dimension: Women from the developing world, willing to take extreme measures in the face of dire poverty, make the seemingly irrational choice to expose themselves to risky migratory methods and partners.<sup>2</sup> Alternatively, men are rarely seen as vulnerable to trafficking. The dominant conception of masculinity refuses the possibility that men are weak enough to end up as victims of trafficking. Men are understood either as voluntary, capable, and consenting migrants or are implicated in the root causes of trafficking, cast as predatory consumers of commercial sex services or as ruthless middleman recruiters. This paper aims to present and question the production of discourses and rhetoric on trafficking while highlighting the negative implications of these discourses on the realities of forced labor and migration, using Dubai as a case study.

The data presented in this paper are part of a larger study of forced labor and migration in the United Arab Emirates (UAE). While the authors have presented the results of their qualitative research in other venues,<sup>3</sup> in this essay, they aim to interrogate the discourses and policies

on trafficking, the ways in which these discourses have been constructed through the lens of race, class, and gender both globally and locally (in Dubai), and the implications of policies and paradigms of human trafficking on the lives of migrant workers in the UAE. They chose the UAE because it is one of the largest migrant receiving countries in the world (Kapiszewski 2001) and because it serves as the topic of much debate and conversation about human trafficking in the region.

As the quote at the beginning of this article shows, the U.S. Department of State's annual Trafficking in Persons (TIP) Report casts the UAE as a major site of sex trafficking but does not equally address abuses due to labor violations, which constitute the majority of rights violations given the weakness of labor laws in the UAE. In so doing, the TIP Report, which is based on evidence gathered from second- and third-hand sources (Agustin 2010, Parreñas 2010), silences the many narratives that challenge this narrow conception of human trafficking in the UAE. There are sex workers who choose to migrate to Dubai in search of better economic opportunities and who view sex as a form of labor and not an identity, and there are men in the construction or service industries, such as taxi drivers or hotel employees, who suffer serious violations of their rights and are possibly "tricked" (i.e. trafficked) into their current employment situations. Furthermore, neither of these scenarios account for what may be the most prevalent situation facing women in Dubai's service industry, in which migrants may seek out employment of their own volition, but, upon arrival or during the course of their stay, face instances of unexpected abuse or entrapment, with no avenue for recourse. Policies and discourses on trafficking that hyperscrutinize sex work eclipse the instances of forced labor experienced by migrant workers outside the sex industry in Dubai. Beyond the dismissal of their experiences, these policies and discourses have had a detrimental effect on the lives of those they are designed to protect.

Based on qualitative fieldwork in the UAE, Iran, and the Philippines, the authors seek to problematize the global discourses about human trafficking located in Dubai that have been informed by assumptions about race, class, and gender. Who is defined as a trafficked person? Who is defined as a migrant worker? What are the paradigms constructed about trafficked persons, sex workers, and (im)migrant laborers, and how do their lived experiences contrast with the rhetoric



that surrounds them? While an ongoing larger study approaches migrants' narratives ethnographically and in depth, this paper focuses on the dominant discursive analyses that frame the issue, further contrasting policy and lived experience through an analytical frame. Through interrogating the intersections of race, class, gender, and sexuality within migration, the authors seek to examine the discourses of trafficking, especially as applied to the UAE, and to investigate the ways in which these discourses restrict—and inform their ideas about—migrant women's and men's agency.

After a brief background section introducing the field site, the authors situate the international conversations on trafficking, delineating the main forces in the debate, as well as the politicization of terminology with which it has been framed. They then address the impact of global human trafficking discourses on local interpretations of policies and laws in the UAE before proceeding to a broader interrogation of race, class, and gender within the discourse. The findings section is organized around three main themes: 1) the gendered nature of trafficking discursivity that scrutinizes women in sex work while ignoring women not engaged in transnational sex work and male migrants, 2) trafficking discourses built upon particular notions of race and class that, in the Middle Eastern context, engage Orientalist images of and beliefs about Arabs and Muslims, and 3) strategies that could be employed to address some of the issues identified in the preceding sections and contribute to a more nuanced and sensitive understanding of trafficking.

#### BACKGROUND—DUBAI AS A STARTING POINT

This study is based on ethnographic fieldwork conducted between 2004 and 2009 mostly in Dubai, but with extended ethnographic visits to the Philippines and Iran, both major sending countries of migrants to the UAE.<sup>4</sup> In 2004, one of the authors first encountered this issue while conducting fieldwork with sex workers in Iran. Throughout this research she noticed a significant disconnect between ways in which Iranian women's migration to Dubai was depicted in international discourse and ways in which women narrated their own lived experiences. Namely, the Iranian women being interviewed described their involvement in sex work in Dubai as a deliberate economic strategy to supplement and increase their

income due to the high unemployment rate of 45 percent for women in Iran (Mahdavi 2008). However, the United Nations,<sup>5</sup> the U.S.-administered TIP report, and many members of civil society around the world continued to cast these women as victims of human trafficking (U.S. Department of State 2008).<sup>6</sup> This study developed specifically to address the conflation of discourse on sex work and trafficking in Dubai but has inevitably encountered questions of migration and labor, which factor both explicitly and implicitly within the paradigm of human trafficking worldwide.

While the current spotlight on Dubai focuses on contemporary trends in migration and human trafficking, Dubai's history of incorporation within international circuits of trade and politics extends farther back. Before the oil boom, pearling and fishing provided two major sources of revenue. In even the youngest years of the twentieth century, Dubai's rulers consciously worked to create a business-friendly port city; "Shaikh Maktum [bin Hasher, who ruled from 1894-1906,] took progressive measures to encourage local businesses and attract foreign trade by abolishing taxes in 1904" (Al-Sayegh 1998, 90). Dubai's rulers have always focused on trade, even after the beginning of its oil boom years (relatively minimal compared to that of Abu Dhabi), but, as with the rest of the region, the presence of oil significantly altered migration patterns and sources, requiring large pools of manpower. As Dubai has carved out its niche as the tourism-oriented Emirate, however, its labor needs have required labor to sustain the country's immense service-sector economy, accounting for one source of its larger female migrant population. It is possible that, with the incredibly rapid increase in financial prosperity, the demand for domestic workers reflects shifting or amplified markers of class and status among the citizen population, thus further augmenting the demand for female migrants.

In their field site, the authors found certain structural factors, most notably those introduced by the *kafala* system, that create unique forms of legal vulnerability for Dubai's migrant workers. Through the *kafala* or sponsorship system, Gulf countries, historically heavily dependent on foreign laborers during the oil boom, have tried to manage and control migrant populations and to prevent both their economic activities and the extent of any longer-term social integration. In the UAE, as in many neighboring states, migrant workers receive an entry visa and residence

permit only if a citizen sponsors them. The *khafeel*, or sponsor-employer, is financially and legally responsible for the worker and signs a government document indicating assenting to this relationship (Longva 1999, 20 – 1). “The worker is tied to a particular employer, and if the worker breaks the contract he/she has to leave the country immediately at his or her own expense—otherwise the employer would cover the return fare” (Baldwin-Edwards 2005, 30).

The conflation between employment and legal presence exposes migrants to uniquely rapid and severe forms of vulnerability. Workers are often compelled to remain in exploitative situations because they see no effective form of recourse. A dispute with an employer-sponsor denies the worker legal residence, employment, and redress (Longva 1999, 22). However, the kafala system is utilized by almost all of the Arab Gulf countries, and strikingly similar structures manifest themselves in other major migrant-receiving countries outside the Middle East, an oft-neglected fact of comparison.

#### WHO'S WHO AND WHAT'S WHAT—FORCES OF DEBATE AND CONTESTED TERMINOLOGY

Both the global discourses on trafficking and the local production of this discourse in Dubai are biased by race, class, and gender, albeit in different, historically situated ways. Much of this discourse is manifest in an obsession with sexuality and sex work. The global focus on sex trafficking has impacted local discourses on forced migration and labor abuses in the UAE. Prior to the global moral panic (Vance 2009) on sex trafficking, a majority of local discourses in Dubai were focused on the inequalities inherent in the kafala system. Inspired by their neighbors in Bahrain, many of our interlocutors indicated that they were mobilizing a movement to significantly reform the kafala system. A number of articles and exposés, commissioned by both international non-governmental organization (NGO) presses like Human Rights Watch reports and Gulf newspapers and magazines, wrote of abuses taking place in labor camps, and much of the media focus was on male migrant workers (Human Rights Watch 2006).<sup>7</sup> Over the last five years, however, as the global discourse on human trafficking has made its way to the Middle East, the local discourse has also shifted. When the UAE was criticized through



U.S. policies (such those outlined in the TIP report) and in films such as *Taken* (2008) (where the ultimate villains in a ring of trafficking are wealthy Gulf Arab men) as being a hotbed of sex trafficking, local discourses and policies also began to focus on the sex industry. This new emphasis on women in the sex industry directed attention away from a desperately needed reform of the kafala system and the issue of migrants' rights more broadly. Furthermore, anti-trafficking activists in the United States who seek to tackle trafficking through ending demand for commercial sex work and further criminalizing the sex industry became the role models for addressing the UAE's trafficking problem. An anti-trafficking squadron was created within the police department, and its mandate was to raid brothels and arrest women in the sex industry, regardless of whether or not they may have been trafficked. This narrow interpretation and implementation of trafficking in the UAE, which focused on the sex industry, eclipsed the larger problem of forced labor and allowed the government to turn its attention to sex workers rather than reform the kafala system.

Though the definition of trafficking as outlined in the United Nations Palermo Protocol<sup>8</sup> broadly refers to many types of forced labor and migration, the discourse on trafficking has largely focused the issue on transnational sex work (United Nations 2004). This can be evidenced in journalistic accounts, such as that of *New York Times* columnist Nicholas Kristoff and Cheryl WuDunn (2010), films, such as *Taken* (2008), *Human Trafficking* (2005), or *CALL+RESPONSE* (2008), and a number of bestselling books, such as the writings of Siddharth Kara (2009b), whose book on "sex slavery" is currently being made into a major motion picture. The ambiguity embedded in the Palermo Protocol definition (which was necessary for the resolution to pass) enables multiple, selective, and contradictory understandings of what human trafficking does or does not entail. This has directly impacted research conducted on the subject. The numbers offered by different sources vary significantly, and these discrepancies in data reflect the political convictions and motivations that shape and generate such investigations.<sup>9</sup> Unproductively polarized and politicized human trafficking discourses often depend upon differing quantitative grounds to stake their claims. For this reason, trafficking must be interrogated through qualitative, ethnographically based research methods that enable migrants them-

selves to address, contest, and inform current discourses, policies, and gaps in our knowledge.<sup>10</sup>

The major political forces directing and engaging in debates about human trafficking data and policy coalesce according to their stances on commercial sex work. That sex work serves as the divisive factor in these conversations signifies its pivotal importance. Oppositional stances on prostitution crafted the moral underpinnings and legislative aims of the United States Trafficking Victims Protection Act (TVPA), the piece of legislature that informs the TIP Report, as well as much discourse on trafficking worldwide. Barbara Stolz (2005, 408) argues that “political science literature rarely addresses how interest groups affect which problems become policy issues—the policy agenda-setting stage” and, in particular relation to the TVPA and TIP reports, how “the role that groups play in educating policymakers about an issue” directly impacts the final legislative product. One side of negotiations involved in the legislative development of the TVPA featured “abolitionist feminists,” who constitute one of the formative elements in larger debates about prostitution and human trafficking, as well as like-minded interest groups and politicians who stood behind them. This faction believes that “prostitution is a violation of human rights... ‘an extreme expression of sexual violence’ [and] trafficking is seen to be caused by prostitution, making the best way to fight trafficking the abolition of prostitution” (Desyllas 2007, 59). Abolitionist feminists such as Kathleen Barry (1995, 23) argue that sex in prostitution reduces women “to a body” and is therefore necessarily harmful, regardless of questions of consent or choice.”

Feminists and public health officials are among the most visible components of the opposing side of trafficking legislation, members of which advocate that applying principles of harm reduction in a consciously sex workers’ rights positive framework would provide the most just and effective form of counter-trafficking policy. This faction “views prostitution as a viable option and a choice that women make in order to survive, that should be respected, not stigmatized.... ‘It is not the work as such that violates women’s human rights, but the conditions’” (Desyllas 2007, 59). They emphasize acknowledging a conceptual boundary between consensual and forced sex work and argue that this critical distinction must inform policies dealing directly or indirectly with commercial sex work—a distinction that the TVPA and the TIP

Report fail to acknowledge.<sup>11</sup> Furthermore, the sex worker's rights approach incorporates the narratives and participation of sex workers themselves into their platform and advocacy, campaigning "not only... against legal discrimination but also to resist accounts which cast [sex workers] as mere victims" (Scoular 2004, 346). The different approaches that these two feminist camps take regarding sex work has defined their approaches to the issue of human trafficking and to the relationships they have pursued with different lobby groups and constituencies.<sup>12</sup> A politically privileged anti-prostitution coalition has monopolized the legislative and popular discourses regarding human trafficking across the globe through two powerful and dangerous connotations: 1) that of human trafficking with sex trafficking and 2) that of migration for or engagement in commercial sex work with sex trafficking and forced prostitution. While the definition of human trafficking in documents such as the Palermo Protocol remains broad and the boundaries between force and choice and movement into various industries is quite fluid, the rhetoric espoused by this coalition aims to draw rigid lines defining good and evil. This has grossly misconstrued the true complexity and heterogeneity of the phenomenon of human trafficking and the continuum of coercion/consent along which migration and labor occur.

## TRAFFICKING GENDER, RACE, AND CLASS

### Gendered Discourses

As noted above, both global discourses on human trafficking as well as their local interpretations in the Emirates are gendered and racialized. Within the UAE, it seems that popular stereotypes on trafficking conceived in a global context have migrated to the Gulf and reproduce race, gender, and class biases in local discourse. The physical invisibility of women in the realm of migratory labor, especially in the domestic and commercial sex work industries, creates acute forms of vulnerability that contrast ironically with their hyper-visibility at the forefront of this discourse. Human trafficking does not just affect "women and children." It is a phenomenon undeniably rooted in gendered inequalities, but to limit the experience of trafficking to members of only one gender or cohort is both inaccurate and unethical. Yet, this phrase "women and children" consistently dominates the issue, to the point where the con-

tinuous repetition of the phrase has turned it into “womenandchildren,” which can easily collapse into “women as children.” Numerous feminist theorists have derided the conflation of womenandchildren<sup>13</sup> into one helpless group, because it requires that “women serve ‘symbolically and literally, as that which requires protection,’ a construction that denies agency” (Sjoberg 2006, 897). In addition, within this paradigm, men are completely excluded. Within sex trafficking, it is true that women are disproportionately affected as compared with men. However, “the conflation between ‘women’ and ‘prostitution,’ to the exclusion of men or transgendered people selling sexual services” further marginalizes already isolated and stigmatized population within the commercial sex industry (Shah 2006, 270).

The emphasis on innocence and vulnerability constructs a prohibitively gendered trafficking victim. Men, and women who violate gender boundaries of passivity, cannot access the trafficking discourse in order to include their narratives as legitimate experiences within the current framework. Furthermore, men are imagined as active agents, able to collude and participate in smuggling and illegal migration, while women (and children) are imagined as vulnerable innocents, not as agentive subjects.

As has been the case with the human trafficking framework presented above, popular imaginings of trafficking as affecting womenandchildren have impacted only local discourses in Dubai. Within the scope of the authors’ qualitative research, conceptualizations of trafficked persons seemed to hinge upon gender. From speaking with activists in the Philippines, Emirati hospital administrators, or expatriate women working to build a private shelter for women in Dubai, the authors learned that many, if not all, of these interlocutors indicated that “women and children” were more likely to be trafficked than men. Of particular note, these two populations were almost always collapsed into a single, unified category. Within this unit, it was highlighted that women were particularly vulnerable to sex trafficking. Alternatively, when the authors asked activists in the UAE about men who may have been trafficked, they were met with blank stares at best, or with the simple dismissal of “men aren’t trafficked.” When asked about who is most likely to be “trafficked,” one woman, a Filipina activist who has been working to create an NGO in the UAE to combat trafficking, noted:



Definitely women and children. They are the more vulnerable. They aren't as strong, and they can get tricked more easily. And sometimes they are less valuable to their families. I mean think about it, you don't really hear about men being trafficked. That's because they are the stronger ones. Maybe. That's what I think.

The (mis)conceptions articulated by this activist that men are “stronger,” more likely to be able to resist trafficking, and thus less in need of services, are echoed by many interviewees. In pointing out this particular construction, the authors are not suggesting that studies of migration must apply a “gender neutral” approach (if such a method can be said to exist) or that focusing on exploitation unique to female migrants is in any way a problematic choice. Migration is visibly and structurally gendered and engenders distinct types of vulnerability. What the authors do want to emphasize is a gender-aware framework; vulnerability is not inherently gender specific—both women and men face various forms of bodily and psychological violence as migrants, and feminizing vulnerability and trafficking both reinforces normative conceptions of masculinity while further disempowering male migrants and obscuring the challenges they face.

In 2008 and 2009, the authors conducted a series of interviews with two women, both expatriates in Dubai, who had set up a private shelter for, in their words, “women and children who have been victims of abuse and trafficking.” By the end of 2008, both of these women had been forced to leave the Emirates and return to their countries of origin, the United States and Ethiopia respectively, and their shelter had been closed down. The government accused them of running a brothel because they were housing thirty women at a time in one location, and several officials also accused them of being traffickers. “We became the victims of a defamation campaign, just because we were trying to save these women,” said Cheryl, the director of the center. Her narratives about the shelter touched on the complex multiplicity of discourses invoked by many of our interlocutors. She wanted to work towards creating a better environment for the female migrants but, at the same time, deployed rhetorics of “saving” and “rescue,” moralistic discourses that demand that she “save” these “women and children.” When asked why the only shelter for migrants in Dubai was only open to “women and children,” she said:



Because it's the women and children who need to be saved. They are the ones being abused. And they are helpless, just helpless. We need to help them. And what we are doing is we are trying to get justice for them. We are trying to get justice for all women and children in Dubai who are victims of trafficking.

Her colleague, Yolanda, a 30-year-old social worker from Ethiopia, echoed these sentiments in an interview conducted two months later:

You have to understand. These poor women and girls. These girls, they don't know anything. They are ripped from their homes in the villages of rural Ethiopia. You know what they do, these traffickers? They are smart! They go out and go to the villages in like, an hour like, like an hour from Addis, and they take magazines about Dubai, and then they tell these girls they are gonna make so much mon-eeee! And they tell them they are gonna be models, and then what happens? Whap! [bangs the table] They get to Dubai, their passports are taken, and they are forced to be slaves. These girls don't know what hit them.

As Wendy Chapkis (2003, 924) points out, "trafficking victims, described as vulnerable women and children forced from the safety of their home/homelands into gross sexual exploitation are distinguished from economic migrants who are understood to be men who have willfully violated national borders for individual gain."

Yolanda exclusively discusses human trafficking in the Middle East in terms of sex trafficking:

Well it's like, it's like that woman who has locked herself in a suitcase and is travelling the world trying to shout out to the world that sex trafficking is happening! It's happening! Look at the Trafficking in Persons Report, women are being forced into sex slavery, this is sex trafficking! That's what this report focuses on, so that's what we need to focus on. We need to help these girls, we need to demand justice now!

Annabelle, a photographer from Europe echoed Yolanda's sentiments when asked about in the focus of her photo exhibition.

Annabelle: Yes, well you know, the story is about trafficked women, so I'm looking for them. It's tough, but I've been here (in Dubai) for over a year, and it's hard to find them. Plus, when I do, they are kind

of camera shy. Do you know any women I could talk to?

Pardis Mahdavi: Yes, well but I'm not sure that I can put you in touch with them. Most of them are domestic workers who have come to Dubai but are now facing situations of abuse.

Annabelle: Oh, well forget it, that's not what I'm interested in. I mean domestic workers, I mean, don't get me wrong, I'm interested in them and I think what they are going through is terrible. But the focus of my story is on trafficking you know? Trafficking into sex slavery.

Many migrant laborers, undocumented immigrants and trafficked persons who are female find employment opportunities which are typically regarded as female labor roles. Domestic work and sex work most often occur within the privacy of homes and brothels, with limited access to law enforcement. Cheryl, the director of the women's shelter, noted:

It's really sad with the maids and mistresses. You see they are locked up, and they can't get out. They sometimes call, and then the police come to the house, and who do you think answers the door? Their master! And the master will say, don't worry everything is okay. And the police, they are complicit too! They say, the police, they say, "You better watch your maid cause she's trying to get out," and the master will say, "Thank you," and that will be that. And then she is stuck for God knows how long. And they don't let us go there to find her. That would be violating privacy.

A friend of Cheryl's who also volunteered at the center and was the only one left in the country after Cheryl and Yolanda were asked to leave echoed her friends' statement:

Yes, the maids. It's really bad with them because the police basically, and the government even, kind of tells people that your maid is your property. That's what the laws say too. One time I remember this girl called Cheryl, and so we went down to the police station to go and get her. The police had already called her master and he was down there too. The police were telling the master to watch his maid so she didn't run away again. The girl (domestic worker) was screaming "He hit me! He hurts me!" and the police said, "That's OK; I hit my maid too, that's not the problem. The problem is you (her sponsor) should watch her

more carefully." That's what he said; can you believe it?

This statement touches on the glaring lack of rights offered to domestic workers under the kafala system. Domestic workers, agricultural workers, and caregivers are subjected to the laws outlined by kafala, but they are not protected by these laws, which always in practice favor employers over employees.<sup>14</sup> This glaring inequality in the kafala system has led many migrants to seek out employment in the informal economy<sup>15</sup> (Mahdavi 2011). One author spoke with several women who had decided to leave the domestic work industry in search of work either in the sex industry or in other parts of the informal economy. A Moroccan woman explained, "If we are not protected by kafala and only subject to its rules, we would rather work outside the system where we can make money and create our own rules."

Furthermore, men are imagined as either enterprising agents who have made deliberate choices to better their economic circumstances (and thus potentially deserving of any fate that befalls them), as "better off than in their home countries" or as docile workers who are willing to put up with anything as long as they are able to make money.<sup>16</sup> Touching on racial biases, some Emiratis and Western expatriates working in managerial positions noted that South Asian men were specifically recruited for their "good-natured temper, and their willingness to do just about anything to make money," as one British interviewee noted. Another Australian man with whom the authors spoke in 2009 further elaborated on this statement:

Yeah, so, the guys in the labor camps. Most of them are Indian, Pakistani, or Bangladeshi, and, look, they are not in a great situation, but it's better than where they come from. They don't live like kings here (in Dubai), sure, but it's certainly better than their lives would have been if they stayed in Kerala, so I'm sure it's fine. So, they aren't making that much money, yeah, but it's more than they would have made at home.

Furthermore, another British man with whom I spoke echoed the sentiment about male workers being "better off here than at home," but also touched on the paradigm of male migrants as "stronger" or "able to take it:"

Well, so, the guys here, I wouldn't say they were trafficked, no, I wouldn't say that at all. Look, their lives here are better, and they are stronger than you think. Sure, the labor camps aren't like the Ritz, and it's terrible when they are abused, but that doesn't happen all that often.

This man and several others with whom we spoke articulated a trope of male laborers as inherently "stronger" and thus able to "handle" whatever abuses come their way.

Today's global political economy functions on a specifically gendered axis. The post-colonial economic order in countries such as the Philippines, Ethiopia, and Eritrea, or the current post-revolutionary economic crisis in Iran, provide powerful examples of economies functioning on both gendered and sexist axes. The lack of opportunities for women in the formal economy create the ideal conditions for exploitation in the informal economy. The more women are restricted from entering mainstream economic activities, the stronger becomes the possibility that they will turn to uncertain and potentially exploitative methods to secure work, by whatever means, wherever it can be found. The possibility of physical and psychological harm is mitigated by the pressing need to provide for one's family, self, and community.

#### Race, Class, and the Globalized Economy

Trafficking narratives have taken on specifically racialized dimensions in addressing at-risk populations of women in the developing world, women who are seen as uneducated and duped or tricked into trafficking. In a recent lecture about sex trafficking around the world held at Scripps College, Siddharth Kara (2009a) unconvincingly argued that "trafficking occurs because of the ignorance of Third World women.... To end trafficking, we must decrease [male] migrant laborer's wages so that they cannot afford to solicit sex work." Kemala Kempadoo (1998, 10) astutely points out that the types of racism that function both within sex work and in framing sex work take two forms: that of "racisms embedded in structures and desires within specific local industries (i.e. the fact that the demand for sex workers for example in Dubai is based on their race/ethnicity) and that of cultural imperialism refracted through international discourses on prostitution." Kempadoo goes on to note that this second type of racism is less obvious, yet more dangerous. It has

become embedded in neo-liberal feminist discourse about non-Western women who are, according to Kathleen Barry (1995), in desperate need of saving. Barry, and other Western feminists to whom she speaks, as Kempadoo notes, frequently evoke an image of non-Western women that various Third World feminists have identified as common to much Western feminist theorizing. The Third World/non-Western woman is positioned in this discourse as “ignorant, poor, uneducated, tradition-bound, domestic, family-oriented, victimized, etc.” and is conceptualized as leading a “truncated” sexual life (Mohanty 1991, 56). She is not yet a whole or developed person, but instead resembles a minor needing guidance and assistance. The construct stands in opposition to that of the Western woman who is believed to have (or at least to have the potential to have) control over her income, body, and sexuality: the emancipated, independent, post-modern woman (Kempadoo and Doezema 1998). Thus, these non-Western women who migrate, possibly to engage in sex work, or who employ transactional sex as a survival or supplemental strategy and may or may not be exploited or trafficked, are constructed as lacking agency and bearers of a distinctly un-modern subjectivity. The developmentalist logic framing this image excludes the space for self-representation by women from the developing world, and this absence is then cited as evidence of their helplessness and inferiority in comparison to Western female counterparts.

An increasing portion of the world's population is constantly on the move. While some of this mobility reflects the affluence and privilege of a minority elite, “globalization and neoliberal policies have led to a lack of economic opportunities that allow individuals to support themselves and their families in sending countries. A demand for cheap labor increases... migrant workers” incentives to seek employment abroad (Chang and Kim 2007, 340). People from all over the world are migrating elsewhere, and immigration, migration, and trafficking are taking place everywhere simultaneously. However, the discourses on migration and trafficking reflect racial biases in several ways: 1) in the racism embedded in neo-liberal feminist rhetoric about Third World women being kidnapped, duped, or tricked into leaving their homes—which has been discussed earlier in the paper, 2) in the racism implied in the TIP Report, which is written by the United States and holds all countries accountable to (Western) standards, while at the same time implying that trafficking is



a problem taking place outside of Euro-America, 3) in the racialization of trafficking “victims” versus “traffickers,” and 4) in the racism that informs moral anxieties regarding which migrant bodies are crossing which borders. When talking about the Arab states of the Gulf, this racism further perpetuates Islamophobia or anti-Arabism. In painting Dubai and the UAE as a locus of trafficking, activists and policymakers mobilize trafficking discourses built upon particular notions of race and class, which, in the Middle Eastern context, employ Orientalist images of and beliefs about Arabs and Muslims.

#### HIERARCHY OF THE TRAFFICKING IN PERSONS REPORT

The TIP Report comprises the major foreign policy component of the TVPA. Essentially functioning as a global scorecard, the TIP Report places foreign nations into one of three tiers based on the severity of human trafficking documented within state boundaries and the perceived adequacy of responding domestic policies (although the United States itself remained conspicuously absent from these gradings until 2010, ten years after the report was created). Countries that have achieved Tier 1 status are deemed to possess satisfactory counter-trafficking measures, including effective anti-trafficking laws and well-developed programs within civil society. Countries that have historically received this designation (such as the United Kingdom, Italy, and Sweden) are primarily located in the developed world, with the majority located in the West (exceptions include countries such as Hong Kong and Brunei). Countries currently placed in the bottom tier of the TIP report, those that do not comply with U.S. designated standards to combat trafficking, are almost all located in the Middle East. Critics from both within the United States and across the globe have protested these rankings and the criteria used to determine them, citing, among other things, prejudice and differential treatment based on racial and religious composition of a given country. Furthermore, critics point out, U.S. foreign policy considerations and conflicts influence tier designations, further compromising the integrity of the reports. Tier 3 countries such as Cuba and North Korea have arguably been included into this ranking as a form of punishment for political hostilities, with the sanctions mandated by the Tier 3 level providing a further mechanism for diplomatic leverage and pressure (Agustin 2010, Haynes 2010, Parreñas 2010).

While every country faces both the general challenges of transnationalism and its unique implications within a given domestic context, some countries are said to be better handling this transition, while others who struggle to make the transition are considered to be non-compliant. The Tier 3 ranking applied to countries such as Iran, Oman, Qatar, Saudi Arabia, and Syria performs the strategic functioning of painting trafficking as something that takes place elsewhere.<sup>17</sup> The geo-spatial ordering of Tier 3 countries constructs trafficking as an external problem belonging to the Other and reflects and validates this Otherness not merely in terms of geography, but in terms of morality as well. As stated earlier, reliable data and well-understood definitions of “trafficked persons” are scant. It is unclear who constitutes a “trafficking victim,” who is a “migrant laborer” forced into servitude or debt bondage, and how, why, and if such distinctions should or do matter. What is clear is that the way this data is presented and instrumentalized serves to confirm Othering and inferiorizing logics that have long plagued interactions between so-called Western and Eastern powers, naturalizing and legitimizing self-fulfilling prophecies of conflict, hostility, and mutual intolerance.

The UAE, however, remains an important exception to the rule; the 2006 TIP Report promoted the Emirates from a Tier 3 to a Tier 2 country (U.S. Department of State 2006). This controversial change left many observers both puzzled and concerned. “No one really knows how or why that happened,” explained one journalist for the UAE based paper *The National*, who has been covering issues of trafficking and labor in the Gulf. “We think it’s because the US wanted to sign a bilateral agreement about nuclear energy with Sheikh Mo’ and so they moved us up, but we’re not really sure what that even means.” When another interviewee discusses the issue, she gets very angry and emotional:

Tier 3, Tier 2, we’re not sure how who gets where! Plus, it’s all propaganda anyways. I mean, the US wanted something from the UAE, so they held it, they held it over their heads, they said you have a bad human rights track record and we know this, and we see this, and we (the Americans) know how to fix it. You, you, Arabs, you Muslims don’t understand, and you need us. It pisses me off, it does! You Muslims are backward? I mean, give me a break, you think trafficking doesn’t

happen in the US? You bet it does, but when it happens in the Arab world, Islam is blamed.

It is not difficult to imagine how and why people in the Gulf become defensive about the issue. The rankings of the TIP Report are perceived as racist and anti-Islam. Many see the rankings as a deliberate effort to reinforce a pre-existing image of Muslims and Islam within the Western consciousness, an image of depravity, acceptance of violence, and indifference to suffering. Furthermore, many in the Gulf feel that the TIP Report represents one example among many of the imposition of outside mandates that lack cultural or historical awareness. One Emirati academic spoke articulately on this matter:

Yes, in the TIP Report they say that we are supposed to increase the police. That's right, more police, that's just what we need. But do they know that we import our police from Bangladesh? That they aren't trained? Why are we supposed to spend our money on more police? Why not create a shelter? Hold the Red Crescent to their promise, help people. More police? Please. No thank you.

He, and others with whom the authors spoke throughout their fieldwork, reiterated feelings of injustice due to heightened scrutiny on this issue in the Muslim world in particular. Another journalist kept coming back to the TIP Report, highlighting that most of the Tier 3 ranked countries were Muslim majority countries. These people expressed frustration toward both the standards to which they were being held and the short-sightedness of TIP Report recommendations they saw as unhelpful and unrealistic, such as increasing funding for police as opposed to putting money into shelters.

Traffickers also fall into stereotypic, racialized tropes. The "racialization of women as 'white' is reinforced by an explicit opposition with 'dark' or 'eastern' traffickers/criminals who deal in the 'white flesh' of young girls 'considered beautiful enough to be sold to Middle Eastern brothels,' especially 'blue or green eyed blondes'" (Berman 2003, 54). In the post September 11th environment of heightened xenophobia towards Middle Easterners in particular, the description applied to trafficking and traffickers of "'barbaric' [connotes] the idea of the uncivilized, dark-skinned trafficker abroad who manipulates innocent women into

sex trafficking” (Desyllas 2007, 65). Arabs and Muslims are cast as the villains who either instigate trafficking or permit it to take place within their borders.

The global preference for certain types of migrants and labor are also often gendered, racialized, and classed. Restrictive, reactionary immigration policies refuse a gender-aware framework of analysis. “Educated and affluent men are favored for legal immigration; therefore, women increasingly turn to smugglers to gain entry” (Schauer and Wheaton 2006, 158). Additionally, “announced concern over the exploitation of women is haunted by a more visceral concern about border violations... [and] assistance to women who have been trafficked tends to be secondary or is understood to occur through arresting criminals” who challenge the validity of those borders (Berman 2003, 42). Trafficking is a form of illegal immigration, and illegal immigration represents, from the state perspective, a failure in its own ability to patrol and secure borders. “Because sex trafficking discourses function as a constitutive part of border issues, they become a means through which the state redresses this ‘grave threat’ to security, can claim control over the border and perform the role of ‘securer of the nation’ (50). The price of this ideology of securitization is paid by those it purports to protect.

#### DISCONNECTIONS BETWEEN POLICY AND LIVED EXPERIENCE

The fundamental point of contention within most debates on sex work centers on reified artificial binaries between choice and coercion. Thus, “following in (the force/choice) controversy, the debate on transnational sex work has become mired in disagreements between those who focus on trafficking for the purposes of sexual exploitation versus those focusing on labor migration for the purpose of sex work” (İlkkaracan 2008, 202). It is important to recognize that the globalized, restructured economy depends increasingly upon imported migrant labor and that this has led to an increase in immigration and migration for employment worldwide. Migration is an age-old survival strategy that often requires courage, strength, and a strong sense of agency. We must “underline the fact that migrant women find themselves in trafficked situations precisely because they are enterprising and courageous agents willing to take initiative to improve their living conditions—quite the opposite



to the ‘passive victim’ stereotype that is widely circulated about them”<sup>18</sup> (Kempadoo and Doezema 1998, 32). We must also recognize that there are no universal reasons for individuals to enter into transactional sex. To universalize meanings and values that different individuals ascribe to sexual labor would be to silence and deny the diversity of voices worldwide articulating manifold and sometimes contradictory reasons for entering into commercial sex work and experiences with migration and sex work.

Neither the TIP Report nor the discourses about trafficking in the Gulf constructed by media accounts or in the international community acknowledge the range of reasons people migrate or the diversity of experiences within migration and/or sex work in Dubai. The laws and policies enacted in the UAE and encouraged by the United States (through the TIP Report) are geared toward tightening borders and increasing arrest and punishment of sex workers and illegal migrants in the informal economy, without acknowledging the political economic structures that have led to such migration. Indeed, the TIP Report recommends that funding go toward the recruitment of additional police and law enforcement personnel (who are often untrained and at times are abusive toward women they are arresting, according to our interviewees), rather than encouraging the UAE to spend money on further developing its civil society or pursuing a grassroots approach to the problem (U.S. Department of State 2009). Migrants are more in need of social services and outreach than of untrained law enforcement officials.

The combination of a rapidly globalizing political economy and unfair structural adjustment programs has led to an increase in poverty rates coupled with a feminization of migration and labor. Women increasingly need to migrate to maintain financial security, and Dubai is an attractive venue for migration from East Asia, Africa, and other parts of the Middle East due to its seemingly alluring draw of capital and employment opportunities coupled with its relatively lax visa regulations. Furthermore, some migrants (from Indonesian and other Muslim populations) envision an appealing sense of cultural affinity by pursuing migration to a Muslim country.

#### POLICY AND ITS DISCONTENTS—MOVING FORWARD

The laws that have been put into place, such as those stemming from the



TIP Report, and the discourse constructed by researchers such as Kevin Bales (1999), Barry (1995), and Kara (2009a, 2009b), far from assisting migrants seeking employment abroad, have worsened the challenges that migrant laborers (including transnational sex workers) face. Due to the increased regulation of immigration and the increasing criminalization of sex work (by those who cannot conceptualize sex as work) and informal labor, many migrants are now relying on more irregular modes of migration. These passages can make them more dependent on middlemen and recruiters who facilitate migration without contracts or visas, thus resulting in workers moving into the informal economy. Migrant women who do end up in abusive situations have very little recourse against their abusers because they will be arrested and often deported immediately due to their violation of labor and residence laws outlined in the kafala system. These women are unfortunately not protected by the current laws, which, apart from their legislative inadequacies, have further complicated the situation by inculcating widespread fears of punishment, arrest, and deportation. Intense desire to migrate in search of better economic opportunities, coupled with limited legal avenues and a fear of law enforcement agencies, allows recruiters and middlemen to operate in home and host countries with little regulation, creating fertile ground for exploitation. Most importantly:

Traffickers often take advantage of the illegality of commercial sex work and migration and are able to exert an undue amount of power and control over those seeking political or economic refuge or security. In such cases it is the laws that prevent legal commercial sex work and immigration that form the major obstacles. (Kempadoo 1998, 16)

Developed countries have directly affected economic conditions in the developing world through restructuring programs, aid policies, and sanctions, all of which act as “push” factors in emigration. The economies of developed countries benefit from mass influxes of informal, unregulated labor regardless of whether the migrants providing it are legal, illegal, or “trafficked;” capital makes no distinction. According to Grace Chang and Kathleen Kim (2007, 329), “The selective criminalization of ‘sex trafficking’ ensures that the root causes of all forms of human trafficking, and state responsibility for or complicity in these structural causes, remains unchallenged.” While international and domestic U.S.

criminal law play necessary, albeit ambivalent, roles in stopping the phenomenon of human trafficking, economic reform and international debt forgiveness are among the most potentially effective, long-term, comprehensive measures that can be taken against trafficking. Currently, “the debt of many poor countries has caused them to undergo structural adjustment programs with the International Monetary Fund. The implications of these programs are less state spending and more open market policies. Vulnerable populations are affected by these decreases in welfare, health and nutrition programs, and education resources” (Schauer and Wheaton 2006, 14). We must recognize that people may, in a sense, choose to be trafficked (insomuch as they may resort to irregular migratory patterns) if it has become one of the only viable options for economic survival. The development of alternative choices that can ensure access to a sustainable flow of income, basic necessities, and possibilities for upward mobility and the personal and communal levels of human development is the only truly effective way to combat trafficking.

Discussions and policies about trafficking must deal with the complexity of real life. Reflecting on their fieldwork, the authors note that people draw upon a number of different paradigms to talk about their reasons for migration as well as their reasons for migration into sex work. They argue that rather than focus on the industry into which workers migrate, it is more productive to advocate for the need to improve migrants’ travel, living, and working conditions. Addressing restrictive immigration policies and de-criminalizing sex work would encourage a discourse of universal rights for all laborers in Gulf countries while improving migrants’ agentive access.

## CONCLUSION

The paradigm of human trafficking, which remains part of a larger conversation seeking to account for and respond to particular aspects of human mobility at the beginning of the twenty-first century, must remain dynamic and flexible if it is to prove relevant to policymakers, advocates, and citizens of the world. If the concept remains myopically centered around unrealistic, over-individualistic ideas of migration rooted in a force/choice dichotomy, it will prove increasingly irrelevant to lived experiences. Individual agency and personal decision-making must be

accounted for and contextualized within comprehensive analyses of the macro, structural elements shaping migration, citizenship, and statehood at the global, regional, and state levels.

Migration is a global reality that continues to occur through innumerable channels and means, regardless of the categories we create or policies we construct. The resilience of the individual with the will to migrate and the necessities created out of severe global inequalities has proven that migration cannot be stopped. Consequently, a more open, visible, regulated (but not restrictive) migration process remains one of the most promising venues for improving the lives of future migrants. Safeguarding rights, providing education and information to migrants as well as sponsors, and dismantling the culture of securitization and persecution coloring most migration policies will be important steps in addressing the challenges that have arisen out of contemporary migratory patterns.

The narrow conceptual limits of human trafficking do not represent merely issues of semantics or categories. If the definition provided by Palermo Protocol and incorporated into majority of domestic anti-trafficking law offers one picture of what it means to be trafficked, but the practiced understanding of trafficking connotes something else, something much smaller, then either the term must be redefined or the public consciousness reeducated. If an activist can laugh with incredulity at the suggestion that a man has been trafficked and could be protected under trafficking laws, then something is wrong.

The authors do not deny that gross violations can accompany sex work and migrant labor in the formal and informal economies. They acknowledge that trafficking is a real and present phenomenon. Its contours, however, are not as defined as the discourses would suggest. Rather, migrants' experiences take on a range of shapes, forms, and narratives. While some migrants choose to migrate in search of better employment opportunities, others flee violent situations in their home countries. Some migrants face severe abuse after making the choice to migrate, and it is in this moment that they become trafficked. Others do not face abuse until they are arrested and forcefully detained or deported as punishment for alleged crimes committed in the host country. Some indicate that they are willing to risk violence, abuse, and possible detainment in the hope that they will be able to make money and send it home

to their families, while others migrate in search of love or a better, or at least different, life. It is not possible to understand all the reasons behind migration, as it is a phenomenon that involves the interplay of objective, embedded structural factors and far more ambiguous forces of human agency, subjectivity, and imagination. Policies implemented to respond to the extraordinarily complex phenomenon of human mobility at the beginning of the twenty-first century must incorporate an element of flexibility and contextuality if they are to respond to and account for the ambivalencies, uncertainties, and contradictions that characterize migration today.

## NOTES

1. We use quotes here to indicate the contested nature of a term that at once claims too much and too little (Constable 2010, Vance 2009). While the definition of “trafficking” as stated in the United Nations Palermo Protocol (United Nations 2004) is broad enough to encapsulate many forms of forced labor, the interpretation of laws on trafficking have narrowly focused the term on women in sex work.

2. For examples of this, see Bales (1999), Barry (1996), Hughes (1979), and Kara (2009).

3. See Mahdavi and Sargent (forthcoming) and Mahdavi (2011).

4. In 2008 the authors spent two months in Dubai interviewing male and female migrant laborers as well as various individuals based in Dubai who were active in the human trafficking debate. In the winter of 2008 one of the authors spent two weeks in Japan, followed by a trip to the Philippines in March of 2009 where she spent time interviewing migrants who had previously worked in various capacities in the Gulf but who had returned (or been deported) back home. In 2009 the authors returned once again to Dubai for further in-depth research. In total, the authors interviewed eighty migrant workers from different backgrounds working in various employment sectors in the UAE. The authors also interviewed thirty policymakers, activists, and organizers in the field and in Washington DC.

5. See the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, located at <http://www.unodc.org/unodc/en/treaties/CTOC/index.html> (accessed on April 16, 2011).

6. For further information and to see the specific language of the TIP Protocol about the UAE, see U.S. Department of State 2008 (253 – 4). For a pop cultural, contemporary reference point, see the film *Taken* (2008), which emboldens these stereotypes for a sensationalized blockbuster feel.

7. See also <http://www.uae-embassy.org/uae/human-rights/labor-rights> (accessed on April 6, 2011).

8. The official definition of trafficking as stated in Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially



Women and Children (referred to as the Palermo Protocol), prepared by the United Nations Office on Drugs and Crime (note the disjuncture in the UN agency designated to monitor human trafficking—an agency dedicated to organized crime and drug trafficking rather than the human rights arm of the United Nations), reads as follows:

the recruitment, transportation, transfer, harbouring 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 or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. The consent of a victim of trafficking in persons to the intended exploitation set forth [above] shall be irrelevant where any of the means set forth [above] have been used.

For more information, see United Nations (2004).

9. Free the Slaves founder Kevin Bales puts the number of persons trapped in “modern day slavery” at 27 million, though the Free the Slaves website does not explain what exactly is meant by the term “modern day slavery” and if this differs from “trafficked.” See <http://www.freetheslaves.net/SlaveryMap> (accessed on May 23, 2011). The TIP Reports put the number at 600,000-800,000 persons trafficked across international borders. See [http://www.unifem.org/attachments/products/traffikit\\_eng.pdf](http://www.unifem.org/attachments/products/traffikit_eng.pdf) (accessed on May 10, 2011). In 2009, UNIFEM offered a range between 500,000 and 2 million trafficked persons. See the United Nations Educational, Scientific and Cultural Organization's Trafficking and HIV/AIDS Project Data Comparison Sheets for more quantitative comparisons: <http://www.unescobkk.org/culture/cultural-diversity/trafficking-and-hiv-aids-project/projects/trafficking-statistics-project/data-comparison-sheet/> (accessed on May 9, 2011).

10. Other scholars have also made this argument and have sought to use ethnographically informed research to complicate stereotypes and panics about trafficking. For examples see Cheng (2010), Bernstein (2008), Parreñas (2010), Brennan (2010), and Agustin (2009).

11. Furthermore, as Jo Doezema (2005) points out, this distinction problematically still relies on essentialized notions of consent and force and implicitly invalidates the rights of the consenting-but-wronged sex worker.

12. This opposition has been simplified for sake of the argument, and other alliances responding to various political factors of the moment have also been left out, but for the sake of brevity in relation to concerns about the role of sex work debates in defining human trafficking, this remains perhaps most important divide to identify.

13. This term, “womenandchildren,” is said to have first been used by Cynthia



Enloe in a 1991 *Village Voice* article, and has since entered the feminist lexicon more generally.

14. For further information about ways in which kafala laws exclude domestic workers and agricultural workers, see Mahdavi (2011).

15. This term refers to labor conducted outside of formal tax structures, or, in this case, outside the sponsorship system. It does not mean that the work or worker are necessarily illegal, just that the work is taking place outside of formal structures. For more on the informal economy, see Bourgois (1994).

16. For an in-depth discussion of paradigms of male migrant workers in the Gulf, see Heeg (2010).

17. See <http://www.state.gov/g/tip/rls/tiprpt/> (accessed on May 23, 2011).

18. See Wijers (1998).

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