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Publisher Routledge

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK

The Asia Pacific Journal of Anthropology

Publication details, including instructions for authors and subscription information:

<http://www.informaworld.com/smpp/title-content=t713689832>

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Larissa Sandy

Online Publication Date: 01 September 2009

To cite this Article Sandy, Larissa(2009)'Behind Closed Doors': Debt-Bonded Sex Workers in Sihanoukville, Cambodia',The Asia Pacific Journal of Anthropology,10:3,216 — 230

To link to this Article: DOI: 10.1080/14442210903114223

URL: <http://dx.doi.org/10.1080/14442210903114223>

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'Behind Closed Doors': Debt-Bonded Sex Workers in Sihanoukville, Cambodia

Larissa Sandy

In the trafficking discourse and international law, debt-bonded sex workers have been defined as 'victims of trafficking'. The hyperexploitative contractual arrangements faced by debt-bonded sex workers may be the most common form of contemporary forced labour practices in the modern industry. However, in this paper, I present women's individual experiences working under indenture in Sihanoukville, Cambodia. I do so because women's narratives raise many questions about 'consent' and 'coercion' that, to date, remain unanswered. By examining women's own perceptions of the situation, the present paper attempts to address issues related to 'consent' and 'coercion' in order to highlight some of the possible implications this has for both how we theorise about and respond to the issue of indenture.

Keywords: Cambodia; Debt Bondage; Gender; Sex Trafficking; Sex Work; Women In Asia; Women's Agency

The United Nations (UN) General Assembly *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (2000), hereafter referred to as the Trafficking Protocol, contains the most widely accepted and internationally agreed definition of trafficking. In the Trafficking Protocol this is defined as:

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 a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person or having control over another person, for the purpose of exploitation. (UN 2000, Article 3)

Correspondence to: Larissa Sandy, Gender Relations Centre, Research School of Pacific and Asian Studies, Coombs Building 9, Fellows Road, Australian National University, ACT 0200, Australia. Email: larissa.sandy@anu.edu.au

ISSN 1444-2213 (print)/ISSN 1740-9314 (online)/09/030216-15

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DOI: 10.1080/14442210903114223

Under this protocol, those involved in sex work who are under 18 years of age are also considered as 'trafficked', irrespective of whether they agreed to work in the industry, with the protocol deeming consent irrelevant for those under, as well as above, the age of 18 years.

Although complicated, this definition of trafficking can be broken down into the three key elements of movement (across or within borders) through coercive or deceptive means for the purposes of exploitation (Gallagher 2003). The practice of debt bondage is also considered to fall within the scope of this protocol because it includes 'the giving ... of payments ... to achieve the consent of a person or having control over another person' (UN 2000). Turning to supporting instruments, the *Supplementary Convention on the Abolition of Slavery* (UN 1956) defines debt bondage as 'the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for a debt' (Article 1(a)).

Further, a more recent UN document states that debt bondage is a practice that:

can hardly be distinguished from traditional slavery because it prevents the victim from leaving his job ... until the money is repaid. Although in theory a debt is repayable over a period of time, a situation arises where in spite of all his efforts, the borrower cannot wipe it out. Normally, the debt is inherited by the bonded labourer's children. (UN 1991)

Although the above definition of debt bondage more suitably describes a situation of debt slavery, debt bondage is an agreement reached wherein a person pays off a loan with their labour instead of money over a period of time. In debt bondage or indenture contracts, a sum of money is given in advance, after which a person's labour is demanded as a means of repayment and they thus enter a period of debt bondage (Anti-Slavery International 1998).

In the present article, I examine women's individual experiences of debt bondage or indenture in Sihanoukville, in southern Cambodia. I focus on this because women's narratives raise questions about consent and coercion that current international frameworks and responses to the practice seem unable, and, indeed, are unwilling, to address.

Debt Bondage and Brothel-Based Sex Work in Cambodia

In debt bondage or indenture contracts in Cambodia, brothel owners pay women a sum of money ranging from US\$100 to US\$3000 and, after being advanced the money, women enter a period of debt bondage and pay off their debt by receiving clients (see also Busza (2004), who describes the practice as it applies to debt-bonded Vietnamese sex workers). A 1997 Commission on 'sexual exploitation' set up by Cambodia's National Assembly found that only brothel-based sex workers worked in situations of bonded labour and were not free to leave their job (Royal Government of Cambodia (RGC) 1997). This practice is still largely confined to brothels and establishments labelled as 'massage', which are essentially brothels advertised as massage businesses. Debt bondage is one of the

systems through which brothel-based sex work is organised. Other sex workers, such as beer girls, guest house workers, bar and nightclub workers and *karaoke* singers are always free to leave their jobs. Because my principal interest is in examining women's experiences of debt bondage, I focus specifically on brothel-based sex work.

Brothels dominate the sex work scene in Cambodia. They range from mid-to lower-level establishments and most brothel areas contain a blend of premises catering to a broad clientele. The brothels are usually open day and night and are mostly patronised by Cambodian men. When I undertook my research in 2001–4, the cost for sex varied, ranging from 5000 to 15,000 *riel* (US\$1.25–3.75) for locals and US\$10–20 for foreigners. Brothel-based sex workers, or *srei baan* (brothel prostitutes), work in every province of Cambodia and include women of various ages, ethnicities and nationalities. This includes Cham (Cambodian Muslim), Khmer Leu (north-eastern hill tribe), Khmer Kraom (a Cambodian minority group from southern Vietnam), Thai and Chinese women (RGC 1997). However, at approximately 77 and 21 per cent, respectively, Cambodian (ethnic Khmer) and Vietnamese women form the majority of female sex workers (Steinfatt 2003; see also RGC 1997).

Measuring the Number of Indentured Labourers in Cambodia's Brothels

During my research (2001–4) it was estimated that between 80,000 and 100,000 trafficked women and 5000–15,000 children were involved in sex work in Cambodia (Department of State 2001). However, as Tom Steinfatt (2003) suggests, these numbers cannot be relied upon. First, in 2000 the *Cambodia Human Development Report* stated that the number of sex workers in the country was 80,000–100,000 (UN Development Program (UNDP) 2000). In subsequent reports, this was then claimed to be the number of 'sex slaves' in the country, with sweeping statements made that one in 150 women in the country were 'sex slaves' (Department of State 2001; Perrin, Majumdar, Garfui, & Andrews 2001). Second, the figure of 80,000–100,000 seems not to be based on fact, but was rather a 'guesstimate' because these reports provide no specifications as to how they derived the statistic, nor their methodologies. As Steinfatt suggests, this is 'equivalent to producing mere guesses through no reliable method whatever', which is unfortunately a common practice in some trafficking research (Steinfatt 2003, p. 1; see also Government Accountability Office 2006). After trying to determine the source of this statistic, Steinfatt concluded that there was no research or documents available to support the 80,000–100,000 figure. Rather, it appears to have originated from an International Labour Organization presentation made in Bangkok in 1998 (Sopheha 1998 as cited in Steinfatt 2003). This presentation incorrectly sourced the figure to UNICEF and was subsequently cited uncritically as fact. As Kamala Kempadoo (2005) has pointed out for other regions, such practices raise serious questions about the way in which the 'facts' about trafficking are constructed.

Estimates also vary on the number of debt-bonded women working in Cambodia's brothels. A 1994 report prepared by the local non-governmental organisation (NGO)

the Cambodian Women's Development Association (CWDA) estimated that 47 per cent of sex workers in Cambodia had been 'sold', 'trafficked' or 'kidnapped' into a situation of bonded labour (CWDA 1994).¹ In his 2003 study, Steinfatt updated this figure, concluding rather that just over 20 per cent of directly observed sex workers were 'trafficked' (by his definition indentured labourers and those under 18 years of age).² Steinfatt (2003) estimated that the total number of sex workers in Cambodia between 2002 and 2003 was 18,256, with almost 80 per cent of workers urban based. This includes 5317 directly observed sex workers and an additional estimate of 12,939 unobserved workers. These figures are similar to the estimated number of 14,725 brothel-based sex workers throughout the country reported by the 1997 Commission (RGC 1997). As indicated in Table 1, Steinfatt (2003) classified 1074 women and children as 'trafficked', either by indentured or underage status, in the category of 'directly observed sex workers'.

Table 1 Number of Trafficked Sex Workers According to Trafficking Category and Ethnicity

Trafficking category	Khmer	Vietnamese	Chinese	Total
Under 18 years of age	78	120	0	198
Indentured	125	743	8	876
Total no. trafficked	203	863	8	1074

Source: Steinfatt (2003, p. 94).

It is important to note that Steinfatt's (2003) definition of 'indentured' includes workers who were or had ever been indentured. Hence, the figure of 1074 trafficked women and children includes those with past or current indenture contracts. Of this total, 16.5 per cent of sex workers were indentured labourers and 3.7 per cent were under the age of 18 years and were thus considered as 'trafficked' by definition. Because Steinfatt's (2003) study was based on observed and unobserved sex workers, he predicted a total of just under 2000 trafficked women and children in the country, with the largest proportion being urban-based workers.³

The substantial differences between the estimates provided by Steinfatt (2003) and the CWDA (1994) indicate that in the ten years since the 1994 report and with the somewhat heightened context of low wages and poor employment opportunities, more women are *choosing* to do sex work and many seem less willing to enter into such contractual arrangements. However, the verifiable evidence to date suggests that approximately 10 per cent of women working in brothels in Cambodia do so under some form of indenture or debt bondage.

Notes on Fieldwork

My research was undertaken with women working in Sihanoukville's sex industry. My central research methods were qualitative, using participant observation, in-depth

interviews and archival research. Fieldwork was performed from November 2001 to April 2004, with interviews conducted in the Khmer language by myself in the final stages. I selected Sihanoukville as the site for the interview component of my research because, from October 1998, the RGC trialled the 100% Condom Use Program (100% CUP) in this southern port city. As a result of the claimed success of the Sihanoukville trials, this regulatory mechanism was extended throughout the country and I was interested in studying the implementation of the 100% CUP and its effects on sex work and sex workers in the area.⁴

Following a process approved by the Australian National University's ethics committee, my early approach was to 'hang out' with sex workers, rather than relying on the usual methods of gaining access to research sites, such as making friends or alliances with bar owners, madams, heads of NGOs, doctors or health professionals working in local sexual health clinics (Agustín 2004). As a young Australian woman able to speak Khmer, many sex workers invited me to sit and chat with them as I strolled through the area and they sat out the front of their brothels waiting for clients. Over a period of approximately three months, I regularly visited brothels in *Phum Phka Chhouk* and talked with sex workers about our different lives and experiences while drinking coffee, eating meals, playing cards, getting manicures or dying our hair.⁵ In this way, I developed a rapport and relationships with some women and my initial access did not require permission or me forming alliances with local 'gatekeepers'. When asked by sex workers and brothel managers what I was doing, I was upfront about the fact that I was carrying out research. Interviews performed on premises were only conducted with the permission of brothel managers and women gave verbal consent to being interviewed.⁶

Approximately 175–200 female sex workers worked in *Phum Phka Chhouk* during the time of my fieldwork.⁷ From this number, approximately fifty women had migrated from Vietnam and ten were Cham (Khmer Islam minority group), bringing the total number of Khmer (Buddhist) sex workers to approximately 115 women.⁸ Although I undertook thirty-three in-depth interviews with Khmer female sex workers, only a few were debt-bonded labourers and in the present paper I focus exclusively on the experiences of these women.

Sex Work and Sihanoukville

Sihanoukville's history as a contemporary port town is very recent, stretching back to just 1955 when the area was known as Kampong Som.⁹ With the granting of partial independence to Cambodia in 1953 and the dissolution of French Indochina in 1954, Cambodia's international sea trade was severely restricted because prior to these events most trade went through the port of Saigon. Hence, in the 1950s, the newly established Kingdom of Cambodia was faced with the immediate necessity of constructing its own sea port and, with direct access to the Gulf of Thailand, Kampong Som was identified as an ideal site.

Sihanoukville became a vibrant, modern port city built virtually from scratch, with a new highway and rail line constructed to link the port with the capital Phnom Penh. The city was planned and built as a commercial and industrial hub, as well as a resort town. Marketed as the 'Khmer Riviera', and claimed to be a 'place for dreams and to escape', Sihanoukville became a hot holiday destination, in turn nurturing the rapid development of the tourism sector ('Discovering the Cambodian Riviera from Sihanoukville to Kep-on-Sea' 1967, p. 54). These development trajectories quickly gave rise to a thriving sex sector, with the nearby naval barracks and high concentration of mobile male labourers forming an important client base for sex workers and making the town a lucrative destination for the sex trade.

According to the then King Norodom Sihanouk, Sihanoukville was a sea port that 'accommodated, of course, many sailors from all parts of the world' (Sihanouk 2003, p. 2). Reflecting a 'sensitive awareness' of the needs of sailors, throughout the 1950s and 1960s Sihanoukville was the only city in the Kingdom where sex work was legally permitted while it remained outlawed in the rest of the country (Williams 1969; Sihanouk 2003, p. 2). Sihanouk's justification for this was that his '*fleurs spéciales*' (special or precious flowers) offered 'foreign sailors another reason to attend our national port' and not being 'forgetful of human nature', he licensed the trade in Sihanoukville (Williams 1969; Sihanouk 2003, p. 2). However, by 1963 Sihanouk had introduced a licensing system in the rest of the country because prohibition proved impossible to enforce.

With the introduction of licensing, unlicensed or 'clandestine' sex workers were supposedly sent for 'rehabilitation'; however, according to Maslyn Williams (1969, p. 102), the more beautiful women arrested were not sent for retraining under the government's program, but were sent by the police to brothels in Sihanoukville. Most of these brothels were owned by members of the country's elite, most notably a female relative of the Chief of Police, whose brothel was staffed with women hand-picked by the Phnom Penh police. By the 1960s, top members of the country's elite were already implicated in the sex trade, leading to the emergence of a network of vested interests involved in not only regulating, but also controlling and maintaining structures within the trade.

In Khmer culture, extra- and premarital sex are widely regarded as acceptable recreational activities for men, with the historian Michael Vickery commenting that during this time 'for urban men ... extreme sexual promiscuity, mostly with prostitutes, was the norm' (1999, p. 188). Thus, sex played an integral role in Cambodian male culture and notions of recreation. When this is coupled with the heavy involvement of the Cambodian elite in the trade, it seems more likely that sex work was legal in Sihanoukville while banned elsewhere for reasons beyond giving 'foreign sailors' a reason to visit the city.

Despite outright prohibition of the trade during the Khmer Rouge (1975–9), sex work re-emerged between 1979 and 1991, with the growth nurtured by the booming black market and re-urbanisation, as well as over 180,000 Vietnamese troops being stationed in Cambodia (Vickery 1999; Gottesman 2003; for more on the sex trade in

Cambodia during these years, see Sandy 2006). The presence of the UN Transitional Authority in Cambodia (UNTAC) from 1991 to 1993 may have facilitated the growth of the country's sex trade, but it did not create it: before the arrival of UNTAC, a significant number of women were involved (approximately 6000) and government officials continued to be implicated in the trade (UNICEF 1995; Gottesman 2003; Sandy 2006). However, with the deployment of over 22,000 military and civilian UN personnel throughout Cambodia, Sihanoukville again emerged as a tourist town servicing the UN 'R&R' needs, which led to a subsequent rise in prostitution. The UNTAC years were also marked by an increase in the disposable income of many Cambodians, in particular young urban men, and despite being an object of scorn and opprobrium during the Khmer Rouge years, prostitution was once again widely regarded as an acceptable recreational activity for Khmer men.

Today, Sihanoukville is still considered a modern port city, and planning and development has continued along the twin trajectories of a commercial and industrial hub and a resort town. It is now one of the country's most economically prosperous zones. Many Cambodians are drawn to the city in the hope of finding work and, for those fortunate enough to be able to treat themselves, for a holiday. Sihanoukville is once again viewed as the 'Khmer Riviera', being synonymous with sun, sex, good times—and modernity.

Women's Experiences of Debt Bondage

Srei baan do not just enter into a sexual contract with their clients; control over the terms of the trade passes from them to a third party, the brothel owner (*mcah phteah* or *mebaan*). Being controlled by a boss (*thav kae*) heavily determines the experiences of women working in brothels, as does the particular situation of *srei baan* as bonded or free.¹⁰

Some *srei baan* may be indebted and under obligation to work for a brothel manager for a period of time as a way of paying back money they owe. These debt-bonded women work on an agreement made between themselves and their *thav kae*. The agreement involves the provision of sexual services for a period of time in return for a loan. Women engage themselves to meet the debt accrued in this way by giving up their freedom and working for their *thav kae*. Once an indentured sex worker has succeeded in fulfilling the terms of her agreement or, in other words, once her debt has been repaid, her condition is subject to change. Many then move into other labour relationships, such as a split of proceeds or a monthly wage. However, if a woman cannot work continuously and falls sick, any medical costs incurred are counted as debt. In order to obtain further loans, women sometimes enter into debt again after their initial period of indenture has finished. Thus, women working in brothels may move between a status of being indentured and free, and often this state depends upon cycles of indebtedness, impoverishment or illness.

In these agreements, brothel owners enter a lending arrangement with sex workers, who are then obligated to distribute their earnings to pay off their debt. Often,

women who migrate from rural areas have nothing to sell employers but their labour and, as new migrants to the city, they do not have any more substantial collateral than that afforded by their own body. In order to secure the loan, the indentured sex workers may give up their personal freedoms and liberties. Somnang explained how a specific monetary need of a family can determine the type of labouring relationship a sex worker commits herself to:

When I arrived in Sihanoukville I went for a meal and asked the *motodup* [motorbike taxi driver] about the places that had sex workers [*srei roksii phlaupt*] because I said I wanted to work there. They said that this was not a good idea; I was still young and should get a job in a factory and get [a salary of] \$50 a month. But I said that this is not enough, I needed \$500 immediately, and so I came here. (Interview, Somnang, 22 November 2003)

Somnang said that she needed US\$500 to meet the cost of her mother's cancer treatment and for supporting her during recuperation. For many indentured sex workers like Somnang, most debts aggregate around illness and the inability of their families to meet associated health costs (Womyn's Agenda for Change (WAC) 2003). Somnang's entry into sex work and indenture was primarily in response to her mother's illness and, as her daughter, she felt obligated to look after and support her:

My mum is very sick and when I found out about this, I came here [to work] so I could look after her. She isn't well and she needs a lot of money to look after herself with, and so I did this for her. (Interview, Somnang, 22 November 2003)

Because Somnang needed more than US\$500, she had to look for a brothel that would allow her to enter into such a heavy indenture. Most brothels in Sihanoukville offered wages, a split of proceeds or some small-scale (average) indenture of approximately US\$100–200 maximum. With no security or guarantee, most brothel owners seemed unwilling to lend such large amounts and most of the women I met were in debt for no more than \$200, with the average amount being \$100. For this reason, I have doubts about the level of debt that Somnang reported to me.¹¹

In debt for US\$100, Bopha's gradual entry into sex work was connected to her flight from Phnom Penh in an attempt to escape from her abusive and violent husband. Bopha initially came to *Phum Phka Chhouk* because the area had cheap rooms for rent in addition to brothels. However, arriving in Sihanoukville with little savings and no friends, after a couple of days of looking for work but not finding any, she decided to work in a brothel.

Before coming to Sihanoukville, Bopha tried to leave her husband on several occasions, but she said that he would always find her and she would be forced to take him back:

[Every time I left] he just kept coming back and causing trouble. If I went and sold fruit, he'd ruin the fruit, ruin whatever I was trying to do [to earn a living]. So, I left everything behind and took National Road 4 [the highway connecting Phnom Penh and Sihanoukville]. (Interview, Bopha, 2 December 2003)

Bopha told me that her husband gambled the extra money she was able to earn, had numerous affairs and would often beat her quite severely. Bopha hoped that by travelling over 200 km she could put some distance between herself and her husband. When I met Bopha, she had just shifted to a new brothel after working in a neighbouring one for almost a year. Bopha decided to change her brothels because:

At the last brothel I worked at I owed them money, so they blocked my rights [*bet set*]. But here, it's up to us when we want to go out, they don't have to block our rights here like the other brothel . . . I owed them money [*chumpeak loi ke*] and they blocked my rights, my freedom, they wouldn't let me go out. Even if we didn't owe them money, it didn't matter; they still wouldn't let us go out. But at this brothel, even if I owe them money or not, I can go out . . . It's different at each brothel, but only at the brothel where I worked before was it like that, but I wanted to work in other ways, so I borrowed some money from this brothel owner to pay them back and left. (Interview, Bopha, 2 December 2003)

Bopha's story demonstrates women's mobility while under indenture: despite not being free to come and go at her former brothel, she was still able to remove herself from conditions not to her liking. By shifting her indenture to another brothel, Bopha was able to find conditions that suited her better. Brothel owners who prefer to set terms often retain a woman's identity card, without which she cannot move from province to province or have any means of establishing who she is or where she is from (Matthew Sammels, WAC, pers. comm., 2 January 2005).

Thy's rather tortuous route into sex work was intimately connected to an abusive childhood, culminating in her running away from home when she was 16 years of age:

I ran away from home in 1998 . . . My parents always beat me, it was unbearable. I couldn't take it any more, so I left and went to Phnom Penh to beg. I sold sex on the streets of Phnom Penh and some customers abused me, grabbed me and raped [*rumlop*] me on the roadside and then they'd take all my money. Being on the streets is like that; you take all the blame and all the scorn. I left home because they blamed me . . . My younger brother raped me . . . When I was young, I went for a walk in the countryside. He followed me outside, came up to me and covered my mouth with his hands to silence me. (Interview, Thy, 6 November 2003)

Thy's story raises the disturbing issue of violence and sexual violence in sex work, as well as these acts being committed against women and girls by male kin. In Cambodian perceptions of rape, women are seen to be at fault: the woman is the one who put herself in a vulnerable position and therefore she is to blame (Ledgerwood 1990). Thy was blamed and scorned for the brutal violence perpetrated by her brother and reeling from this she left her family. Arriving in Phnom Penh with no money, Thy began to beg. As a young woman attempting to survive on the streets of Phnom Penh, she faced a severe lack of options to support herself and, like most young women in her situation, was pushed into sex work. Thy eventually found work in a brothel and,

after two years of eking out a living in Phnom Penh, she decided to move to Sihanoukville, where she'd been living for almost two years when I met her.

In debt to her *thav kae* for US\$100 in order to get some tools of the trade such as make-up and clothes, Thy's conditions exemplify common perceptions of indentured relationships. As a result of the terms and conditions of her debt obligations set out by the brothel owner, Thy did not keep her earnings—they were appropriated by her boss, who also did not allow her to leave the brothel unaccompanied:

You stand out the front of a brothel and all you'll see is that the boss is good, but behind closed doors . . . If you owe them a lot of money, they usually don't let you go out. They are frightened that we'll run away from them. A lot of women have run away and owed, say, \$100. They go and they disappear. So, they have learnt a lesson from this here and they don't let us go out when we owe them money. The boss is mean, evil [*thav kae jit aakrak*] . . . When I go out, I go out with the boss; I'm not allowed to go out by myself because I owe her money. (Interview, Thy, 6 November 2003)

For Thy and women in similar situations, her docility at work was daily produced and reproduced through close surveillance and control by supervisors (cf. Ong 1988). As an indentured labourer, Thy's control was radically diminished, she was confined to the brothel and gave up her autonomy, control and choice over her work and her life, but only until she finished repaying her debt, after which she was free to leave. Similar to Thy, as a debt-bonded labourer, Somnang was not free to leave her brothel and all her earnings were kept by her *thav kae*. However, Thy and Somnang's situation was a serious indication of their lack of independence and control because, under their agreements, they were obligated to work for the brothel owner to whom they were indebted. However, both Thy and Somnang were aware that this was only until they had repaid their debt, after which their conditions would change. Thy estimated this to be no more than two or three months, whereas it was a little longer for Somnang (for most indentured sex workers it takes between two and six months on average to repay their debt; see RGC 1997).

There were differences in women's experiences while under indenture. Although some workers like Thy and Somnang worked in difficult circumstances and gave up their autonomy, others like Bopha worked under less constrained conditions. Unlike Thy and Somnang, Bopha received some of her wages: 'when I've earned a lot of money, I split this in half between myself and my boss. I split mine in half again so I can pay my boss back and I'll do this until the debt is gone' (Interview, Bopha, 2 December 2003). Bopha's debt was regulated by both herself and her *thav kae*—at the end of each month they went over their records (*kit banhciei*) in order to adjust Bopha's debt and work out her wages. This method of regulation was commonplace (Interview, Bopha, 2 December 2003).

In these ways, women's wages and conditions were heavily determined by the *thav kae*. Some brothel owners took all a woman's earnings and severely curtailed her freedom of movement and right of discrimination until the debt was repaid. Others

seemed to prefer dividing a woman's earnings between wages and debt repayments and allowed some freedom of movement and control over the work process.

Working conditions depend heavily on brothel owners, and even more so for indentured women, who are almost entirely in the brothel owner's power. Some women working in Sihanoukville's brothels suffered terribly from bad treatment and/or violence perpetrated by brothel owners. This included threats of physical violence, cuts to earnings, being charged fines, withholding wages and food and not being allowed to leave the brothel at their will (see also RGC 1997). However, some of the women I met were able to leave these abusive situations: Bopha was not alone in eventually being able to free herself from a situation not to her liking (Interviews with Molika, Moni and Bopha, August–December 2003; see Sandy 2006).

Conclusion

For some Khmer sex workers, debt bondage or indenture contracts have a temporary and qualified nature, after which some women move on to become autonomous workers. In Sihanoukville's brothels, the practice buys a person's labour for a certain period and is a strategy through which women can meet certain needs. Rather than being an intergenerational phenomenon as 'debt slavery' suggests, the agreements entered into by some women were individualised and temporary forms of bondage. Although a period of indenture meant the curtailment of the freedoms of some sex workers and heightened control by managers, this was generally understood to be part of the terms and conditions. In her work with debt-bonded Vietnamese sex workers in Svay Pak, Phnom Penh, Joanna Busza (2004) similarly demonstrated how the system of debt bondage further tightened the control of brothel managers and led to the restriction of personal freedoms and less ability to negotiate better working conditions. However, such conditions were accepted by sex workers as standard practice and once women repaid their initial debt, some opted to receive another sum of money and enter into a new cycle of debt (Busza 2004, p. 243).

These findings raise questions around how we think of and respond to the issue of indenture: should we so readily label indentured sex workers as 'forced', 'trafficked' or 'sex slaves' as the trafficking discourse and international law suggests? In most studies on sex work/sex trafficking, Somnang, Thy and Bopha would be labelled as 'trafficked' simply because of their status as indentured labourers. Yet, these women seem to have voluntarily entered into such labouring relationships and may not regard themselves as 'trafficked'. Their entry into sex work was not marked by abduction, force or deception. Somnang entered sex work due to familial responsibilities, Thy to look after herself and Bopha after moving to Sihanoukville and being unable to find other work. Hence, their stories do not involve explicit coercion or force and share a similar theme: their involvement in sex work was primarily for economic reasons and they entered into debt for a short period of time in order to meet a specific monetary need. By automatically labelling these women as 'victims of trafficking' we run the risk of obscuring the complex, cyclical and dynamic

relationship between choice and coercion in women's lives (Law 1997). And, by assigning them with the label of 'trafficked', we also devalue women's own experiences and perceptions of their situation.

As Heather Montgomery (1998) suggests, women's involvement in the sex industry may be a response to perceived needs and constraints, engaged in by choice or perceived necessity. Some women seem to be 'forced' into sex work through economic necessity, whereas others make choices (albeit constrained) wherein sex work may be seen as the best option for them (Busza 2004; Sandy 2007). It is important that we recognise these motivations for sex work, for this affects how we theorise about and develop policies and interventions designed to respond to the issue. If these are the kinds of 'coercion' faced by some women, then in some instances 'raiding' brothels and 'rescuing' them from sex work may not be the most appropriate response.

Given the women's stories, it may be more appropriate to consider indenture as a form of labour exploitation rather than sex trafficking or 'sexual slavery'. This conceptual shift would place the issue within the framework of contractual, wage relations rather than 'sexual exploitation' and this change may be important in designing more suitable interventions. Through this conceptual shift, the arrangements may be considered as equating to 'unfree labour': if we unpack the multiple forms of exploitation involved in debt bondage, attention could be paid to issues such as the heightened control by managers, restriction of personal freedoms and lowered ability to negotiate working conditions, as well as consideration of how the value of women's work over the indentured time compares with the sums borrowed. Current 'anti-trafficking' interventions, based on the ideology of 'rescue' and 'rehabilitation', do little to address and transform abusive and exploitative practices in the sex industry that violate sex workers' rights, whereas a labour exploitation framework would be able to more adequately respond to these issues and concerns.

Finally, for some sex workers in Sihanoukville, and elsewhere in the country, their status as bonded or free changes over time and once they are free to leave after repaying their debt, some women choose to stay in sex work. Although the practice does seem to be on the decline, the rather artificial dichotomy of 'voluntary' and 'forced' sex work needs to be reconsidered, especially in light of the shifting status. There is an urgent need to develop frameworks that are able to speak to women's experiences as these are lived, in all of their contradictions and complexities. As Kempadoo (2005) suggests, there is a need for research to redefine trafficking based on local realities and to pay attention to the social, economic and cultural factors underpinning migration and, hence, sex trafficking. Further, this research needs to consider women's diverse experiences and move away from the almost exclusive focus on more obvious coercion. This is important in not only improving our understanding of sex work and sex trafficking, but also in developing a definition and framework that can account for the complexity of migrant women's experiences. Such a framework would allow the development of more informed policy and legislation

on sex trafficking able to address and challenge the structures that violate sex workers' human rights.

Notes

- [1] Note that the language being used to describe debt bondage forecloses on the possibility of consent.
- [2] Steinfatt's study attempted to measure the number of trafficked women and children in the country. Unlike other studies in the region with questionable estimates, his remains as one of the few that applied a rigorous methodology that can be replicated and was reported on extensively.
- [3] Although just over 20 per cent of the 5317 directly observed sex workers in his study were considered trafficked, as Steinfatt (2003) suggests, it is problematic to uncritically apply this observed proportion to his estimated 18,256 sex workers throughout Cambodia. Applying the 20 per cent estimate would misjudge the proportion of indentured workers in rural areas, leading to an overestimate of 3688 trafficked women and children (for more on this, see Steinfatt 2003).
- [4] I intend to examine the impact of the 100% CUP in a forthcoming publication.
- [5] *Phum Phka Chhouk* (Lotus Flower Village) is not the real name of the area. Pseudonyms are used for all sex workers.
- [6] See Sandy (2006) for an example of the research disclosure and consent tool used as a part of this project, in Khmer with English translation. In the later interviews stage, there were several rather savage attacks on foreigners in the area. As a safety measure introduced after the first attack, I only undertook interviews when my field assistants could accompany me.
- [7] The estimates provided are drawn from my own observations and statistical data on the registration of sex workers and establishments kept as part of the 100% CUP.
- [8] Vietnamese sex workers were not included in the present study because their life stories introduce different issues and practices beyond the scope of this project. It would have necessitated learning another language and examination of a very different cultural context. However, for more on this see Busza (2004), Busza and Schunter (2001), Entwistle (2001) and Derks (1998).
- [9] Sihanoukville is a Franco-Khmer term meaning Sihanouk City. In Khmer, the official place name is Krong Preah Sihanouk (Municipality of King Sihanouk). However, in colloquial Khmer the city is often referred to by the old place name of Kampong Som (Kampong Saom, water village or port).
- [10] Sex workers used *thav kae* to refer to their bosses or brothel owners. This Chinese loan word means snakehead in Cantonese and was originally used to refer to people in control of Chinese migration chains.
- [11] It was common practice for sex workers to inflate their level of debt. This is because expatriate men would 'buy' local women who they were romantically involved with out of brothels. Sex workers and brothel owners would collude in this practice and split the additional money received between them. This could be anywhere between US\$200 and US\$3000. Somnang's brothel was one of the few in *Phum Phka Chhouk* that was regularly patronised by foreign men.

References

- Agustín, L. (2004) 'Alternate ethics, or telling lies to researchers', *Research for Sex Work*, vol. 7, pp. 6–7.
- Anti-Slavery International. (1998) *Debt Bondage*, Anti-Slavery International, London.

- Busza, J. (2004) 'Sex work and migration: The dangers of oversimplification—A case study of Vietnamese women in Cambodia', *Health and Human Rights*, vol. 7, no. 2, pp. 231–49.
- Busza, J. & Schunter, B. T. (2001) 'From competition to community: Participatory learning and action among young, debt-bonded Vietnamese sex workers in Cambodia', *Reproductive Health Matters*, vol. 9, no. 17, pp. 72–81.
- Cambodian Women's Development Association. (1994) 'Cambodia country report', *International Workshop on the Traffic and Migration in Women*, Phnom Penh, Cambodia.
- Department of State. (2001) *Trafficking in Persons Report*, US State Department, Washington, DC.
- Derks, A. (1998) *Trafficking of Vietnamese Women and Children to Cambodia*, Centre for Advanced Study & International Organisation for Migration, Phnom Penh.
- Discovering the Cambodian Riviera from Sihanoukville to Kep-on-Sea. (1967, February 15). *Kambuja*, No. 28.
- Entwistle, P. (2001) *Sexwork, the Family and Society: Structural Factors Inhibiting HIV Interventions for Sex Workers in Urban Cambodia*, PhD Thesis, Australian Research Centre in Sex, Health and Society, Faculty of Health Sciences, La Trobe University.
- Gallagher, A. (2003) *Submission 23 to the Parliamentary Joint Committee on the Australian Crime Commission Inquiry into Trafficking in Women for Sexual Servitude*. Available at: http://www.aph.gov.au/Senate/committee/acc_ctte/completed_inquiries/2002-04/sexual_servitude/submissions/sub23.pdf, accessed 19 July 2008.
- Gottesman, E. (2003) *Cambodia after the Khmer Rouge: Inside the Politics of Nation Building*, Yale University Press, New Haven.
- Government Accountability Office. (2006) *Human Trafficking: Better Data, Strategy and Reporting Needed to Enhance US Anti-Trafficking Efforts Abroad*, Government Accountability Office, Washington DC.
- Kempadoo, K. (2005) 'From moral panic to global justice: Changing perspectives on trafficking', in *Trafficking and Prostitution Reconsidered: New Perspectives on Migration, Sex Work and Human Rights*, ed. K. Kempadoo, Paradigm Publishers, Boulder, pp. vii–xxiv.
- Law, L. (1997) 'A matter of "choice": Discourses on prostitution in the Philippines', in *Sites of Desire, Economies of Pleasure: Sexualities in Asia and the Pacific*, eds L. Manderson & M. Jolly, University of Chicago Press, Chicago, pp. 233–61.
- Ledgerwood, J. (1990) *Changing Khmer Conceptions of Gender: Women, Stories and the Social Order*, PhD Thesis, Cornell University.
- Montgomery, H. (1998) 'Children, prostitution and identity: A case study from a tourist resort in Thailand', in *Global Sex Workers: Rights, Resistance, and Redefinition*, eds K. Kempadoo & J. Doezema, Routledge, New York, pp. 139–50.
- Ong, A. (1988) 'The production of possession: Spirits and the multinational corporation in Malaysia', *American Ethnologist*, vol. 15, no. 1, pp. 28–42.
- Perrin, B., Majumdar, S., Gafuik, N. & Andrews, S. (2001) *The Future of Southeast Asia: Challenges of Child Sex Slavery and Trafficking in Cambodia*, The Future Group, Phnom Penh.
- Royal Government of Cambodia. (1997) *Report on the Problem of Sexual Exploitation and Trafficking in Cambodia*, National Assembly, Commission on Human Rights and Reception of Complaints, Phnom Penh.
- Sandy, L. (2006) 'My blood, sweat and tears': *Female Sex Workers in Cambodia—Victims, Vectors or Agents?*, PhD Thesis, Gender Relations Centre, Research School of Pacific and Asian Studies, Australian National University.
- Sandy, L. (2007) 'Just choices: Representations of choice and coercion in sex work in Cambodia', *The Australian Journal of Anthropology*, vol. 8, no. 2, pp. 194–206.
- Sihanouk, N. (2003) 'Le problème de la prostitution au Cambodge', *Etudes Cambodgiennes*, 4 June. Available at: <http://www.norodomsihanouk.info/messages/ec%200406.htm>, accessed 2 March 2006.

- Steinfatt, T. (2003) *Measuring the Number of Trafficked Women and Children in Cambodia: A Direct Observation Field Study. Part III*, Royal University of Phnom Penh, Phnom Penh.
- United Nations. (1956) *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*. Available at: <http://www2.ohchr.org/English/law/slavetrade.htm>, accessed 6 June 2009.
- United Nations. (1991) *Contemporary Forms of Slavery, Fact Sheet No. 14*. Available at: <http://www.unhcr.ch/html/menu612/fs14.htm>, accessed 6 June 2009.
- United Nations Children's Fund. (1995) 'The trafficking and prostitution of children in Cambodia: A situation report', *Regional workshop on Trafficking of Children for Sexual Purposes, 12–15 December 1995*, Phnom Penh.
- United Nations Development Program. (2000) *Cambodia Human Development Report 2000*, Ministry of Planning, Cambodia.
- United Nations General Assembly. (2000) *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000. Available at: <http://www.unhcr.org/refworld/docid/4720706c0.html>, accessed 19 July 2008.
- Vickery, M. (1999) *Cambodia 1975–1982*, Silkworm Books, Chiang Mai.
- Williams, M. (1969) *The Land in Between: The Cambodian Dilemma*, Collins, Sydney.
- Womyn's Agenda for Change. (2003) *Women's Voices of Frustration, Anger and Despair: Cambodian Rural Women, Beggars, Garment Workers and Sex Workers*, WAC, Phnom Penh.