

Institutionalized Exploitation of Women as Negative Impact of Globalization

By Shafqat Munir¹

Abstract

Despite tall claims of enlightenment in modern societies, women, still in one or the other way, are considered to be an institutionalized commodity. Though in the developed societies, women enjoy maximum civil liberties yet they face exploitation at the hands of their men, be they husbands or those male members with whom they live together. In under developed or conservative societies, women are considered prone to all sorts of violence, ranging from physical or mental to sexual abuse. In almost all the societies, women are considered to be a commodity for the pleasure of their men. The centuries old sex industry exists in all the societies in one or the other shape. Though legally banned, flesh trade continues unabated in all the societies and cultures. This form of trade is women specific and is done in an institutionalized manner. According to demand and supply ratio, women are trapped to sex industry. The very entry of women into this trade itself speaks of exploitation and that too in an institutionalized manner.

Migration, trafficking and customary practices (marriage, etc.) are the institutionalized channels of exploitation of women since centuries. Globalization has accelerated the pace and chances of institutionalized exploitation of women due to free movements of and electronic transactions by transnational crime syndicates.

Migration

Related with the flesh trade and labour force, trafficking and migration of women are the two important factors that seem to be negatively affecting the status of women causing institutionalized exploitation. A recent study on migration of women speaks of institutionalized exploitation of women in the name of migration. It says: “There is clear evidence of abuse and exploitation in all parts of the global migration system, not surprisingly these tend to be found where women are most vulnerable and are in illegal and low paying jobs. Women are often overworked and live in unhealthy environments with low rates of pay and few benefits.”²

Despite such abuse, very large numbers of women mostly from the Philippines, Thailand and other Asian countries opt to migrate to join labour markets in the Middle East, Europe and other developed regions as they feel that they could improve their livelihoods options and living condition and could better support their families back home. The study also finds that while migration could indeed thrust women into exploitation overseas, it could also remove them from servile and abusive conditions at home.

If we look at this situation, we find that both at home and overseas these women are being exploited. Their exploitation both at home and abroad is of different nature but

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² The Migration of Women in the Context of Globalization in the Asian and Pacific Region

institutionalized. They are supposed to be abused physically, mentally and sometime sexually while they are at home in a small and closed circle and after being migrated, they are vulnerable in another sense where they are open to a range of different people including their foreign masters, their colleagues and customers. After being migrated to labour market or trafficked to flesh trade or home based work, women look like the exploited prisoners who are shifted from a mini prison to a large prison. On the fear of being exploited, we could not limit the migration option. It should be an open option for the people, especially the women but certain security mechanism should be provided to them so that they could protect them against any exploitation.

Globalization is being defined differently and has been one of the most used and abused terminologies of the 1990s. It speaks of transition towards a global community with common norms and an institutional framework that facilitates international cooperation. Globalization is a free flow of capital, technology, information and people. But free flow of the people is neither as fast nor easy as goods and capital do. Barriers are being erected to the free movement of labour at a time when the world labour market is expanding and creating more demand for labour.

In this background, we should not limit or discourage migration as migration could increase the range of options open for women and could prove to be a powerful force for their empowerment. What we really need is to provide women a protective mechanism that could save them from negative impacts of globalization and provide them space to benefit from it.

Though migration of women, both legal and illegal, is rampant across Asia and Pacific and women from the poor Asian countries migrate to Australia and the developed countries of Asia on the count of labour market and marriage or accompanying their families, such a large number of migration of women is not reported from countries such as Pakistan and other South Asian countries. Mostly the women from South Asian countries are trafficked and we could find only a few migrant women workers in the labour market in the developed countries, particularly in the Middle East.

Migration is a legal right of the people on various counts, though it is not all negative but the way it is being dealt with turns this otherwise humanly activity as a punitive trend. Thus, it causes institutionalized exploitation of women migrant workers as a negative impact of globalization against the real spirit of globalization that allows free movement of the people across regions.

There are sad stories attached to migrations as well. On June 14, 2001, New York based Human Rights Watch released a report on the plight of Migrant Domestic Workers who Face Abuse in the U.S. The special visas granted to foreigners who work as household domestics in the U.S. leave them vulnerable to serious abuse, Human Rights Watch charged in the report. Thousands of these migrant workers, typically women, enter the United States every year to work for diplomats, officials of international organizations, foreign business people and the U.S. citizens temporarily. In the 56-page report, Human Rights Watch documents the cases of dozens of workers, but believes that many more are exposed to some form of abuse.

“Often these employers come from a powerful, elite class, and they are abusing the rights of some of the most powerless,” said Carol Pier, researcher for the U.S. Program of Human Rights Watch and author of the report. “This is a serious human rights abuse in the United States, but it has remained largely hidden from public view. This has to stop.”

The most effective recourse for workers in abusive employment relationships is to change jobs. But under U.S. law, these workers' visas are tied to their employers and in most cases they cannot legally change employers. If they leave, they lose immigration status and can be deported. In about ten percent of the cases that Human Rights Watch reviewed, workers were the victims of trafficking. Employers lured the workers to the United States with false promises about their employment conditions and then held them in servitude. These women worked long hours, up to 19 per day, and were often paid less than \$100 per month. They were rarely allowed outside and were prohibited from speaking to strangers. Some were physically or sexually abused.

In the cases Human Rights Watch reviewed, the average hourly wage was \$2.14, from which deductions for room and board might, according to U.S. law, still be made. The average workday was fourteen hours. Most of the workers were not allowed to leave their employers' homes without permission, and most were only allowed to leave on their one day off per week—Sunday.

The report³ sharply criticizes the structure of the special visa programs that allow these workers to enter the U.S. No government department or agency monitors the migrant domestic worker visa programs. No laws establish specific employment conditions that must be provided to these workers. Unless these workers publicly complain about employer's abuse, the U.S. government ignores them. Human Rights Watch called on the U.S. government to establish an effective monitoring mechanism for the visa programs, under the Department of Labor, and urged Congress to amend immigration law to include mandatory employment conditions for these workers and to allow them to transfer employers when their rights are violated. All workers seeking justice against their employers should be allowed to stay in the U.S. to do so and to work during that time. Similar situations prevails in most of the Middle East and Gulf countries where migrant workers are not allowed to change employers, 'kafils' in case their rights are violated. Hence, this sort of exploitation of workers is institutionalized.

Trafficking

With this realization that trafficking in persons has been fast emerging as the third largest illegal trade after guns and drugs, the world seems perturbed over this growing menace. Several studies on trafficking in women and children in South Asia have been conducted. The U.S. Department of State has, for the first time, come up with a global report on trafficking. The first Trafficking In Persons (TIP) Report 2001 is based on a worldwide survey on the state of trafficking.

According to the TIP Report, as many as 700,000 persons are sold into labour each year against their will. They are forced to toil in sweatshops (mostly in the United States), construction sites, brothels and fields. There is a global concern that human trafficking with an annual turnover of US\$7-13 billion at the cost of human souls is fast emerging as the third largest trade around the world after drugs and weapons. Though there is no consensus on definition of human trafficking, coercion is considered to be the key element behind trafficking in human beings.

³ Hidden in the Home: Abuse of Domestic Workers with Special Visas in the United States,

Causes of Rise in Trafficking of Women

The reasons for the increase in trafficking are many. The globalization of the world economy has relatively increased the movement of people across borders, legally and illegally, especially from poorer to wealthier countries. International organized crime syndicates have been taking advantage of the movement of the people and undertaking electronic transaction of money for such trade.

The subordination of women continues in many societies, as reflected in economic, educational, and work opportunity disparities between men and women. Many societies still favour sons and view girls as an economic burden. Desperate families in some of the most impoverished countries sell their daughters to brothels or traffickers for the immediate payoff and to avoid having to pay the dowry to marry off daughters.

Lack of opportunity and eagerness for a better life abroad made many women and girls vulnerable to entrapment by traffickers. With the weakening of law enforcement in post-Communist societies, criminal organizations have grown and established themselves in the lucrative business of international trafficking.

The growing demand, worldwide, for trafficked women and children for sex tourism, cheap sweatshop labour, and domestic work is also one of the reasons for rise in the trafficking. Traffickers are encouraged by large tax-free profits and continuing income from the same victims at very low risk.

Ineffective and inadequate laws and law enforcement mechanisms are also a reason for growth of trafficking as an institutionalized activity based on exploitation of women. Prostitution is legal or tolerated in many countries, and widespread in most of the countries.

Trafficking of women: Pakistan

Trafficking of women, to which prostitution is directly related, is considered a social crime and is not tolerated by South Asian society. Major routes are known to exist between Pakistan, Nepal, Bangladesh, Sri Lanka and different parts of India, from where women are transported to Bombay. Trafficking also takes place to the Gulf States from Sri Lanka, Pakistan and the Maldives, and Nepalese girls might also find their way to Hong Kong, Thailand, the United States of America, Australia and Europe. There have been one million Bangladeshi and more than 200,000 Burmese women trafficked to Karachi, Pakistan.⁴ Majority of these women have been trafficked for the slave trade and prostitution. Some of these women were sold for marriage purposes.

In Pakistan, where most of the trafficked Bengali women are sold, there are over 200,000 undocumented Bangladeshi women in Pakistan, including some 2,000 in jails and shelters. Bangladeshis comprise 80 percent, and Burmese 14 percent, of Karachi's undocumented immigrants.⁵ A Bengali or Burmese woman could be sold in Pakistan for US\$1,500 - 2,500 - depending on age, looks, docility and virginity. For each child or woman sold, the police claim a 15 to 20 percent commission."

⁴ Indrani Sinha, SANLAAP India, "Paper on Globalization & Human Rights"

⁵ Zia Ahmed Awan, affiliate with Lawyers for Human Rights and Legal Aid, Sindh police report in 1993, "Rights-South Asia: Slavery Still A Thriving Trade," IPS, 29 December 1997

Women kidnapped at the Pakistan-Afghanistan border are being sold in the marketplace for Rs 600 per kilogram as of 1991.⁶ Auctions of girls are arranged for three kinds of buyers: rich visiting Arabs (sheiks, businessmen, visitors, state-financed medical and university students), the rich local gentry, and rural farmers. As many as 160,000 Nepalese women are in Indian brothels.⁷ Orphaned girls are sold as 'wives' to men who may resell them.⁸

Institutionalized techniques of trafficking

Traffickers acquire their victims in a number of ways. Sometimes women are kidnapped outright in one country and taken forcibly to another. In other cases, victims are lured with job offers. Traffickers entice victims to migrate voluntarily with false promises of good paying jobs in foreign countries as models, dancers and domestic workers. Traffickers advertise these phony jobs, as well as marriage opportunities abroad in local newspapers.

Bangladeshi and Burmese women are being kidnapped, married off to agents by unsuspecting parents, trafficked under false pretenses, or enticed by prospects of a better life, into sex industry in Pakistan. Border police and other law enforcement agencies are well aware of the trafficking through entry points into Pakistan like Lahore, Kasur, Bahawalpur, Chhor and Badin.⁹ Nepalese and Bangladeshi woman and girls are trafficked under false pretenses, such as jobs, and then they are forced into prostitution in brothels in Pakistan. A rise in trafficking of girls, aged 8-15, in Pakistan has occurred during this last decade.¹⁰

The human traffickers target mostly young women and children because they are vulnerable and most wanted for sex industry, forced or false marriage and adoptions. The global crime syndicates "catch their prey" from Russia and the other former Soviet republics, large parts of Asia and Central and South America. Victims who in a bid to escape poverty in their home countries are lured fraudulently for a job in another comparatively prosper country. The victims are not directly recruited for flesh trade but are offered jobs like child-care, housekeeping or restaurant work. When they arrive in strange lands, they are forced into prostitution in deplorable conditions to pay off a phony smuggling debt of thousands of dollars.

The traffickers snatch the victims' travel documents to deprive them of their identity or force them to remain in their dens and brothels. However, the trafficked women and girls are recycled and turned over from one brothel to another. Many of them return home only after contracting diseases such as HIV/AIDS. This is a heinous crime against humanity and an institutionalized exploitation of women that is growing with the trends of globalization.

⁶ CATW - Asia Pacific, Trafficking in Women and Prostitution in the Asia Pacific

⁷ LHRLA, Indrani Sinha, SANLAAP India, "Paper on Globalization & Human Rights"

⁸ CATW - Asia Pacific, Trafficking in Women and Prostitution in the Asia Pacific

⁹ (Sindh police report in 1993, "Rights-South Asia: Slavery Still A Thriving Trade," IPS, 29 December 1997)

¹⁰ (CATW - Asia Pacific, Trafficking in Women and Prostitution in the Asia Pacific)

Temporary marriage

Arabs stationed for a short time in Pakistan take "temporary wives," abandoning the women and any children afterwards.¹¹ A farcical "nikah" (registered marriage) takes place and the buyer actually marries the purchased woman, thus legalizing her enslavement. The husband then either sells her to someone else and makes a tidy profit for himself or keeps her in a brothel so that she may become a permanent source of income. Alternatively, he may make her a labourer in the fields and the house. Trafficking of women to the Middle East from Pakistan is reportedly continuing in the garb of the so-called "temporary marriages" as the traffickers got a three-month 'wife visa'. During these three months, these trafficked women have to work day and night as sex workers and they have to artificially forego their menstrual cycle by taking drugs that damage them physically and emotionally. They have no option but to fight with the nature to pay off debts they owed for their families.

Exploitation of trafficked women in an institutionalized manner

The police and the legal system further victimize trafficked women, which treat them as criminals. The women are booked under Pakistan's controversial 'Hudood Ordinances.' The Zina Ordinance, which comes under the Islamic Hudood Ordinance, makes adultery or sex outside marriage a crime against the state. Women and girls in prostitution are often charged with Zina ordinance. Sometimes, they are booked under the Passport Act. Either way, they have to spend long time in prison. For illegal immigration, the sentence is four years, but many women end up serving three or four years extra, either waiting for trial or to clear immigration formalities.¹²

Occasionally, token police raids are made in which only the women and children are arrested and the real criminals of the trade, the pimps, go free. The arrested women and children are the ones usually harassed and victimized by the police. When authorities do crack down, it is against prostitutes and not the customers.

Once imprisoned, most women are either charged under the Foreigners Act prohibiting illegal entry and/or incorrectly charged under the Zina section of the Hudood Ordinance, which specifically prohibits extra-marital sexual intercourse. While the lawyers do not have access to the victims in jails, the pimps, with the aid of jail authorities, manage to see them regularly, harassing and directing threats at them. Confined in deplorable jail conditions where they are frequently abused and with no access to any other source of help, the women submit to the pimps' offers to get them released. Under duress and in sheer desperation, the women agree to the conditions of the pimps. Once released, they are forced to comply with the conditions, since it appears to be their only hope in the face of involvement of the law enforcement authorities on the one hand and the pimps' threats to revoke the bail on the other. They are trapped. Furthermore, shame, fear and poverty force them to remain entrapped in the web of this trade, preventing them from returning to their country.

¹¹ CATW - Asia Pacific "Trafficking in Women and Prostitution in the Asia Pacific" (22)

¹² Nausheen Ahmed, "Rights-South Asia: Slavery Still A Thriving Trade," IPS, 29 December 1997

The priority placed on stemming illegal immigration in many countries, including the United States, has resulted in the treatment of trafficking cases as a problem of illegal immigration, thus treating victims as criminals. When police raid brothels, women are often detained and punished, subjected to human rights abuses in jail, and swiftly deported. Few steps have been taken to provide support, health care, and access to justice. Few victims dare testify against the traffickers or those who hold them, fearing retribution for themselves and their families since most governments do not offer stays of deportation or adequate protection for witnesses.

The governments of Pakistan over the last three decades have established, three commissions of inquiry into the sexual exploitation of women. However, the successive governments did not implement in total the recommendations by these commissions and hence the trafficking has been the highly institutionalized exploitation of women in the country.

Recommendations

There are two sets of recommendations. They are trafficking specific and migration and general on the well-being and empowerment of women so that they could protect them against any sort of institutionalized exploitation. Since their exploitation is institutionalized, the remedy for their protection from exploitation also lies in the institutionalized protective mechanism as described in the following sets of recommendations.

Trafficking specific

There is a dire need that the governments of sending, receiving and transit countries in conjunction with national, regional and international NGOs must wage a sincere and responsible campaign against agents involved in trafficking in connivance with certain border security guards and other law enforcement authorities.

These governments must train and position law enforcement authorities to be ready to prosecute the trafficking agents under criminal and civil laws.

Trafficked women and children must be recognized as victims of trafficking and not as criminals. The victims of trafficking must be considered witnesses to the crime of trafficking.¹³

The rights of woman and child victims must be protected and the criminal agents must be prosecuted under existing domestic and international laws prohibiting trafficking. If and when victims testify against the agents, they must be afforded protection and their right to privacy must be upheld.

The repatriation costs of victims of trafficking that wish to return to their country of nationality must be shared by the sending and receiving countries. The Government of Pakistan must provide temporary, if not permanent, amnesty to those victims unwilling to be repatriated, with the option of permanently legalizing their status in Pakistan.

Trafficked women must be protected as migrant workers under relevant ILO conventions. Governments and NGOs of sending, receiving and transit countries must institute an

¹³ LHRLA: Shafqat Munir, article on trafficking published in The News (Political Economy section)

education campaign to minimize the social stigmatization of victims of trafficking. NGOs of these countries must be prepared and well positioned to provide training, job placement and financial assistance to rehabilitate survivors of trafficking to prevent further exploitation and to facilitate their self-determination.¹⁴

General well being and empowerment of women

There is a need to affirm the principles of national sovereignty, strong democracy, social justice, sustainable development, and gender equality. Political governance must be guided and propelled by a critical and dynamic citizenship. Collective voices and views of the women should be transformed into a growing force that takes into account the intersecting gender and class issues at the macro and micro levels.

The process of globalization has pushed and legitimized reckless conversions of agricultural productive lands into industrial zones and business subdivisions. This has gravely threatened our food security and livelihood, which for women is the means by which they sustain their families and communities. Stop immediately the conversion of prime agricultural lands into commercial industrial sites. Support food production by putting in place the mechanism of price subsidy for basic food crops, such as wheat, corn, rice, etc. Provide credit facility with low interest rates to farmers, especially women who are engaged in domestic food production.

The right to work must be assured. The pursuit of neo-liberalization policies has resulted in the loss of jobs, casualization and contractualization, and the fall in workers' wages. Gender bias and unequal opportunities serve to make women more vulnerable in this context. Work conditions continue to ignore women's specific needs, thus, undermining their right to work. There is a need to formulate clear guidelines on contractualization to prevent abuses and unfair practices against labour, particularly the women workforce. The social wage or non-wage benefits of workers such as social security, hospitalization and pension plans need to be taken care of.

Ensure that the minimum labour standards and working conditions required by law are likewise implemented in special industrial zones where the overwhelming majority of the workers are women. Implement laws and codes to end Sexual Harassment at workplace to formulate and create mechanisms for monitoring sexual harassment in the workplace. As well, provide stricter sanctions for the non-compliance to the provisions of the law. Basic needs are basic rights. People have the right to shelter, education and health.

However, the ideology of the market forces has eroded these rights. Government responsibility to provide for these services has given way to privatization and deregulation to the detriment of the welfare of women, children and men. There is a need to launch such a pro-poor programme that must consider adequate and inexpensive housing, accessible employment for both women and men, infrastructures such as schools, health centers and roads, and public utilities like electricity and water.

The government policy of exporting labor is recognized as the one single factor that has kept the economy afloat. This dependency of the economy on the demands of the global market cannot be sustained, however. There is a need to turn around this policy that has burdened the entire nation with a huge social cost and institutionalized exploitation and

¹⁴ LHRLA research study on Trafficking in Women and Children in Pakistan

abuse. What we need are real jobs at home. Ensure the quick and sensitive response to the needs of women workers in distress whether on site or upon return. Ensure the dissemination of community-based information on the many issues surrounding work and migration.

Review and strengthen the existing programs and services for returning migrant workers and give special attention to "unsuccessful returnees" and those suffering from psychosocial trauma. Implement a policy that will affirm government responsibility over the plight of migrant workers by strictly regulating overseas employment and giving more attention to monitoring of recruitment agencies.

For women and men to live full satisfying and self-determined lives is the vision and goal and society. However, gender inequality and the sexual division of labour, in particular, have imprisoned both sexes into traditional masculine and feminine roles. This has constrained the exercise of reproductive and sexual rights, especially for women. This impacts on women's participation in the public sphere since central to the issue is the ability of women to make decisions related to their own fertility, sexuality and reproduction.

Reproductive and sexual self-determination, economic autonomy and political decision-making make up the triangle of women's political participation. The potential and ability of women to engage in the political arena will never be realized unless the space in each of the three areas are opened to women's decision-making. There is a need to appoint more women to top-level positions in monetary and fiscal institutions and agencies that determine the economic directions of the country. Adopt and implement a policy that will redress the marked discrepancy in the number of women and men occupying top-level positions in government. Neither gender should occupy lower than 40% or higher than 60% of these positions.

Only through these institutionalized protective mechanisms, we could address the institutionalized exploitation of women in a nicer manner.

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