

The Cost of Dreaming

**Identifying the Underlying Social and Cultural Structures which Push/Pull
Victims into Human Traffic and Commercial Sexual Exploitation in
Central America**

Tara S Warden

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Declaration

I declare that none of the work contained within this thesis has been submitted for any other degree at any other university. The contents found herein have been composed by the candidate, Tara Warden.

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Abstract

This investigation explores the international perspectives of causality of human traffic, specifically, traffic into commercial sexual exploitation. Current Western approaches to combat trafficking centre around law and order, immigration issues, and victim protection programs. While these are important for a holistic effort to deter traffic, these foci overlook prevention endeavors, thereby acting as a band-aid on a bullet wound, addressing the symptoms, but not the foundation of trafficking. Western perspectives toward prevention concentrate on economic aspects of supply and demand while crediting the root cause to be poverty. Using social exclusion theory, this thesis demonstrates that the current paradigm of viewing human trafficking in purely economic terms is an oversimplification. This project proposes to widen the focus of prevention efforts those cultural and social structures which push and pull victims into trafficking.

The research is a response to an international call for further initiatives to prevent human trafficking, the recent rise of human traffic in Guatemala, Central America and the lack of research which focuses on the social links with trafficking and mainstream society. Research conducted in Guatemala, included a thirteen-month ethnography and involved one-hundred and thirteen qualitative interviews conducted in nine Guatemalan cities strategically located along trafficking routes. The target research population included women sex workers and former traffic victims from Central America and included insights from non-governmental organizations workers. Twenty-three interviewees were Central American migrants which provided insight in the wider regional structures of traffic and commercial sexual exploitation. The interviews aimed at understanding the lived experiences of exploitation in order to determine whether social exclusion affects human

traffic within commercial sexual exploitation. The findings revealed the underlying social and cultural structures which reinforce human trafficking.

Empirical data collected provides real-time data on trafficking networks, commercial sexual exploitation and reveals the geo-political significance of Guatemala as a hot-spot for traffic. Analysis of interviews illustrates variations in the experience of human traffic and commercial sexual exploitation which challenges current western stereotypical ideas on traffic victims. Conceptually, macro-structures—political, economic, social, and violence—are presented as a back drop for the formation of wider networks of exploitation. The exploration of violence as a push factor challenges international forced repatriation policies. Micro-structures—gender roles, family, violence, and coping strategies—are examined in the ways they perpetuate social systems of trafficking and commercial sexual exploitation. Theoretically, the thesis argues against the current paradigm which narrowly focuses on economics, but calls for the incorporation of social exclusion theory to understand the multi-dimensionality of human traffic and its wider links to society in order to open up new dialogue for prevention between the West and the majority world.

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Translation

| <i>Español</i> | English |
|--|--|
| <i>Comisión para el Esclarecimiento Histórica, (CEH)</i> | Commission for Historical Clarification (Manz, 2008, p. 152). A United Nations founded organization to verify the veracity genocide claims during the conflict. |
| <i>Coyotes</i> | People smugglers (Moran-Taylor and Taylor 2010:206). |
| <i>Delincuencia</i> | Delinquency or common crime (Manz, 2008, p. 157) |
| <i>Denuncias</i> | Denouncements |
| <i>Justicia a mano propia</i> | Vigilante justice (Manz, 2008, p. 152) |
| <i>Ladino/Ladinas & mestizas</i> | Latin American/Mixed heritage, Spanish, Latin American |
| <i>La Violencia</i> | Literally means “The Violence,” but refers locally to the internal armed conflict from 1960 to 1996 (Comisión par el Esclarecimiento Histórico, 1999). The term “Violence” is used rather than “Civil War” in order to expose the lack of legitimacy of this heavy-handed military oppression. |
| <i>Machismo</i> | Macho-ism, chauvinism; popularized male superiority (Quiñones Mayo & Perla Resnick, 1996, p. 263). |
| <i>Mano dura</i> | Strong hand / Iron Fist |
| <i>Maras</i> | Gangs (Manz, 2008, p. 152) |

| | |
|------------------------|--|
| <i>Maquiladoras</i> | Foreign-owned factories in which brand-name clothing is assembled for export—were welcomed in the 1980s as part of Guatemala’s industrialization and liberalization efforts (Benson, et al., 2008, p. 41) |
| <i>Violación</i> | The Spanish word can refer to either “violation” (i.e. a general violation of rights) or “rape” (i.e., the sexual violation of women) (Hastings, 2002, p. 1170). |
| <i>Multisectorial</i> | Set of state entities including the national police, health department, government, and immigration which pursue criminals. |
| <i>Poderes ocultos</i> | Hidden powers with appellations like <i>La Cofradía</i> , <i>El Sindicato</i> , <i>El Archivo</i> , and <i>Grupo Salvavidas</i> (Brands, 2011, p. 234) and <i>La Cadena</i> , The Chain (Snodgrass-Godoy, 2002, p. 650). |
| Acronyms | |
| IMF | International Monetary Fund |
| GDP | Gross Domestic Product |
| NGO | Non Governmental Organization |
| STI | Sexually Transmitted Infection |

1 Introduction

*“I dreamed a dream in time gone by, when hope was high and life worth living,
I dreamed that love would never die, I dreamed that God would be forgiving.
Then (...) they tear your hope apart, as they turn your dream to shame (...) I
had a dream my life would be so different from this hell I'm living, so different
now from what it seemed, now life has killed the dream I dreamed...”*
(Schönberg, et al., 1980)

Human traffic and commercial sexual exploitation are human rights abuses which demand further action and research. Yet, while anti-trafficking efforts increase so too do the numbers of women and children victimized by trafficking. Moreover, few protections and aid exist for victims of commercial sexual exploitation. Persistent efforts by Non-Governmental Organizations (NGOs) and other Humanitarian bodies have raised awareness over the years, but much remains yet to be understood. What are the underlying cultural and social structures that reinforce networks of trafficking, commercial sexual exploitation and slavery? What is the link between social exclusion and human trafficking into sexual slavery and commercial sexual exploitation? Can methods to combat these problems be generalized globally? Anti-trafficking efforts and research have been primarily focused on Eastern Europe as well as South and Southeast Asia because this “is the area of the world where the recent international interest in trafficking originated” (Kempadoo, et al., 2005, p. 111). Latin America, however, has largely been left behind in action to combat trafficking (Ribando Seelke, 2010, p. 5).

This project is a reaction to the recent proliferation of human traffic and commercial sexual exploitation in Guatemala, Central America (Farr, 2005, p. 155; United States Department

of State, 2008, p. TIP Report). While existing sources on human traffic from Latin America mainly focus on the law and order aspect of human trafficking; there remains a real need to identify its social links to mainstream society. The 2000 United Nations Palermo Protocol¹ declared that all, “States Parties shall endeavor to undertake measures such as research, information and mass media campaigns and social and economic initiatives to prevent and combat trafficking in persons” (United Nations, 2000, p. Article 9). This research project seeks to contribute to that endeavour by mapping the underlying social and cultural structures within Guatemalan Society that reinforce the propagation of human traffic. Initially, this project began with the intention to research the push/pull factors of human trafficking in rural and indigenous areas. Upon arriving in Guatemala, however, I identified a gap in research into the urban areas. Soon after, an opportunity to work within the sex worker community in the capital city presented itself. Realizing from the literature that the line between consensual sex work and human traffic is crossed numerous times often by the same people (Kempadoo, et al., 2005; Kangaspunta, 2008), the target research population shifted into the sex worker communities. This decision to shift the target research population from rural indigenous communities to urban sex worker communities strengthened my research into human traffic since twenty-five percent of the sex workers interviewed were identified as victims of trafficking. This number is statistically very significant given the elusive nature of human traffic. Moreover, the change in focus from rural to urban populations expanded my overall comprehension of commercial sexual exploitation which greatly informed this research project’s

¹ 2000, the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime

understanding of sex traffic. Exploring women's experiences of commercial sexual exploitation and human trafficking revealed the avenue through which I was able to accomplish my research original goal of identifying the push/pull factors of human traffic.

By examining the lived experience of sex workers, this study adds to current understandings of commercial sexual exploitation and indeterminate demarcations of human traffic within that sphere. The overlapping ambiguity within society (Hume & Mulcock, 2004, p. XX), particularly in post-conflict Guatemala, is the focus of this ethnography conducted from June 2009 until July 2010. Working with sex workers and former traffic victims inspired the title of this dissertation and the above quote. Because sex work as an income generating activity is often chosen as a last resort after other options are considered unattainable or inconvenient (Hoffman, 2009), respondents often assert that, no-one dreams of being a sex worker, for example: "my dream is to get out of all this, to work in a better place, without this risk, get out of this and continue with the things of God"² (Madeline, 35 years, Honduran, Sex Worker, Puerto Barrios, #75, 5/6/2010).

This chapter examines the social problem of human traffic in the context of wider international definitions, the experience of trafficked victims, the blurred lines between human traffic and commercial sexual exploitation and a responsibility for action. The chapter goes on to provide an analysis of the dramatic increase in human trafficking given the rise of globalization and the current global economic system which contributes to mass poverty in the majority world. Then it presents a possible new lens with which to examine

² Mi sueño es salir de todo esto, para trabajar en un mejor lugar, sin este riesgo, salir de este y continuar con las cosas de Dios.

human traffic and commercial sexual exploitation by focusing on social structures of exclusion rather than economic structures of poverty as underpinning the vulnerability of potential victims. This project's case study of Guatemala is subsequently portrayed highlighting entrenched factors of social exclusion which strengthens networks of trafficking because "until we really understand it, until we really know what makes it work, we have little chance of stopping it" (Bales, 1999, p. 32).

1.1 Human Trafficking Definitions

There is considerable discord amongst nationally and internationally recognized definitions of human trafficking, as well as a number of different ends into which humans are trafficked, i.e. labor, domestic servitude, sexual exploitation. In 2000, the United Nations defined human traffic in the Convention on Transnational Organized Crime which includes a Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Article 3(a) of that protocol defines trafficking in persons 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 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 purposes of exploitation.
(United Nations, 2000, p. 42)

The protocol defines exploitation as, "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" (Farr, 2005, p. 221; Ebbe & Das, 2008, p. 7). While the definition of exploitation includes forms of commercial sexual

exploitation, it is not limited to sexual types of exploitation. This international trafficking definition is vast, encompassing many practices to many ends, yet its inclusion into the Convention for organized crime indicates that the UN sees trafficking through a law and order approach, focusing on the criminality and prosecution, or irregular migration rather than human rights (Kempadoo, et al., 2005). The laden definition has led to confusion between human trafficking and the economic migration involved in human smuggling (Lee, 2007, p. 51). Human traffic and human smuggling are often lumped together in illegal immigration discourse. The difference between the two terms lies in the extent of the crime. In the case of Human Smuggling, the movement is the end in itself. Whereas in the case of Human Traffic, the movement of the victim is the means to an end, that end being the control over and extreme exploitation of the victim through debt bondage. Why then is movement an important factor in Human Traffic? The removal of a person from a situation where they can ask for help effectively isolates them. This isolation then allows for a more total control to be exerted over the victim. This total control over another person is essentially a new form of slavery. That this *movement* facilitates slavery, explains why *movement* remains an important factor in defining human traffic.

To reduce the crime of human traffic to a singular definition of slavery, however, is another oversimplification of a complex process of control and forced labour. Such simplifications produce questions like what is the difference between forced labour and slavery? According to O'Connell Davidson (2006), slavery stands on one end of, "a continuum of exploitation, shading off into servitude and other forms of exploitation, rather than existing as a wholly separate, isolated phenomenon (Lott, 1998)" (O'Connell Davidson, 2006, p. 6). Is it then relevant how people arrive under such conditions? The definition of forced labour is equally problematic and lacks clear delineations making it difficult to distinguish situations of forced labour and debt-based wage labour (O'Connell

Davidson, 2006, pp. 9-10). Equally important is the question, if exploitation inside the sex industry is common, at what point can we then claim support for trafficking? Thus far, however, “[n]o consensus exists in regard to the extent of trafficking, sexual or otherwise, its definition, its remedies and even its existence. Prostitution remains at the center of such controversy” (Saunders, 2005, p. 347). By recognizing the blurred lines between sex trafficking and commercial sexual exploitation, this research project avoids delineating human traffic as evil and sex work as capitalistic (Kempadoo, et al., 2005; O’Connell Davidson, 2006; Alpes, 2008).

Additionally, the international human traffic definition can potentially be in conflict with a number of individual state’s trafficking definitions, especially in those countries where prostitution is legal, like Guatemala (IHRLI, 2002, p. 74). If the trafficking offence occurs in a state where it is legal to engage in prostitution then the consent of the victim becomes a conflicting factor. Moreover, O’Connell Davidson (2006) notes that “the package of violations covered by the UN Protocol definition of ‘trafficking’ (violence, confinement, coercion, deception and exploitation) can and do occur within legally regulated as well as irregular systems of migration and employment, and within legal as well as illegal systems of migration into private households” (p. 10). The lack of definitiveness and uniformity among state and international definitions results in an inconsistency in the methods used to combat human traffic as “cooperation between countries is rare” (Bales, 1999, p. 252). Other contributing factors in the problem of a unified definition are that the punishments for traffic offences are minor and inconsistent among states; consequently traffickers find it easier to traffic people than drugs (Bales, 1999, p. 252). This research project focuses on trafficking of women, primarily into commercial sexual exploitation but also into domestic servitude. For the purposes of clarity, hereafter unless otherwise stated, the term human

trafficking will be used narrowly to indicate only that which is intended for sexual slavery and commercial sexual exploitation. In other words, sex traffic.

1.2 Aspects of Sex Traffic

Sex traffic involves the recruitment of victims often from desperate, impoverished locations, using false promises or coercion (Farr, 2005, p. 65; Lee, 2007, p. 75). Once recruited victims are transported to a distant destination where they lack connections and are therefore isolated and more vulnerable to the command of their captors (Farr, 2005, p. 37). The victims' identification is usually confiscated by their captors, and then the victims are informed of a grossly exaggerated debt for travel expenses thereby initiating their debt bondage (Bales, 1999, p. 168). Victims are often subjugated by force, and then are put to work in prostitution in the form of sexual slavery (Lee, 2007, p. 78). Victims' dream of a more prosperous future elsewhere and traffickers prey on that dream raising the cost of dreaming from simple longing to a nightmare of slavery and control.

According to the UK Poppy Project, nearly half the women had been raped at least once within the UK and almost eighty percent had suffered some form of physical violence; some were forced to have abortions or to perform unsafe sexual activities which meant that nearly a third of victims required treatment for STDs, including hepatitis C and HIV (Dickson, 2004; Dickson, 2004). The focus on physical suffering, according to O'Connell Davidson (2006), has become a "litmus test for police officers and immigration officials involved in sorting [victims of trafficking] from undocumented migrants working illegally in the sex sector" which places the threshold of "victimhood" very high (O'Connell Davidson, 2006, p. 16). How then are practitioners able to distinguish victims from consenting sex workers when exploitation in the sex industry is so normalized? For more details on how this project distinguished traffic victims from sex workers see Chapter 5

Research Participants.³ It is important to note then that trafficking is not a single crime but encompasses a series of crimes, “fraud, kidnapping, assault, rape, and sometimes murder. These crimes are not rare or random; they are systematic and repeated in brothels thousands of times each month” (Bales, 1999, p. 48; see also Ehrenreich & Hochschild, 2004, pp. 216-217). The horror faced by the victim is amplified when the cruelty of control utilizes numerous human rights violations simultaneously including forced drug dependence, beatings, threats, debt bondage, and starvation (Bales, 1999, p. 70; Farr, 2005, pp. 75-76; Lee, 2007, p. 78). Victims have reported experiencing slave-like conditions consisting of aggravated mental abuse, psychological bondage (i.e. forcing the girl to swear oaths before religious shrines or spiritualists), threats against their family, denial of movement, and confiscated documentation (Farr, 2005, p. 75; Lee, 2007, p. 78). The long term effects to victims can involve post-traumatic stress disorder, which include physical changes in neurotransmitters, hormones and the immune system, and make integrating back into society a monumentally daunting task (Moorhead, 2006, p. 216). Thus the nature of the crime speaks to a responsibility for action.

1.3 Declarations of Responsibility and a Demand for Further Research

The proliferation of sex traffic in recent decades brings with it violence, organized crime, and slavery into our communities. Sex traffic on every continent, in almost every country, forces us to consider the security of our societies our communities. In terms of a

³ The sex industry will be further discussed in Chapter 5 Research Participants, which is both a findings and a descriptive chapter, because the collected field data aids in an outline of the discussion around sex work and sex traffic. Specifically, a discussion on the nuances of the sex industry can be found in Section 5.1 Participant Profiles, Section 5.2 Sex Worker Community and Section 5.3 Traffic Victims and Traffickers.

responsibility to others, this proliferation removes the “distance” from “distant others” (Linklater, 2007, p. 26; Bales, 1999, p. 239; Stichweh, 2000), bringing trafficking into our lives. Given globalization, suffering in distant geographic locations has implications everywhere; “when it comes to human rights, we live in a world without borders and therefore have a far broader moral burden of accountability” (Manz, 2008, p. 158).

These crimes, the suffering and the long term effects they cause, tear at our societal understanding of morality and ethics. This ethical morality was recognized as internationally established in 1948 with the Universal Declaration of Human Rights, which includes in Article 4 that, “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms,” and in Article 5 that, “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”. And yet both slavery and cruelty are core components of trafficking. In 1949, the United Nations addressed these human rights abuses⁴ stating that “prostitution and the accompanying evil of traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community.” (Farr, 2005, p. 220; United Nations, 1949). I would argue, however, that the moralist, good vs. evil, dichotomous approach to anti-trafficking has caused problems because it equates sex work with sex traffic and ignores the multifaceted nature of both issues thereby inadvertently vilifying the already vulnerable group of sex workers. Yet, it is important to note that this moralistic approach has been one of the defining voices in the codification of trafficking in international conventions. In this vain the international community has continued to take steps to declare its intolerance of human trafficking and

⁴ Which can be found in the Convention for the Suppression of the Traffic in Persons and of the Exploitation of Others.

to call for an end to slavery in all forms with declarations in numerous conventions and protocols.⁵

Likewise, much of the scholarly literature in addition to the international treaties which address human traffic call for further research in order to foster increased understanding to better combat this phenomenon. Kevin Bales in his book Disposable People exclaims that “we must come to understand how slaves flow from place to place and into the hands of slave holders. Slavery will never be stopped if freed slaves can be easily replaced with new slaves” (1999, p. 250). Specifically, in 2000, the United Nations Protocol⁶ declared that all, “States Parties shall endeavor to undertake measures such as research, information and mass media campaigns and social and economic initiatives to prevent and combat trafficking in persons” (Article 9). This research project is a response to increased international legislation and a reaction to an international commitment of ethical responsibility.

⁵ Including

- UN Convention on the Rights of the Child 1989,
- UN Convention Against Trans-national Organized Crime 2000,
- UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children 2000, UN Trafficking Protocol, Inter-American Convention on Trafficking of Minors 2003,
- European Union Convention on Action Against Trafficking in Human Beings 2005

⁶ 2000, the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime

1.4 Dramatic Increases in Human Traffic

According to Farr, an annual “estimated 1 million are trafficked into the sex industry and the volume just keeps increasing” (2005, p. 3). Today the estimates of the annual number of sex traffic victims exceed the reported one million in 2005. An estimated annual 500,000 women and children are trafficked into Western Europe and over 2,000 Asians alone are trafficked into Canada (Ebbe & Das, 2008, p. 18). Yet an exact global estimation is difficult to achieve. Methodologies for sex traffic data collection are inconsistent between agencies and across regions. Additionally, internal sex traffic is often excluded from the statistical data while human smuggling is often times included (UNODC, 2006, p. 120). The result is that anti-trafficking NGOs, as well as the numerous documents from national and international bodies which report victim estimates are inconsistent. The United Nations’ estimates the numbers of trafficked victims are high; “2.45 million trafficking victims currently under exploitative conditions, and another 1.2 million persons are trafficked annually” (UN GIFT, 2007). The US State Department has more conservative estimating numbers from six to eight hundred thousand persons have been trafficked (United States, 2005, p. Democracy and Global Affairs 1). In essence, the task of quantifying the traffic industry is complicated. Yet, the vital consistency among the evidence and published data is that all agencies agree that: the problem of human trafficking is increasing.

The United Nations Global Initiative to Fight Human Trafficking announced that trade in humans has moved from the third most profitable illegal trade in the world to the second, behind traffic in drugs, but equal to arms traffic (UN GIFT, 2007; UNAGP, 2011, p. 1). Farr explains that sex traffic can potentially be more profitable than drug traffic due to the, “low cost and reusable nature of the commodity itself [...] women are frequently resold several times with each sale bringing in a new profit” (Farr, 2005, p. 23). Moreover, debt

bondage forces the victim to cover the cost of their own slavery; victims are often responsible for travel expenses, organization fees charged by traffickers, living expenses, ext. all at inflated prices (Bales, 1999, pp. 167-168; Farr, 2005, p. 27). Victims can then also be forced to generate profits loosely related to prostitution, for instance increasing the sale of alcohol, or taking on other roles such as hostess, maid, waitress, dancer, cleaner or “payment-in-kind” wherein victims are required to provide sexual services to corrupt police or immigration officers as payment for “looking the other way” (Farr, 2005, p. 21). Sex traffic is a rapidly growing form of human trafficking and profits may surpass other forms of trafficking in the not too distant future (Farr, 2005, p. 21).

1.5 Contributing Factors of the Increase in Global Sex Traffic

Slavery and human trafficking are not new phenomenon; rather they are continuing problems which have proliferated in the wake of emerging globalization and the global economic system. Both of these factors directly contribute to the supply side of the sex trade. Globalization is the process by which emerging technology continues to neutralize time, distance, and space (Ehrenreich & Hochschild, 2004, p. 254). Internet and air travel connect the world like never before. Globalization facilitates the movement and advertisement of victims as commodities. This technology has facilitated the growth of the industry by making it accessible, for not only established organized crime syndicates, but now also to individual entrepreneurs (Farr, 2005, p. 61). An individual does not need to participate in the entire operation to participate in sex traffic. There are individual roles which, often loosely connected, result in human traffic and commercial sexual exploitation. Furthermore, the industry is proliferating and diversifying, in addition to street, club and brothel sex work, other related businesses have found niche markets for escorts, sex tours, mail-order brides, and women for rent among others (Farr, 2005, p. 21). Still, violence is intricately incorporated in the economy of slavery to ensure continued profits (Bales, 1999,

p. 246). In light of the facilitating technology of globalization, anti-trafficking efforts are increasingly important given that “today economic links can tie the slave in the field or the brothel to the highest reaches of international corporations” (Bales, 1999, p. 235).

The current global economic system, from the 1970s until the present, known as the Washington Consensus, is defined by neo-liberal policies dictated by the leading global financial institutions the IMF and the World Bank which have increased global economic inequality (Seabrook, 2004; Shiva, 2005, p. 83; Held, 2007, p. 55; Moran-Taylor, 2008, p. 113). These neo-liberal policies have facilitated what Manz calls “tyranny of global monopolies” in which “many ex-colonies are now supplying a new type of wretched labor for the powerful countries. It may not be slave plantation work, but it is back-breaking nonetheless, with disheartening living conditions and few prospects for a better and more dignified life for the future generations” (2008, p. 159). Large numbers of people in the developing south are at risk of absolute poverty, in which the lack of basic resources constantly threaten survival (Seabrook, 2004, p. 32) as disparities between the haves and the have-nots is growing (Seabrook, 2004; Shiva, 2005, pp. 33-34).

In response to the growing inequality, the global economic institutions, in 1999, initiated a new strategy to address growing inequalities, with the Poverty Reduction Strategy Papers (Seabrook, 2004, p. 83). While a new response to poverty is important, there remain weaknesses within the new system as well as large impoverished areas left from the old system which have allowed for the continuation of locations which supply sex traffic victims. Moreover, many claim that the new Poverty Reduction Strategies have failed to be gender inclusive; often leaving women’s voices unheard (Nyamugasira & Rowden, 2002, p. 21; Cheru, 2008, p. 359; van Staveren, 2008, p. 291). In addition to the problems inherent with poverty, poverty itself has taken on a new face. The feminization of poverty

(United Nations, Division for the Advancement of Women, 2000) is a phenomenon which has led to an increased vulnerability for women and children to fall into absolute poverty. It is important to recognize that men and women experience poverty differently in different social systems such as patriarchy. The desperation that accompanies absolute poverty has been credited as creating a favourable environment for trafficking as women and children become easy targets for manipulation (Farr, 2005, p. 7). Increasing global economic inequality creates areas of mass poverty and vulnerability ideal for trafficking deception and exploitation. Given the recent global financial crisis, the ILO and others have admonished that “there is likely to be a significant increase in trafficking worldwide as a result of the increased poverty and unemployment” (Ribando Seelke, 2010, p. 4). These reactions by the ILO and United Nations exemplify the western perspective that the root cause of trafficking is poverty. This perspective informs much of the current anti-trafficking initiatives internationally.

1.6 Current International Approaches to Human Traffic

Approaches to stop human trafficking have come from a range of perspectives including morality and crime, law and order, human rights, labour rights, and migration (Kempadoo, et al., 2005). Different actors with different agendas often shape the anti-trafficking efforts, which is why efforts often lack continuity and vary across sector, country and region. Researchers must therefore remain acutely aware of which agenda is shaping current policies (Alpes, 2008, p. 36). In 1949, the United Nations addressed human traffic in the Convention for the Suppression of the Traffic in Persons and of the Exploitation of Others, by equating prostitution or sex work with the “evil” of trafficking in persons (United Nations, 1949) thereby criminalizing sex work and straying from the human rights perspective (Kempadoo, et al., 2005, p. 10). Meanwhile Non-Governmental Organizations (NGOs) working with sex workers often approach anti-trafficking efforts in terms of

slavery or labor rights (Alpes, 2008, p. 35). Further still, popular media tend to emphasize the physical violence and criminality of human traffic (Alpes, 2008, p. 35). States often see human trafficking as a problem of public order which again has a tendency to focus anti-traffic efforts around migration and prostitution crack downs (Alpes, 2008, p. 36). As mentioned, the United Nations defined human traffic in Convention on Transnational Organized Crime which further obscures anti-trafficking perspectives by privileging the law and order position. While all perspectives are important for anti-trafficking efforts as a whole, the privileging of law and order perspectives fail to address the underpinning causes.

European approaches to combat human traffic are often articulated using *the three Ps: Protection of Victims, Prosecution of Traffickers, and Prevention of Human Traffic*.

UN signatories to the agreement adopted a three-fold approach to combating human trafficking: (1) prevent human trafficking by criminalizing it; (2) promote justice through international cooperation between law enforce agencies around the world; and (3) protect the basic rights of human trafficking victims. (Shirk & Webber, 2004, p. 3)

Lately a fourth *P* has been added to the list which stands for *Partnership between Source and Destination Countries*. Partnership, however, has specifically been applied to Prosecution efforts neglecting the other two *Ps*. According to the Deputy Head of Operations for the UK Human Trafficking Centre, Serious Organized Crime Agency, during a counter-trafficking operation involving Lithuanian nationals, the UK team was able to build a partnership with Lithuanian law enforcement making agreements to bypass

Interpol regulations and secure swift prosecution. The operation was considered a grand success of all four Ps (Conference Notes, 14/7/2011)⁷. Yet with the criminal side of trafficking set as the focus, there was no mention of building partnerships with source countries for protection standards. Subsequent repatriation and reintegration of victims into their countries of origin fundamentally negates social and cultural dynamics which push and pull victims in source countries into trafficking initially.

While all four Ps are important in the fight against human trafficking, the Prevention P, conversely, tends to be expressed in the language of increasing the other two Ps, Prosecution and victim Protection. This again illustrates the focus on the law and order perspective and excludes an articulate preventative focus. Prevention efforts are often vaguely articulated while emphasis is placed on prosecution and protection. This focus then becomes a band-aid on a bullet wound, in effect managing the symptoms of the problem while ignoring the roots of the problem. Why is prevention such a neglected area of anti-traffic efforts? Among other reasons, the western world often reduces the causes of human trafficking to poverty (Bales, 1999, p. 11; Farr, 2005, p. 244). This economic perspective argues that human traffic can best be explained by describing poverty as the primary push factor along with emerging markets as pull factors (Bales, 1999, p. 11; Farr, 2005, p. 244). The claim then becomes that, in order to fight human traffic, one would need to tackle poverty. Since poverty is a global problem, a seemingly monumental dilemma, poverty becomes a scapegoat for disregarding prevention efforts.

⁷ Conference Notes (14/7/2011) from when I attended “Human Trafficking in the UK: Working in Partnership to Strengthen Prevention, Protection and Prosecution” in Central London, UK.

<<http://publicpolicyexchange.co.uk/events/BG14-PPE.php>>.

1.7 Lens with which to Examine Human Traffic: Social Exclusion

While poverty is considered the primary contributor to the vulnerability of victims to trafficking (Bales, 1999, p. 11; Farr, 2005, p. 244), this research project regards the popular economic lens as too limiting in its explanation of human traffic. Therefore, this investigation has incorporated social exclusion theory to broaden the understanding of the root causes of trafficking. Social exclusion includes the inequality of income highlighted in the economic lens but also provides for wider factors of connections or disconnections within society. Social exclusion can be defined as the, “process by which individuals or households experience deprivation, either of resources (such as income), or of social links to the wider community or society” (Scott & Marshall, 2005, p. 204). Social exclusion allows for ethnic divisions, human rights violations and discrimination to be included in the examination of the underlying social and cultural structures within society. Community fragmentation, in many ways, is “difficult to measure and ignored by most experts” (Martinez-Salazar, 2008, p. 209). Social exclusion centralizes the role of access to community resources as directly affecting individual life chances.

A further reason for the study of the links between social exclusion and human trafficking is that precious little information on this subject exists. A demand for particular types of victims has been documented often relating to culture, ethnicity, status, and in particular those belonging to marginalized ethnic groups and subservient castes which are targeted for trafficking (IPEC, International Labour Office, 2002, p. 35). While some documentation exists there has not yet been a comprehensive study on this aspect of trafficking. In which case those facilitating links between social exclusion and human trafficking still need to be identified and defined in order to fully understand trafficking and commercial sexual exploitation. For this reason the lens of social exclusion was

employed to examine these research questions: What are the underlying social and cultural structures that push/pull victims into human traffic?

- What (if any) types of exclusion are there? What (if any) groups are excluded?
- What does social exclusion mean in tangible examples of the vulnerability to traffic and commercial sexual exploitation? Does stigma, discrimination, or exclusion influence human trafficking and commercial sexual exploitation?
- What (if any) are the dominant social patterns that facilitate a vulnerability to human traffic and commercial sexual exploitation?
- Identify (if any) connections between social exclusion, trafficking and commercial sexual exploitation?
- Assuming these connections exist, what are the best means to combat these connections in order to promote safety and well being?
- Can methods to combat this problem be generalized to reduce trafficking of women and children globally?

These questions are designed to address highlighted gaps in the literature which call for a greater understanding of how to identify risk factors of victims, and the various push/pull factors within society that encourage trafficking including ethnic divisions. Not only is the problem of trafficking increasing, but as stated previously the scholarly literature on human trafficking unanimously recognizes also a lack of awareness and understanding of the problem. The influence of supply and demand factors of trafficking need to be identified and clarified. The gaps in the knowledge and evidence of trafficking cut across sociological lines as well as those of other fields including criminology. This project,

however, looks to address the lack of knowledge in factors such as poverty, social inequalities, ethnic divisions, and human rights violations.

These questions, analyzed through the lens of social exclusion, are designed to map the social and cultural structures which reinforce human trafficking and are applied the case study of Guatemala, where field work was conducted. The Latin American region is a primary source of traffic victims to the United States, Western Europe and Japan (Ribando Seelke, 2010, p. 1). This research project realizes the necessity of understanding human traffic at its source. Guatemala has been described by the US State Department's Trafficking in Persons (TIP) Report, as "a source, transit, and destination country for Guatemalans and Central Americans trafficked for the purposes of commercial sexual exploitation and forced labor" (United States Department of State, 2008). Yet, little is known about the situation of human traffic in the country and diminutive international media attention is focused there. Guatemala's "descent into chaos" has been described as "quieter, slower, and less remarked upon than events in Mexico or other Latin American Countries, but it may well be more devastating" (Brands, 2011, p. 232). Existing sources from Latin America mainly focus on the law and order aspect of human trafficking; there is a real need to identify social links of commercial sexual exploitation to mainstream society. Moreover, international attention focused on wealthy nations ignores Guatemala as a destination country (Ribando Seelke, 2010, p. 1). This study began as an effort to reveal the links between social exclusion of indigenous populations and human trafficking, but became an endeavor to uncover the real-time networks of trafficking and to expose wider social and cultural structures which perpetuate trafficking in the region.

1.8 Summary

Contrary to common western explanations of human traffic which view traffic as primarily an economic phenomenon stemming from poverty, the position of this dissertation examines how societies' most vulnerable experience exclusion which produces various levels of risk, resulting in histories of physical or sexual abuse, illiteracy, unemployment, homelessness, drug use and gang membership (Ribando Seelke, 2010, p. 4). Central to this project is the need to research oppression and resistance as well as structure and agency experienced by acutely marginalized peoples, especially women, and how these are deeply shaped and articulated with social relations of power "such as colonialism, capitalism, racism and patriarchy, both historically and in contemporary times" (Martinez-Salazar, 2008, p. 201). One concerted goal has been to research human trafficking by tracing its origins to social, cultural, political and economic conditions by examining the experiences of commercial sexual exploitation in the context of everyday social engagements and attitudes (Benson, et al., 2008, p. 40). In recognition of the significance studying root causes of sex traffic this project seeks to identify the links between social exclusion, human trafficking and commercial sexual exploitation.

A more in-depth look at the theoretical framework used to analyze the data collected will be provided in Chapter Two, Social Exclusion. Guatemala, presented as the case study for this research project, will be considered in further detail in Chapter Three, Guatemala, including a historical and contextual description along with a presentation of historical routes of migration. Chapter Four, Methodology, will provide a detailed account of the ethnographic method utilized during the collection of field data. Chapter Five, Research Participants, will be both methods and findings chapter, both descriptive and analytical presenting my investigation of real-time networks of trafficking and commercial sexual exploitation. Other Findings chapters will be divided into macro and micro structures

analyzed within Guatemala which promote human trafficking. Chapter Six, Macro Structures will set the stage for the research by highlighting overarching structures of politics, economics, violence, health and education. This chapter also offers an in-depth discussion of human traffic in the region, international pressures, revealing the bottleneck effect and an analysis of the latest anti-trafficking legislation in Guatemala. Chapter Seven, Examining the Local, explores micro structures of interpersonal communications within the sex worker community, scrutinizing how social and cultural structures of ethnicity, patriarchy, home and family life, violence, and the nexus of fear, impunity and victim blaming affect agency and influence the rise of trafficking. Chapter Eight, Conclusion, will offer an overall picture of key areas in the investigation highlighting the multifaceted interconnectedness of the roots of human trafficking and commercial sexual exploitation while arguing for a broader understanding of society over the narrow economic explanations of trafficking.

2 Social Exclusion

“When illusions spin a net I’m never where I want to be, and liberty she pirouettes when I think that I am free...” (Gabriel, 1977)

As discussed in the previous chapter, human traffic and commercial sexual exploitation are made possible by a number of factors including the global economic system, the technology of globalization, the demand, the low risk for perpetrators, the reusable nature of the commodity, and the accessibility of the supply. As suggested by the quote above, research into the complexities of these crimes can involve a web of different understandings surrounding concepts of freedom and agency as well as structure and slavery. This chapter establishes social exclusion theory as a clarifying perspective or lens of analysis to develop better understandings of the vulnerability of social groups to human traffic and commercial sexual exploitation in order to address why there is such a mass supply of women readily accessible to traffickers. It first defines social exclusion and illustrates its relevance over popular economic perspectives. Next, this chapter looks at the construction of identity and how identity is used to exclude groups while emphasizing social exclusion as a process. Afterwards, examples of gender and ethnicity will demonstrate the utility of this theory in the examination of social justice.

2.1 Social Theory

Popular explanations of human trafficking have involved an economic perspective focusing on supply and demand while highlighting poverty as the primary push factor resulting in the vulnerability of victims to trafficking (Bales, 1999, p. 11; Farr, 2005, p. 244). Poverty, defined as “a lack of sufficient resources” (Barry & Hallett, 1998, p. 1), leads to desperation and a willingness to believe the promises of traffickers. A common

response to economic perspectives is development theory which concentrates on a need for global south or developing world to modernize or catch up with advanced countries (Pieterse, 2010, p. 1). Development theory's modernization perspective which focuses on the internal characteristics of developing world countries (Smith, 1979, p. 248) reflects a "deep-seeded prejudice" by the western world, where the theory originated, revealing a neocolonial division in the production of knowledge (Pieterse, 2010, p. 4). Conversely, dependency theorists argue that international neocolonial structures of power prevent meaningful development in the global south through the maintenance of unequal power relations and access to the resources of development (Smith, 1979, pp. 247-248). The gap between rich and poor, or divide of the global north and the global south is facilitated by the global economic system and enforcing institutions, the International Monetary Fund (IMF) and the World Bank. In this case, "advanced industrial societies are converging on a norm of social politics organized around a flexible labour market and structural social exclusion" (Byrne, 1999, p. 70). As such, there is a global aspect to socio-economic exclusion. Neoliberal economic structures have fostered the commodification of public services and labour instability by creating a precarious situation in which individuals confront a wealth of temporary employment and an inability to maintain a job thereby engendering poverty (Menjívar, 2008, pp. 114-115).

Marx similarly viewed slavery and commodification as "elements of primitive accumulation" (Javidan, 2012, p. 373) which are inherent aspects of capitalism. MacKinnon (1989) further asserts that because sexuality is socially constructed, "when capitalism is the favoured social construct, sexuality is shaped and controlled and exploited

and repressed by capitalism” (p. 319).⁸ My research builds on these concepts from Marx and MacKinnon. Yet many authors suggest numerous views, and this project found Marx’s economic focus and MacKinnon’s feminist focus limiting. While both theories contain merit in explaining unequal distribution of wealth between the majority and minority worlds, including understandings of slavery and sexuality, their focus largely remains on economic measures of production and consumption and more specifically on levels of poverty as indicators for wider problems. In recent years, however, poverty has been criticized for being overly focused on narrow measures of income and consumption rather than the “social phenomena, such as quality of life, dignity, property and autonomy” (Barry & Hallett, 1998, pp. 1-2).

Fraser (1995) has framed this problem what she terms the Redistribution-Recognition Dilemma. Fraser contends that socio-economic injustice is rooted in the political-economic structure through economic marginalization which can be remedied by a redistribution of resources; whereas, cultural injustice which is rooted in social patterns and communication through non-recognition and disrespect which can be remedied with recognition which revalues identities (Fraser, 1995, pp. 70-73). According to Fraser, the requirement for justice can only be met with both “redistribution,” an approach that involves both the political-economic remedy of injustice AND “recognition,” the socio-cultural remedy of injustice (Fraser, 1998, p. 10). Yet for the purposes of analysis, Fraser treats the categories as mutually exclusive. As such, Fraser’s theoretical model can be criticized as overly theoretical. Crenshaw (1989), warns against creating mutually exclusive categories of experience for the purpose of simplifying analysis. She argues that this creates an

⁸ To be further explored in Section 2.5 Social Exclusion: Gender

atmosphere in which some struggles become privileged over others (Crenshaw, 1989, p. 167). Instead, Crenshaw (1989) argues for concepts of multidimensionality over single axis analysis which she sees as distorting actual experiences. Yuval-Davis (2006) also argues against a binary divide between culture and structure as it creates the potential to privilege one struggle over another (pp. 198-199). My thesis asserts that Fraser's model is overly abstract in its view that the struggle for recognition and redistribution contain incompatible goals when the ills of those conditions can be so tangible. MacKinnon (2000) highlights the example of rape as an act of genocide in which victims are chosen because they are recognized as a particular ethnic or religious group, with the aims of destroying the socio-economic structure of that community (p. 692). Similarly to MacKinnon, my thesis finds that both recognition and redistribution are met with intersectional violence.

Intersectionality is a concept created by Kimberly Crenshaw in response to the dominant feminist theories originating primarily from a narrow white, middleclass, American experience (1989). Based on collective experiences of social exclusion, Crenshaw conceptualized the idea that race, gender, class and other social categories intersect to produce a multidimensional compounding of marginalization (1989, p. 149). Such a compounded theory, therefore, avoids the narrow objectives found in socialist feminism and/or liberal feminism (Crenshaw, 1989, p. 151). Davis (2008) highlights the confusion surrounding such a complex theory by questioning whether it "should be limited to understanding individual experiences, to theorizing identity, or whether it should be taken as a property of social structures and cultural discourses?" (p. 68). According to Yuval-Davis (2006), in order to include the diversity of women's experiences and enhance empowerment, intersectional analysis was introduced into discourses on human rights for gender mainstreaming (Yuval-Davis, 2006, p. 204). Intersectionality is utilized in this project, yet given that its foundations are in feminism and structures of patriarchy, it tends

to be founded in women's experiences and exclude experiences of male vulnerability. Social Exclusion theory allows for an analysis of all forms of discrimination placing the marginalized at the centre of analysis thereby using a bottom-up approach to examine the layers of injustice experienced by exclusion from society. While both intersectionality and women's experiences are central to this project, social exclusion is emphasised as a way of avoiding privileging women's struggles over men's struggles in human traffic. By utilizing a theory that is a non-gender specific, this project leaves open the possibility for linking my research with further analysis of the intersection of vulnerabilities throughout Guatemalan society rather than limiting human traffic research to women's experiences. Given the complexity of researching human trafficking and commercial sexual exploitation, social exclusion theory became my preferred lens of analysis as it acts a theoretical spider web of interlacing vulnerabilities which could be mapped and identified as push and pull factors unrestricted to first pointing to existing culprits of capitalism and patriarchy as inherent root causes.

Social exclusion theories were developed as a response to the simplicity and narrow focus of poverty. Social exclusion is a "lens" (Menjívar, 2011, p. 9) through which relations of social power and control can be analyzed through the complex process of exclusion and marginalisation (Barry & Hallett, 1998, p. 15). Unlike poverty studies, which centre on class and distribution of resources, social exclusion examines how inequality of race and ethnicity, gender, sexuality, age and health intersect to generate social and cultural injustice and compound distribution issues (Barry & Hallett, 1998, p. 15). The distinction in focus between 'poverty' or 'social exclusion' is central to this research of mapping the root causes of human traffic into commercial sexual exploitation. This research project, similarly to Menjívar, (2011) focuses on narratives which "shed light on the suffering that comes from social exclusion and extreme poverty, as well as the injuries that come from

gender inequality” (p. 17). In this vein, this project seeks to place the needs of the participants directly at the centre of analysis with the goal of facilitating the inclusion of marginalized groups (Crenshaw, 1989, pp. 166-167).

This study is also informed and conceptualized using social justice theory which is a way of seeing the world by the degree to which society universally supports and contains the necessary conditions to “exercise capacities, express experiences, and participate in determining actions” (Reid, 2004, p. 2) and celebrate difference inclusively. Social justice theory influences how marginalized groups are engaged with and how our roles as researchers are conceived in the terms of integration and a commitment to universal values and access to rights while respecting particularities of difference (Barry & Hallett, 1998, p. 17). A constructive theory which accompanies social justice research is the theory of social capital in which “one’s family, friends, and associates constitute an important asset, one that can be called upon in a crisis, enjoyed for its own sake, and/or leveraged for material gain” (Woolcock & Narayan, 2000, p. 225). This can be applied, not only for individuals, but also for groups, in which social networks and civic associations can produce a stronger position to confront vulnerability (Woolcock & Narayan, 2000, p. 225). This project contends that a focus on poverty in terms of the lack of resources, cannot sufficiently answer the question of why there is a mass supply of vulnerable women available to traffickers. Fundamental to this thesis is the hypothesis that vulnerability to traffickers can be more fully explained by, social exclusion theory referring to a “multi-dimensional disadvantage which severs individuals and groups from the major social processes and opportunities in society” (Barry & Hallett, 1998, p. 1). This can include not only a denial, but also the less visible non-realization of political and civil rights of citizenship (Byrne, 1999, p. 2). Social exclusion theory allows for the examination of such as citizenship, employment, housing and living standards as the “the dynamic process of being shut out,

fully or partially, from any of the social, economic, political or cultural systems which determine the social integration of a person in society” (Byrne, 1999, p. 2). Social exclusion, social justice and social capital theories informed the identification of push/pull factors in the exercising of sex work and the vulnerability to human traffic.

2.2 Construction of Identity

When a group is systematically excluded from access to mainstream-society’s resources then the life chances of that group are compromised in the form of reduced access to healthcare, education and employment (Braham & Janes, 2002, p. 38). Exclusion can be influenced by locality or social group. Determining factors of social exclusion can be premised on many factors including location, identity, ethnicity, and gender among others (Lareau & McNamara Horvat, 1999; Braham & Janes, 2002). The creation of identity has tangible effects that influence the distribution and access to resources, services, and legitimacy within communities (Gramson, 1997, p. 182). Inclusion into a group identity can be accompanied by social capital that increases the well being of those within the community, as such the sense of belonging can be seen “as a resource—like capital” (Sen, 2006, p. 2). The gifts of inclusion, however, can be accompanied by the adversity of exclusion as identity can offer inclusion into one group while excluding from others (Sen, 2006, p. 3). Identities around health, gender, ethnicity/race, sexuality, and religion are non-economic factors which can contribute to social vulnerability (Moran-Taylor & Taylor, 2010, p. 200). Consequently, identity is a key aspect of exclusion. The term ‘social exclusion’ originated in the early 1970s in France during the rise of problems in national integration and solidarity (Barry & Hallett, 1998, p. 2). Thus exclusion can be seen as the break down or lack of solidarity of identity. This investigation focuses on those cases when complex multiple characteristics are reduced to the illusion of a single identity and how this reduction can propagate the dehumanization of an identified group (Sen, 2006). By

concentrating how identity is used to exclude people and groups from social networks, social capital, and other non-economic factors (Moran-Taylor & Taylor, 2010, p. 200) this project uses the lens of social exclusion theory to explain the multi-faceted network of social failing which feeds into wider social problems. These identities can produce both inclusive and exclusive consequences (Sen, 2006, p. 3) so that identity and perceptions transpire, sometimes more so than class, as a push factor of human traffic.

2.3 The Process of Social Exclusion

How is exclusion achieved? The analysis of exclusion as a *process* is a key feature in social exclusion theory (EFILWC, 1995, p. 4). Social exclusion involves an array of practiced social norms that force a group out of mainstream society. It encompasses a series of methods including stigma and discrimination used to enforce social norms by chastising those who are seen to violate those norms. Stigma is depicted as a phenomenon whereby an individual possesses an attribute, which is deeply discredited by society, such as illness, disorders, handicaps, skin color, nationality, ethnicity or the perception or accusation of criminality, however accurate or erroneous, results in social rejection for that attribute (Fundación Myrna Mack, 2005-2007, p. 4). Extreme forms of exclusion manifest in violence which is described as “fomented by the imposition of singular and belligerent entities on gullible people, championed by proficient artisans of terror” (Sen, 2006, p. 2). Using social exclusion theory we begin to understand interpersonal, micro-level cases of violence as more than individual behaviour alone, but a product of social exclusion resulting in institutionalized inequalities in political, economic and legal systems and justified by a plethora of frameworks such as history, ideology, and religion (Bourgois 2001 cited in Menjívar, 2008, p. 131). Methods of exclusion include limiting or obstructing access to integral spaces of politics, society, culture and economy including power and resources (Ridge & Wright, 2008, p. 46). Such impeded access can cause combinations of

linked tangible problems such as exclusion from work of higher pay, perpetual low income or unemployment, poor housing, discrimination and exclusion from government services, educational aid and medical facilities, poor skills, family breakdown and high crime (Ridge & Wright, 2008, p. 46). This process can be described as impeded participation or resulting non-participation which depends, not only on individual agency of those being excluded, but also on those who exclude (Ridge & Wright, 2008, p. 48).

Exclusion is determined by some members of society and inflicted on others (Byrne, 1999, p. 1). As such, the continuation of social exclusion can be seen as beneficial to some members of society while detrimental to others. Parts of society wield the power to determine life chances of individuals and groups who are excluded and those who are not (Byrne, 1999, p. 1). Thus, it is important to identify the actors who are being excluded and those excluding them as well as the means by which this exclusion is realized. In this case, the actors within the exclusionary process can be identified by their breadth or lack of agency. By that same token, the process of exclusion and limited agency are both exacerbated by and often results in a form of poverty. Consequently, for those in poverty, exclusion is often primarily determined by others, “the public services that are too remote to access, the social clubs that they cannot afford to join or in some cases the discrimination that keeps them out of certain areas or activities” (Ridge & Wright, 2008, p. 48). Yet as mentioned, social exclusion is not a static structure but a process. Therefore, in order to understand and analyze the process of exclusion, it is important to note that exclusion has a time component, as risk and circumstance change over time (Ridge & Wright, 2008, p. 48). For this reason, life history collections were incorporated into the data collection process in order to understand the lived experiences of exploitation.

2.4 Types of Exclusion

Social exclusion is often articulated in three spheres; political, economic and social and cultural. Exclusion is achieved by a process of systematically increasing difficulty of access to politics and decision making, employment and resources and incorporation in social and cultural traditions and processes (Byrne, 1999, p. 2). Inclusion in the political sphere could be expressed as democracy with equal access to government policy, personnel and resources, competitive elections, universal suffrage, civilian control of military and protection from arbitrary action by state agents (Stewart, 2008, p. 234). Political and economic actors, however, capitalize on a corporatist decision making system “deliberately designed to exclude the ‘masses’ from the process of decision making” (Byrne, 1999, p. 41) both locally and globally. An additional sphere could be added to represent health, both physical and mental (Benson, et al., 2008, p. 40). In the sphere of health, social exclusion tends to adversely affects older people and the chronically sick or disabled, whose regular employment may include “labour-intensive sweated occupations or the state service sector” yet they still earn significantly less than the national average and their level of material comfort “only exceeds the minimum poverty line” (Byrne, 1999, p. 46). These combinations of spheres of exclusion can also include “a spatial manifestation” such as targeted in particular neighbourhoods, towns, counties or provinces (Byrne, 1999, p. 2). The spatial accounts can also exist in terms of distance to resources as rural areas can be distant from more developed areas in cities with access to education, employment and healthcare (Braham & Janes, 2002, p. 38).

The sphere of economic exclusion is excessively complicated in that it is rooted in economic structures and there is no identifiable actor who does the harm (Menjívar, 2008, pp. 114-115). While social exclusion is often equated with permanent underemployment (Byrne, 1999, p. 127) it can more aptly be characterized by the denial of employment,

rather by underemployment or periods of unemployment alternate with “dependence on temporary or casual part-time work; those participating in the bottom reaches of the ‘black economy’ outside the tax system” (Byrne, 1999, p. 46) or low paid, labour intensive sweatshop employment. Such forms of structural repression are characterized by an insecurity of wages or income, resulting quotidian uncertainty in the form of “a chronic deficit in food, dress, housing, and healthcare, and uncertainty about the future which is translated into hunger and delinquency and a barely conscious feeling of failure” (Torres-Rivas, 1998, p. 49 cited in Menjívar, 2008, p. 114). This sphere of economic exclusion often involves discriminatory structures constricting the agency of individuals often because of age, ethnicity, and gender as women tend to struggle with childcare needs. This experience has been described as structural violence because it involves exploitative labour conditions, precarious income masked as underemployment, and numerous inequalities such as educational segmentation which impede access to market success (Menjívar, 2008, p. 114).

Processes to combating social exclusion would then be focused on the structure of society. According to Byrne, structural changes would affect society as a whole while only having the consequences for some in that society (1999, p. 1). This chapter argues, however, that the consequences would not be limited to some members of society. Society would be affected as a whole; including a decrease in the power of excluders to deny access, while increasing the power of the excluded to access social resources, thereby raising equality of access on the whole. The consequences would therefore be felt by the full society. It is essential, however, that social exclusion be analyzed in terms of “the *process* of social relations rather than the *outcome* of them” (Ridge & Wright, 2008, p. 48). Having recognized exclusion as a complex process, a number of questions arise about the specifics of the process; what are the reasons behind these exclusionary structures in society? To

what end does social exclusion enable human traffic? This chapter will further analyze examples of three interrelated types of exclusion which informed this investigation; gender, ethnicity, as well as local and global spatial dimensions of exclusion.

2.5 Social Exclusion: Gender

In a patriarchal society, there are numerous ways in which women are excluded in order to maintain the power of men. Patriarchy has been defined as a form of male dominated sex-gendered social system (Rubin, 1975) in which hierarchical relations consist of men's domination alongside women's subordination (Hartmann, 1976, p. 138). Radical feminism defines patriarchy as male dominance shaped by male power and privilege and through discrimination which acts as the root cause of women's oppression in social relations (Burgess-Proctor, 2006, p. 29). Power has been defined as the symbolic ability to influence or control situations (Dahl, 1957; Emerson, 1962). MacKinnon describes the intersection between patriarchy and power as the state wherein male interests are created, reflected then enforced through laws and norms (1983, p. 644).

While the gains towards gender equality in the last century are important, the reality of female gendered exclusion should not be underestimated. Examples of gender inequality and exclusion are persistently evident in contemporary society. The measurement and distribution of income are key indicators of social status along with the sexual division of labour which demonstrates the scope and severity of socialized gender segregation (Braham & Janes, 2002, p. 148). The importance of income as an indicator of social standing poses additional problems in the measurement of gender exclusion as often unpaid work usually conducted by women is devalued because it lacks monetary return while distracting from structural socio-economic inequalities in the labour market (Barry & Hallett, 1998, p. 16). Women are commonly associated with 'dependence' as household or

care work, traditionally preformed by women, is undervalued since it is not the main economic contribution in the household (Byrne, 1999, p. 86). Dependency remains a crucial issue in power relations and exclusion is an important determinant in social power.

Patriarchal structures in Latin American culture and society are bolstered by *machismo*⁹ which is popularized male superiority (Quiñones Mayo & Perla Resnick, 1996, p. 263) or more precisely “a stereotype that emphasizes hypermasculinity” (Hardin, 2002, p. abstract). Women in Guatemala describe different expressions of structural violence while revealing the normalisation of inequality, “several talked about the effects of the profoundly unequal land distribution system, couching their reflections in a framework of the ordinary, explaining brutal forms of exploitation as simply the way things are” (Menjívar, 2008, p. 116). The social illusion of invisibility that surrounds women’s work and its importance perpetuates their social exclusion and maintains a power structure that benefits men (Ehrenreich & Hochschild, 2004, p. 12). Moreover, in terms of the development initiatives in the global south evidence suggests that women are often excluded from development initiatives (Allen & Thomas, 1993, p. 291). While there have been efforts over the last twenty years to address gendered exclusion in development, the legacy of masculine power and privilege remains an important factor in understandings women’s gender roles globally. The structural violence of the political economy still

⁹ “Machismo, a stereotype that emphasizes hypermasculinity and associated with the Latin American male, was a legacy of the Conquest of the Spanish conquistadores and their interpretation of and reaction to the indigenous two-spirit. It was the product of the rape of indigenous women, the response to indigenous imperial ritual, and the sublimation of indigenous male sexuality. It was a response to social and religious control of the male body. As such, it is not something that is easily eradicated (...as...) complex roots of this variant of masculinity” (Hardin, 2002, Abstract).

affects men differently than women. Men and women, with different ethnicities and from different social classes face different forms of violence and their experience, interpretation and reactions to the same violence occurs in different ways (Menjívar, 2008, p. 112).

In criminology, radical feminists point to domestic violence, rape, sexual harassment and pornography as manifestations of patriarchy in crimes against women while highlighting that women's offending is often preceded by victimization at the hands of men (Burgess-Proctor, 2006, p. 29). Feminists like MacKinnon (1989) challenge the assumption that women generally consent to sex, similar to the assumption that people generally consent to government (p. 644). Similarly to the multi-faceted dimensions which compound social exclusion, various types of violence also comprise and shape one another, "as class violence parallels sexual and ethnic violence, and they are often conflated in real life" (Forster, 1999, p. 59 cited in Menjívar, 2008, p. 112). A key aspect of this research project is that social exclusion both directly and indirectly facilitates human trafficking and commercial sexual exploitation. According to MacKinnon (1983), objectification can be "understood as the primary process of the subordination of women" (MacKinnon, 1983, p. 645). An excluded group has a high risk of vulnerability to trafficking and commercial sexual exploitation. Identifying the ways in which women are disenfranchised and/or victimized can reveal wider social and cultural push factors into trafficking and commercial sexual exploitation. MacKinnon (1989) argues that "sexuality is shaped under conditions of gender inequality", in which objectification, or "being a thing for sexual use" is fundamental (p. 318). This project explores that objectification, or reduction of a person to a thing, as a key element in the perpetration of sex traffic, commercial sexual exploitation and other extreme gendered abuses. This research project also argues that the number of exclusionary factors which a group experiences compounds the experience of exclusion. For example, in the gendered aspect to exclusion, women are said to experience

exclusionary practices within patriarchy (Braham & Janes, 2002, p. 109) which can be compounded by an ethnicity component to exclusion. Noting that the “boundaries between the public and the private sphere which ignore women’s role in unpaid work; boundaries of nationhood – of linguistic, ethnic, racial, territorial exclusions” (Barry & Hallett, 1998, p. 17) mean that a woman who is also a member of an ethnic identity is likely to experience compounded forms of social exclusion.

2.6 Social Exclusion: Ethnicity

The exclusion of ethnic immigrants has been well documented. Care work in the United States is often a function of ethnic immigrant women (Ehrenreich & Hochschild, 2004, p. 75). Exclusionary factors of ethnicity and gender mean that migrant women, already in a category of social invisibility, often occupy roles that require invisibility such as care work (Ehrenreich & Hochschild, 2004, p. 76). Yet ethnicity is not always imported, often indigenous populations who have historically experienced exclusion become convenient subjects of contemporary exclusion. For example, the exclusion of the indigenous cultures in Australia involves geographic processes which vary access to mainstream education, employment, health and other government services and underpins poverty (Altman & Hunter, 1998, p. 242). Indigenous poverty resulting in problematic access is further complicated by social exclusion tactics of prejudice by non-indigenous employers which characterize indigenes as laziness and unreliability (Altman & Hunter, 1998, p. 242). Stereotypes and invisibility facilitate exclusionary practices. Another example in which indigenous cultures can be excluded from mainstream society lies in my own ethnographic research in 2007. The Maasai tribe of Tanzania and Kenya, are another indigenous group which experiences exclusion from mainstream Swahili society (Warden, 2007). Efforts by NGOs to educate the Tanzanian population on the dangers of HIV/AIDS rarely reached the Maasai population. Maasai are geographically distant from mainstream Tanzanian society,

as they occupy primarily rural areas. The rural areas occupied by the Maasai lack electricity which means that the television and radio messages did not reach them. As Maasai women are seldom taught to read, write or speak the national language of Swahili, their primary means of communication is the spoken tribal language KiMaa. As a result, newspaper, magazine and poster campaigns were unintelligible to the majority of Maasai women as well as some men (Warden, 2007). Locality is important in exclusion because it shapes access to crucial social goods such as education and can significantly influence “future life trajectory” (Byrne, 1999, p. 110). Maasai exclusion, while in part voluntary to solidify their identity, was also perpetuated by Swahili society through stereotypes surrounding ignorance and ferocity creating second class or type casted social status (Warden, 2007).

Such forms of exclusion are not unique to Australia and East Africa. Latin America also demonstrates racial inequality and the experience of ethnic exclusion against indigenous and afro-Latinos¹⁰ is common in numerous countries (Hooker, 2005, p. 1). In Guatemala, eighty-seven percent of the population’s poor consist of indigenous households living below the poverty line (Hooker, 2005, p. 4). Guatemala’s history of concentrating productive wealth within a minority has cultivated exclusionary measures of anti-democratization, racism, and a violently dehumanizing social system (Comisión par el Esclarecimiento Histórico, 1999, p. 17). Such a system of “social exclusion and repression is deeply rooted in the political-economic configuration of a society that compels the disenfranchised population to live under dreadful and increasingly untenable physical and emotional distress” (Manz, 2008, p. 157). In the web of power and exclusion it becomes

¹⁰ Specifically in Guatemalan, Garífuna are Afro-Caribbean Latinos.

hard to identify linear means of exploitation, which is why social exclusion theory allows for the accounting of an intricate approach.

2.7 Summary

In Guatemala, the long history of “racialization of lands, the creation of sanctioned lives and politics, the genocide against Indigenous peoples, the killings of women and men during state terror and in ‘peacetime’ in the name of cleansing ‘the nation’ from ‘social cancers’, are all a national testimony of a reinvigorated process of teaching and learning dehumanization” (Martinez-Salazar, 2008, p. 214). Using Social Exclusion theory to examine how such dehumanization facilitates extreme exploitation and trafficking may reveal new means to avenues in human traffic prevention. Segregated identities can lead marginalized groups to be excluded from social benefits through the uneven distribution of social, symbolic and material capital (Benson, et al., 2008, p. 40). This research project argues that the number of exclusionary factors which a group experiences compounds the experience of exclusion. For example, the gender aspect, women are generally said to experience social exclusion (Braham & Janes, 2002, p. 109; Fundación Myrna Mack, 2005-2007). If a woman is also a member of an ethnic identity, then she is likely to experience compounded forms of social exclusion. A key aspect of this research project is that social exclusion both directly and indirectly facilitates human trafficking which builds on Marxist models for the commodification of labour. An excluded group has a high risk of vulnerability to trafficking and commercial sexual exploitation. Moreover, the concepts of social exclusion or marginalization have been included in other research on the sex industry as highlighted by O’Connell Davidson’s assertion that “people can be profoundly harmed when they are socially, politically and legally excluded or marginalized” (2002, p. 97). This investigation examines identity and the importance and use of that identity to negotiate agency in a rigidly structured hierarchical society. Identifying those actors who

have the most to gain by perpetuating exclusion is key to understanding how to combat exclusion. The actors in power have the most to gain by the social order to maintain power over excluded groups. It is important to recognize how those powerful actors use social space to carry out exclusionary practices. The dynamic, mutually reinforcing nature of the experience of exclusion can thereby more fully explain a vulnerability to traffickers than can poverty. The complexity of this explanation also underlines the importance of social exclusion theory in analyzing the structures that underpin and or cause trafficking.

Similarly to Menjívar's research on violence, the aim of my research is to analyze human traffic and commercial sexual exploitation, not simply as physical acts but within the 'social order of things' and to widen the analytical lens to include a wide range of sources of vulnerability (Menjívar, 2011, p. 9). To accomplish my goal, I have borrowed from a number of intellectual traditions, and have used the broad and inclusive lens of social exclusion to aid as an organizing framework to help make sense of my observations (Menjívar, 2011, p. 10). The social exclusion lens was preferred over other economic lenses primarily because women of all economic classes were targets and spoke of similar vulnerabilities, shedding light on, "the suffering that comes from social exclusion and extreme poverty, as well as the injuries that comes from gender inequality" (Menjívar, 2011, p. 17). Women were the focus of my research, primarily because scope and safety was limited within the project. It is important to recognize that men also suffer from human trafficking and commercial sexual exploitation and are underrepresented in public debates surrounding these issues. Social exclusion provided a more inclusive theory than feminist theories which tend to focus on patriarchy as the root cause of social problems. My hope was that by using a broader theory as a lens, my research would have a wider applicability for linking to other trafficking research in the future.

3 Guatemala

“I am what holds my flag; the backbone of the planet is my mountain. I am what my father taught me, who does not love his country does not want her mother. I am Latin America, a people without legs that still walks.”¹¹
(Arcaute, et al., 2011)

Efforts to combat human traffic exist worldwide. Yet as the action, aid and research in Asia and Eastern Europe strengthen, traffickers turn to Latin America to continue their activities (Farr, 2005, pp. 104-105). According to the US State Department’s TIP¹² Report, Guatemala is a source, destination and transit country for traffic victims of commercial sexual exploitation and forced labour from Guatemala and Central America (United States Department of State, 2008). Research into human traffic in Latin America reflects an enormous growth in the sex industry in Guatemala, particularly in the capital, which has led some to “refer to Guatemala as ‘the new Thailand’” (Farr, 2005, p. 155). Guatemala contains a vast impoverished population, is ethnically diverse with a history of violent social exclusion of its indigenous population and recovering from over thirty-six years of internal conflict. Such conditions are considered conducive to the trafficking industry. Consequently, this research project looks in detail at Guatemalan society, to contextualise the specific circumstances that allow trafficking to thrive. This chapter considers

¹¹ Soy lo que sostiene mi bandera, la espina dorsal del planeta es mi cordillera. Soy lo que me enseñó mi padre, el que no quiere a su patria no quiere a su madre. Soy América latina, un pueblo sin piernas pero que camina.

¹² Trafficking In Persons

Guatemalan demographics, and provides a historical breakdown of the systematic cultural exclusion of the indigenous populations. The continuing significance of the internal armed conflict and genocide is examined including its racial and gendered structures of the violence. Then, migration and traffic are presented as rooted in historical factors. Finally, the human traffic literature surrounding Guatemala is examined.

3.1 Country Profile

Guatemala, similarly to other Central American nations, is considered an authoritarian state, but not “strong or effective” (Brands, 2011, p. 232). The terrain is mostly mountainous with a fertile coastal plain. The climate is temperate in the highlands but tropical on the coast. Guatemala is an ethnically diverse country with over 23 indigenous languages (principally Quiche, Kaq’chikel, Q’eqchi, and Mam) and a population of around 13.6 million (United States Department of State, 2008). The most prominent racial divide in Guatemala is between the *ladinos*¹³ and the *indigenous Mayans*¹⁴ (Moran-Taylor, 2008, p. 112). The ethnic breakdown of Guatemala is Mestizo and European 59.4%, Quiche 9.1%, Kaq’chikel 8.4%, Mam 7.9%, Q’eqchi 6.3%, other Mayan 8.6%, indigenous non-Mayan 0.2%, and other 0.1% (Central Intelligence Agency, 2001). The dominant religions are Roman Catholic, Protestant, and traditional Mayan. Guatemala is an agro-export

¹³ Mixed Spanish-Indians or Spanish speaking *mestizos*, Mixed Amerindian-Spanish - in local Spanish called Ladino.

¹⁴ Descendents of the Mayan civilization, the Maya, although including various distinct cultures and languages, have created a unifying identity through the “Pan-Maya Movement” (Comité de Unidad Campesina cited in Moran-Taylor and Taylor, 2010, p. 208).

economy producing coffee, bananas, and sugar, but it also exports crude oil, chemical products, clothing and textiles.



Photo 3-1 Political Map of Guatemala¹⁵

Latin America sustains the most unbalanced distribution of resources with a high degree of income inequality, yet Guatemala in particular has “consistently ranked among the most unequal” (Menjívar, 2008, p. 115). Income distribution in Guatemala reveals acute inequality¹⁶ in which the wealthiest twenty percent of the population account for more than half the overall consumption and the majority live below the poverty line (World Bank, 2011; Paverman, 2012). Of the eighty percent who lives in poverty over sixty percent of

¹⁵ Google Maps 2009: A = Tecún Umán considered the “New Tijuana” in the traffic literature (IHRLI, 2002, p. 48) characterized as having “a lot of prostitution in this city (...) almost the only thing there is (...) what Tijuana has the most of” (Hoffman, 2009).

¹⁶ The richest 10 percent of Guatemalans earn 43.5 percent of the country’s total income, whereas the poorest 30 percent earn 3.8 percent (...and...) 13.5 percent of Guatemalans live on less than US\$1 per day and approximately 32 percent live on less than US\$2 per day (World Bank, 2006 cited in Menjívar, 2008, p. 115).

these are indigenous Mayans (Action Aid, 2009, p. 2). Thirteen percent of the population are thought to live in extreme poverty (Central Intelligence Agency, 2001).

Considered one of the least urbanized places in Latin America, over fifty percent of the Guatemalans, primarily indigenous groups, live in rural areas (World Bank, 2008 cited in Moran-Taylor & Taylor, 2010, p. 203). Specifically the indigenous population, average seventy-three percent in poverty and twenty-eight percent in extreme poverty (Central Intelligence Agency, 2001). There is an issue of international debt which is around thirty percent of Guatemala's GDP¹⁷ (Cave, 2011), while tax revenues only bring in around ten percent of GDP (The World Bank, 2011) with "no clear path to improving its revenues, as the country's wealthy elite has generally stayed unified against higher taxes" (Cave, 2011). As such, public investment in social services and infrastructure, "critical to poverty reduction and sustained growth" (The World Bank, 2011), are severely limited. Furthermore, successive natural disasters such as Tropical Storm Agatha and the eruption of Pacaya volcano in 2010 caused, "an estimated US\$982 million in damages and losses" (The World Bank, 2011). Annual bombardments of natural destruction create inexorable obstacles to developing and maintaining infrastructure. Malaria, diarrhea and malnutrition along with numerous infectious diseases associated with poverty afflict much of Guatemala's population (Allen & Thomas, 1993, pp. 36, 38, 44, 94). Evidence suggests that almost half of Guatemala's children under age five experience chronic malnutrition, "one of the highest malnutrition rates in the world" (Central Intelligence Agency, 2001). Thirty percent of the population is illiterate (United States Department of State, 2008; Action Aid, 2009, p. 2).

¹⁷ Gross Domestic Product

3.2 History of Exclusion

Academics have traced racism and sexism as key forms of organizing state terror around unequal capitalist structures to European colonialism in the sixteenth century (Figueroa Ibarra, 1991 cited in Martinez-Salazar, 2008, p. 203). Evidence of cruelty including “overwork, death by hunger and disease, and torture for those suspected of rebelling against the status quo—appear and reappear, almost as a habit, with violence as normality, into the contemporary period” is not unique to Spanish colonization of Mayans, but persist throughout Guatemala’s history to contemporary times (Manz, 2008, p. 156). From post-eighteenth century reforms to the political turmoil of independence, Mayan communities experienced, “a gradual but persistent curtailment of their political power, loss of cultural autonomy, and increased levels of economic exploitation in the form of taxation and land expropriation” (Grandin, 2000, p. 22). This erosion of indigenous social status was caused in part by the circulation of several myths associated with colonization and the power of the colonizers. From the time of conquest into contemporary times the Guatemalan process of nation-building has involved violence, “individual and collective rape of Indigenous women, their forced pregnancies, and the relocation of their families and communities after their crops, housing and animals were destroyed” (Martinez-Salazar, 2008, p. 204). These exclusive structures of power which were established during colonization form the roots of the construction of contemporary state terror.

The worldwide Cholera epidemic during the 1800s, for Guatemala, marked a crucial turning point in racial power relations. This highly visual disease along with the rapidity of its death rate incited fear among the entire population of Guatemala. In Guatemala, “municipal officials regarded cholera, as did state agents in other areas of the world, as a disease of the poor” (Grandin, 2000, p. 85). Yet, in Guatemala, cholera increasingly became referred to as a disease of the indigenous poor. This association of cholera with

Mayans was a bold political move by the non-Indigenous elite. An overwhelming indigenous population governed by a fragmented and politically weak Ladino minority lead to the promotion of “a national identity that was premised on racial categories but that demanded cultural assimilation” (Grandin, 2000, p. 84). Cholera became the vehicle that carried the legitimacy of this new us-and-them national identity. Since Ladinos elites could not define themselves economically, politically, regionally or ethnically, then indigenusness and cholera “helped them define who they were not” (Grandin, 2000, p. 85). The rural indigenous majority maintained various languages, not having mastered the Spanish language, and became increasingly mistrustful of the immunization campaign, preferring instead their familiar traditional methods of shaman healing. Mayans began hiding their children from government doctors and subverting the efforts of the immunization campaign. The state also began to dictate new methods for the burial of cholera victims which sharply contradicted traditional mourning and burial practises (Grandin, 2000, p. 95). The indigenous resistance to government policies in the form of anti-immunization efforts deepened the rift between Mayans and Ladinos. Ladinos equated these actions with an indigenous undermining of Guatemalan progress and future. The Ladinos vision of a Guatemalan future, very European in nature, did not include traditional indigenous resistance. This began long struggle for the power to make one of two visions in Guatemala a reality.

By the second half of the nineteenth century, traditional aspects of strong family patriarchal ties, systems of reciprocity, agrarian self-sufficient lifestyles, and community production became racial obstacles to the shift from a subsistence economy to capitalistic coffee economy. At this time, the political climate was characterized by Ladino free-market liberalism intent on a militarized coffee producing state. This was achieved through a series of reforms implemented by force, using the indigenous communities as

forced labour and marginalising them further so that, “Guatemala’s entrance into the nineteenth-century international coffee market remains one of the most brutal in the hemisphere” (Grandin, 2000, p. 111). Privatization of communal land, new requirements of official documentation to denote land ownership, and increased taxation put a large majority of the rural indigenous at risk of landlessness enhanced by the colonial language barrier.

It seems that forced labour has been a persistent and reoccurring theme throughout Guatemalan history. The colonial period was characterized by “virtual labor slavery” (Tax, 1972, pp. 105-106), followed in 1877 by periods of state instituted forced labour laws called *mandamientos* which were “designed to meet the needs of coffee planters. The *mandamiento* complemented a growing reliance on debt labor, as conscripted workers willingly or unwillingly borrowed large amounts of money they could not pay back” (Grandin, 2000, p. 119). The *mandamiento* was later replaced by a system of debt peonage, “which kept the highland Indians still bound to lowland plantations” (Tax, 1972, pp. 105-106). Debt peonage was abolished in 1934 (Tax, 1972, p. 107), but was soon followed by the 1935 “Law of Vagrancy” which “obliged any person not having a trade or profession or not possessing a certain amount of cultivated land to seek employment for 100 or 150 days of the year, depending upon the amount of land owned” (Tax, 1972, p. 107). The amount of land was often set at more than the majority of peasants owned thereby continuing to require mass portions of the population into another form of forced labour. In essence, it would seem that “the more the system changes, the more it stays the same” (Tax, 1972, p. 106). This forced labour conscripted toward coffee production and away from subsistence based communities increasingly undermined the social and economic positions of a majority of the rural indigenous population. As a result the indigenous identity became increasingly tied to that of a seasonal plantation worker and therefore

working class manual labourers. Most significantly, the history of this labour system, arguably, planted the seeds of forced labour exploitation and debt bondage common in Guatemala today. This social system of normalized labour exploitation can be seen social structures which encourage human trafficking and exploitation.

The national education system, an attempt at indigenous assimilation into ladino culture, became another vehicle for discriminatory exclusion. Guatemalan President Rufino Barrios (1892-1898) explained that only through education could indigenous peoples “be removed from the ‘backward and abject state’ forced upon them by the conquest” (Grandin, 2000, p. 168). The curriculum, biased toward assimilation of indigenous into Ladino culture was offensive to traditional communities. There was a persistent absence of Mayan teachers as well as a lack of a requirement for Ladino teachers to speak indigenous languages. Resistance to the education system became common practice for many indigenous communities and it continued into the twentieth century as explained by Rigoberta Menchú, “I remember my father telling us: ‘My children, don’t aspire to go to school, because schools take our customs away from us’” (Burgos-Debray, 1983, p. 169). Guatemalan National legislation, however, requires that six years of school is universally compulsory. The government, faced with chronic absenteeism, responded to the resistance by deploying inspectors to find the missing school children and force them to go to school. The indigenous communities began hiding their children from inspectors mirroring historic reactions to vaccination campaigns (Grandin, 2000, p. 172). This indigenous resistance to the universal state education requirements was to Ladinos, confirmation of their view that Mayans were holding back the progress of the nation. If Guatemala failed to develop into the Ladino European vision, it was increasingly seen as the fault of the Indians who, in the eyes of Ladinos, clung to an anti-progress, backward, traditional culture.

This tendency to equate Indians with anti-progress continued to define Indian-Ladino relations throughout Guatemalan history. One of the great symbols of progress in the early 1900s was the building of the railroads. Yet again the impoverished Indians were conscripted to build the railroad. This obligatory labour was fraught with danger; electrocution, dynamite, and the levelling of the terrain made injury and death realities of job. Brutal, racist treatment of the Indian as well as appalling living conditions also characterized working-life on the railroad (Grandin, 2000, p. 172). Many would flee from the job site, so much so that the inability to keep indigenous labour became a common excuse for the delays in the railroads completion. After incessant delays, in 1930 the railroad was finally completed and was revered by Ladinos as the symbol of modernity. The majority of indigenous, however, avoided the use of the trains which were costly and unpredictable, preferring the traditional method of walking which was free and dependable. After decades of attempts to popularize train usage, the trains were eventually dismantled for lack of use and funds. The grand symbol of Guatemalan modernity was in effect rejected by the majority of Guatemalans. It became increasingly clear the ladino vision of a Guatemala with a Europeanized future was not shared by the majority of Guatemalans. The Ladino elite reconciled this failure, not by restructuring their vision into a more inclusive and representative one, but by blaming the indigenous population for being anti-progress. This sense of finding blame may have also planted the seeds for victim blaming practices in contemporary culture.

Historically in the indigenous context, a woman's role was fundamental as they became the visual carriers of the enduring traditional identity of indigenous cultures with the clothes they wore and the children they bore. In an attempt to reconcile modernity with tradition,

progress with stability, the image of the indigenous family became men dressed in Western clothes symbolising progress and women dressed in the *huipil* and *corte*¹⁸ as standard-bearers of Mayan identity (Grandin, 2000, p. 185). The role of the Indigenous woman has become more complicated over time. Indigenous women not only confront and resist a national identity that seeks to assimilate them by eliminating their culture, but they must also contend with “a state that intended to turn their ethnicity into national folklore” (Grandin, 2000, p. 194).

Indigenous women were also the targets of a covert sterilizing campaign by the Guatemalan Social Security Institute (Burgos-Debray, 1983, p. 61). This scandal was further evidence that the Guatemalan Ladino state maintained a stance of contempt toward indigenous women. Indigenous women have responded to this message with resistance, hiding their children from the national school system and national healthcare strategies. The government subsequently strengthened their message of disdain, evident during the thirty-six year civil war. Rape and murder were state practice carried out by the military. Rape in war time is used as a strategy of humiliation inflicted specifically on women, in the case of Guatemala, specifically on the visual bearers of the indigenous culture. The detriment of this vicious downward spiral of state derision met with indigenous resistance which increased state cruelty was particularly endured by indigenous women as a result of their social role as cultural staples.

¹⁸ *Huipil* also known as *Güipil* a traditional embroidered blouse usually worn with a *Corte*, a traditional embroidered skirt worn by indigenous women.

In the decades leading up to the internal conflict, free-market liberals, primarily ladino landowners, profited from the exploitation of the large indigenous labor force uninhibited by a free-market capitalist society. Within the coffee state the role of the Maya was defined as manual laborer. The subsistence base on which many had relied was increasingly scarce and difficult to maintain. Exclusion and exploitation experienced by the indigenous population led many to suffer from extreme poverty. This poverty forced the population to become wage-dependent seasonal plantations workers. The living conditions on plantations have been described as subhuman with brutal racist treatment (Burgos-Debray, 1983). By contrast ladino landowners profited from the exploitation of indigenous laborers, uninhibited by regulations in a free-market capitalist system. In response to a lack of social regulations in 1944, a movement spearheaded by students, teachers, military reformers, union organizers, peasants and an emerging middle class ousted the exclusive, liberal free-market government and elected a social liberal government which created some radical ambitious economic and political reforms aimed at making Guatemala a modern inclusive society (Grandin, 2000, p. 199; Menjívar, 2008, p. 117). Guatemalans enjoyed a decade of democracy and inclusion, known as the “decade of spring” (Grandin, 2000, p. 199), with dramatic land reform campaigns, one of which allowed peasants to claim uncultivated land. This political system was led politically by left leaning president Jacobo Árbenz Guzmán between 1951 to 1954 (Paverman, 2012). This was not to last, however, as the ousted free-market liberals retaliated by accusing the new socialist government of communism.

In an increasingly cold war political climate, such accusations played into the paranoia surrounding communism in the United States. The United States supported a military coup which expelled the socialist president in 1954 and instated a newly U.S. backed militarized government that became characterized by repressive cruelty and acts of genocide (CEH,

1999; Grandin, 2000). The re-instated free-market liberal government reversed the social programs and land reforms. The regression of the land reform acts returned many Guatemalans to landless poverty. During this time a progressive branch of Catholicism, called Catholic Action, began to help the indigenous peoples to carve out communes of subsistence deep in the forests. The state, however, was committed to maintaining a large, mobile, indigenous labor force. It thus continued to employ the rhetoric and accusations of communism followed by extreme measures of military oppression to break the subsistence based communes and terrorize the peasant communities. In addition to the newly unleashed state oppression, predatory ladino owners increasingly capitalized on existing social exclusion tactics in the form of language and education barriers and traditional cultures of obedience to claim indigenous communes. Exploitation, reinforced by the military, evolved into internal conflict. Any suspected resistance to state terror and oppression by indigenous communities was responded to by heavy-handed military oppression called *La Violencia* (the Violence).

3.3 Internal Conflict 1960-1996

The defining event in recent Guatemalan history has been its internal armed conflict known locally as *La Violencia* (Warden, Field Notes, 2009), which began in 1960 and officially ended with the signing of the Peace Accords 1996 (Comisión par el Esclarecimiento Histórico, 1999). At the climax, 1981-1982, the army committed over four hundred massacres, decimating hundreds of Mayan communities, torturing and murdering in fulfilment of a state sponsored scorched earth policy (Grandin, 2000, p. 7). An estimated two hundred thousand people were murdered (LLorica, 2009) and two hundred and fifty thousand to one million people were reported to be displaced within Guatemala (Carmack, 1988, p. 10). According to the United Nations administered Truth Commission ninety-three percent of the atrocities were found to have been carried out by the military

(Comisión par el Esclarecimiento Histórico, 1999). The conflict involved a series of counterinsurgency campaigns relying heavily on public torture, disappearances, political killing and massacres to “drain the ‘water’ in which the guerrilla ‘fish’ swam” (Snodgrass-Godoy, 2002, p. 642). While Ladinos were killed throughout the state sponsored violence, the internal conflict is often couched in terms of a “third Mayan holocaust” rather than being directed at a multiethnic popular movement (Grandin, 2000, p. 16). The scale of the ethnic cleansing has been said to be beyond that of Bosnia and whose “savagery exceeded the violence in ‘El Salvador, Nicaragua, Chile, and Argentina combined’” (Kinzer, 2001, p. 61 cited in Manz, 2008, p. 152). Massacres, rape, torture, and a scorched earth policy became the daily reality in Guatemala for over three decades in what was eventually termed genocide¹⁹ which includes systematic destruction of large populations.

Refugees began pouring into Mexico and the numbers of internally displaced persons rose dramatically. Some joined the guerrilla resistance for a lack of other options. Yet the resistance was difficult to foster in the face of the multiethnic indigenous population. Indigenous groups found it difficult to communicate lacking fluency in more than one of the numerous Amerindian languages. The largely indigenous resistance also found it difficult to include poor Ladino Guatemalans on account of deeply held discriminatory

¹⁹ Defined by the UN Genocide Convention as “acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group,” whether by killing its members, causing them serious bodily or mental harm, forcing them to live under conditions calculated to cause their destruction, or other means, it means the destruction of collective life itself. (...First...) the Armies decimate the preexisting institutions of civil society, and second, it replaced these with new, perverse forms of social organization that have endured into the postwar period. (...) During its early incursions into the area, it systematically eliminated an entire generation of community leaders. (Snodgrass-Godoy, 2002, p. 646)

beliefs, as described by survivor Rigoberta Menchú, “The nun asked a little boy if they were poor and he said: ‘Yes, we’re poor but we’re not Indians’” (Burgos-Debray, 1983, p. 119). The resistance was often divided by discrimination, language barriers, and conflicting religious ideas, but the primary uniting force in the resistance was an opposition to the cruelty inflicted on the peasant communities by the military. Those who remained in the towns and villages lived under constant state-terror explained by Rigoberta as:

What they (the military) wanted was to exterminate the population once and for all. They didn't want anyone to survive. During the bombing, my mother had to attend too many of the wounded, people who'd lost fingers, eyes. And the children were crying and crying. There was nothing that could be done about the crops because they were ready for harvesting, and the army set fire to them so that the whole lot would burn. The children who lost their parents had to take refuge in the mountains. People were looking for their children and couldn't find them. (Burgos-Debray, 1983, p. 230)

Extermination included a number of gendered components. While only a quarter of the two hundred thousand disappeared or extra-judicially executed during the Violence were women (Comisión par el Esclarecimiento Histórico, 1999; Menjívar, 2008, p. 128) the military used traditional perceptions of gender roles and identities established earlier in the century which included a need to tame and control women who would not customarily be considered participants in politics or the insurgency (Carey & Torres, 2010, pp. 154-155). Women considered to have transgressed gender roles were included in advertisements detailing the justifiability of murder (Carey & Torres, 2010, p. 156). Carey and Torres (2010) also found that women, as vessels of the cultural ideal, while not killed as frequently as men, were accompanied more often with signs of overkill, “murder and

torture exceeding the force necessary to terminate life” (Carey & Torres, 2010, p. 156). Thus, gender-specific *necrological maps*²⁰ expose how a victims’ gender and ethnicity were key determinants in “the type and method of torture, forms of body disposal, and forms of reporting on violated cadavers” (Carey & Torres, 2010, p. 156). This reveals the importance of women’s roles in restructuring the Guatemalan nation through violence (Menjívar, 2008, pp. 128-129). Women were targeted as threats because as caregivers and teachers they had access to susceptible youth (Carey & Torres, 2010, p. 154). After being defined as targets through gender, women became expendable as the military separated citizens into “those who mattered and those who did not” a practice which served as justification and impunity (Carey & Torres, 2010, p. 155). Ethnicity played a key role as well since indigenous women were killed nearly twice as often as Ladinas and interviews with Mayan refugees and survivors, “detail witnessing rapes, public eviscerations of pregnant women, post-mortem lacerations, seemingly ritual burning of women and men alive in places of worship, public decapitations, and maiming. Prior to mass assassinations, women were raped in front of their loved ones and community members” (Carey & Torres, 2010, p. 156). During the Violence, as in the conquest, many surviving women became trophies for soldiers and officers (Martinez-Salazar, 2008, p. 204). Gendered and racial forms of state terror present during the conquest seemed “revived, re-taught and re-learned by both those in power and by subaltern populations” (Martinez-Salazar, 2008, p. 204).

²⁰ The accumulation of forensic evidence from cadavers which allows forensic scientists to reconstruct or map, not only the cause of death, but how a person died, including signs of torture and overkill pre and post mortem (Carey & Torres, 2010, p. 156).

In addition to right-wing death squads and gendered overkill, the genocide mentality of us-vs.-them meant that civilians were considered either with the military or against them. As such military conscription was compulsory in the form of the “one-million-strong” Civil Defense Patrols (PAC) (Manz, 2008, p. 153; Snodgrass-Godoy, 2002, p. 647). Such genocide ideology meant generating the militarization of daily social life including

... a standard routine, involving training, 24-hourshifts, controls, and checkpoints. Residents were required to obtain permission to leave their villages and were encouraged to inform (to the military) on fellow citizens. These divisive strategies ruptured communities and provoked fear (not just of the military) as well as distrust and sense of betrayal among one’s fellow villagers. The tactics engendered a deep sense of uncertainty embedded in the traumas surging from the vulnerabilities in people’s everyday life. The level of control and fear permeated many aspects of common communal practices. The PACs-rural paramilitary organizations—were forced to serve the army by conducting patrols, surveillance, and intelligence; informing on fellow villagers; and carrying out punishment and murder as directed by the army. This new unpaid extraction of labor, vigilance, and intelligence subordinated and often transformed, or actually shattered, the customary norms of village life--a perverse transformation that continues to affect these communities in the post war period. (Manz, 2008, p. 153)

The militarization of society meant the military controlled “social life so completely that other, non-military forms of organization were not only illegal, but unthinkable” (Snodgrass-Godoy, 2002, pp. 647-8). In communities local structures of authority were destroyed by supplanting traditional leaders with networks of military “informants and

collaborates, including military commissioners, civil patrollers, and individuals known as *orejas* (literally, ‘ears’) who conducted surveillance, provided information, and carried out orders issued by the Army” (Snodgrass-Godoy, 2002, p. 647). Local cliques amassed extraordinary power to wield in violent ways with impunity (Manz, 2008, p. 153). The scorched earth campaigns meant the local economies stagnated and members of this mass reserve military began looking new ways to supplement their income. Some military elite turned to the shadow economy including arms traffic, drug traffic and human traffic (Brands, 2011, p. 234). Guatemala’s distant and recent history has been a tempest of “colonization; mass rural movement; landlessness and plantation wage dependency; army sweeps, massacres, and scorched earth; oil developments; guerrillas; and displacement, refugees, and military development” (Carmack, 1988, p. 70). Decades of upheaval have contributed to the current climate of post-war challenges as well as created an environment conducive to continued exploitation and traffic.

3.4 Post Conflict Society

The Violence gave rise to bloodshed and terror as routine violence became a way of life for over thirty-six years having devastating effects on communities (Snodgrass-Godoy, 2002, p. 646; Brands, 2011, p. 232) and influencing patterns of behaviour and value systems (Manz, 2008, p. 154). Today, the history of war crimes has become a reality of “community ruptures, endemic fear, deepened distrust, and unprecedented levels of daily violence that have continued into the post-war period” (Manz, 2008, p. Abstract) which prevented the building of an inclusive Guatemalan society. The lasting distrust of state institutions that followed the Violence was further cemented when the socioeconomic reforms promised to be implemented after the signing of the Peace Accords were never carried out (Brands, 2011, p. 232). Snodgrass-Godoy (2002, p. 648) described community life and cohesion based on shared traditions as having been replaced with fear-based

submission to the military authority which remained embedded in local practices while ex-paramilitary retained de facto control,

... community life itself—people’s ways of coming together and relating to one another, their interactions and expectations—have been deeply infused with violence. The war’s most lasting legacy in Guatemala, then may lie not in the long lists of victims nor the hundreds of unmarked grave sites. It may reside in something that left no visible remains: these violated networks of community cohesion, trust, and meaning. Although new generations of Guatemalans now inhabit the places left vacant by the massacres, the social space which binds them is still haunted by its history of terror. (Snodgrass-Godoy, 2002, p. 648)

Such lasting invasive military penetration into Guatemalan society has had long term repercussions in the post-war period “in the form of recrimination, vengeance, and a tendency to resolve disputes through direct violence—individually or collectively” (Manz, 2008, p. 153). Moreover, the internal conflict left the nation saturated with weapons and a mass pull of young men with few marketable skills other than weaponry alongside the “the growth of a predatory military elite skilled in corruption and intimidation” (Brands, 2011, p. 232). Specifically, the dysfunctional judicial system and the impunity enjoyed by the military and powerful have enabled perpetrators to perpetuate networks of power and build expertise (Manz, 2008, p. 154). These networks of criminality feed into the wider region of Central America which seems to be in the grips of criminal insurgency, “drug cartels and well-armed paramilitary groups are waging a war of attrition against the government and against one another, and the resulting ‘narco-insurgency’ has claimed over 15,000 lives” (Brands, 2011, p. 231). It is most likely in Guatemala where levels of criminality are most profound, “from Petén in the north, to Huehuetenango in the west, to parts of Guatemala

City itself, as much as 40 percent of Guatemalan Territory is estimated to be largely beyond the control of the police and the central government (...) in 2007, then—Vice President Eduardo Stein acknowledged that criminal elements controlled six of Guatemala’s 22 departments” (Brands, 2011, p. 231). By 2008, Guatemala had a higher per capita murder rate than Colombia and Mexico which lead to the then President Álvaro Colom to announce that “it’s more violent now than during the war” (Brands, 2011, p. 231). Between the years 1999 to 2006, murder rates increased more than one-hundred and twenty percent, especially in the capital, “the murder rate in Guatemala City reaching an astounding 108 per 100,000 inhabitants (compared to a world average of less than 9 per 100,000)” (Brands, 2011, p. 231). Guatemalan society is one in which all acts of violence are denoted as common crimes, “devaluing human life has become a habit, where problem solving though violence has become a normal impulse (...) the fatigue of daily havoc and the ordinariness of violence render them almost imperceptible and makes them part of the social landscape.” (Manz, 2008, p. 154).

Indeed the lasting psychological effects of the Violence in Guatemala are evident in today’s social and cultural dimensions of power and meaning (Manz, 2008, p. 154). The normalization of violence entrenches the invisibility of the violence and “obscures the magnitude of this social malaise” (Manz, 2008, p. 154). Those structures of violence are supported by tactics of social exclusion which are couched in terms of racism and sexism in order to dehumanize large sections of the population. Ethnic exclusionary structures which were founded during the colonial period and revitalized during the internal conflict have evolved into the post war period of state terror fed by, and organized around, racism (Martinez-Salazar, 2008, p. 203; Stewart, 2008, p. 235). Particularly vulnerable Guatemalans come from the ethnic indigenous groups of Mayans, Garifuna, and Xinca which tend to live in poorer rural areas (United States, 2004). In recent history Mayans

were considered breeders of communism, now “the newly enacted myth is that all Mayas living in the highlands are either drug traffickers or supporters of drug trafficking—a new collective racialized criminalization” (Martinez-Salazar, 2008, p. 211). A recent example was reported in the Municipality of Panzós, located in the Polochic Valley of Alta Verapaz where Q'eqchi' subsistence farmer community of forty-nine families (including ninety-two children) was evicted by force on March 18th (Guatemala Scholar's Network, 2011).²¹

Time and again indigenous communities are expendable in the path of big business. Space is racialized using state terror which has been a “lifelong learning process” that will need to be addressed through profound cultural, socio-economic and political change as well as an unlearning through informal and formal education (Martinez-Salazar, 2008, p. 210). Practices and discourses of exclusion involving the othering of a people are often accompanied by an internalization of those normalized social exchanges. Imperialistic dehumanizing imperatives are produced and reproduced in a violent colonizing knowledge that is structured into social relations, language, economy and cultural life (Martinez-Salazar, 2008, p. 202). Some researchers have recorded the internalization of exclusionary discourse in the “*blanqueamiento* (whitening) of race in Guatemala—the idea that by mixing blood from a ‘whiter’ to a ‘lower’ race, the latter can be ‘improved’ (see Nelson, 1999; Smith, 1995 cited in Moran-Taylor, 2008, p. 116). Other examples include, “a move

21 “Army soldiers, police, anti-riot police, and paramilitaries hired by the Chabil Utzaj sugar company, their faces hidden by ski masks, used chain saws, axes, machetes, guns and tractors to destroy the community members' homes and crops, and robbed their belongings. Later, company owners, national police and army, violently evicted fourteen Q'eqchi' Maya communities in the Polochic from the lands they have planted for generations” (Guatemala Scholar's Network, 2011).

away from arduous outdoor work or in the fields—jobs often construed as inferior and as an ‘Indian’ task” (Moran-Taylor, 2008, p. 116). Exclusionary structures are mutually reinforcing and social structures of racism feed and are fed by structures of patriarchy. During the internal conflict, the racist myth that indigenous culture is intrinsically violent was perpetuated by the state (Martinez-Salazar, 2008, p. 205). The result of this invention was that women were seen as the “social reproducers of people who will inevitably grow up to be resentful and who will become violent at the first opportunity” (Martinez-Salazar, 2008, p. 205). Thereby, indigenous women, their culture and lands became direct targets of the state (Martinez-Salazar, 2008, p. 202).

3.5 Historically Established Lines of Migration and Traffic

Guatemala’s 962 km northern border with Mexico (CIA, 2011) has “historically been porous and un-demarcated” (Ogren, 2007, p. 204). As stated, the indigenous Maya have more than 23 distinct tribal languages in Guatemala alone (see photo 8-3), but the indigenous tribes of Central America who identify with a common Mayan Ancestry are located throughout Southern Mexico and the Yucatan, Guatemala, parts of Honduras and El Salvador (Minority Rights Group International, 2008; Welker, 1996). See photo 8-2.

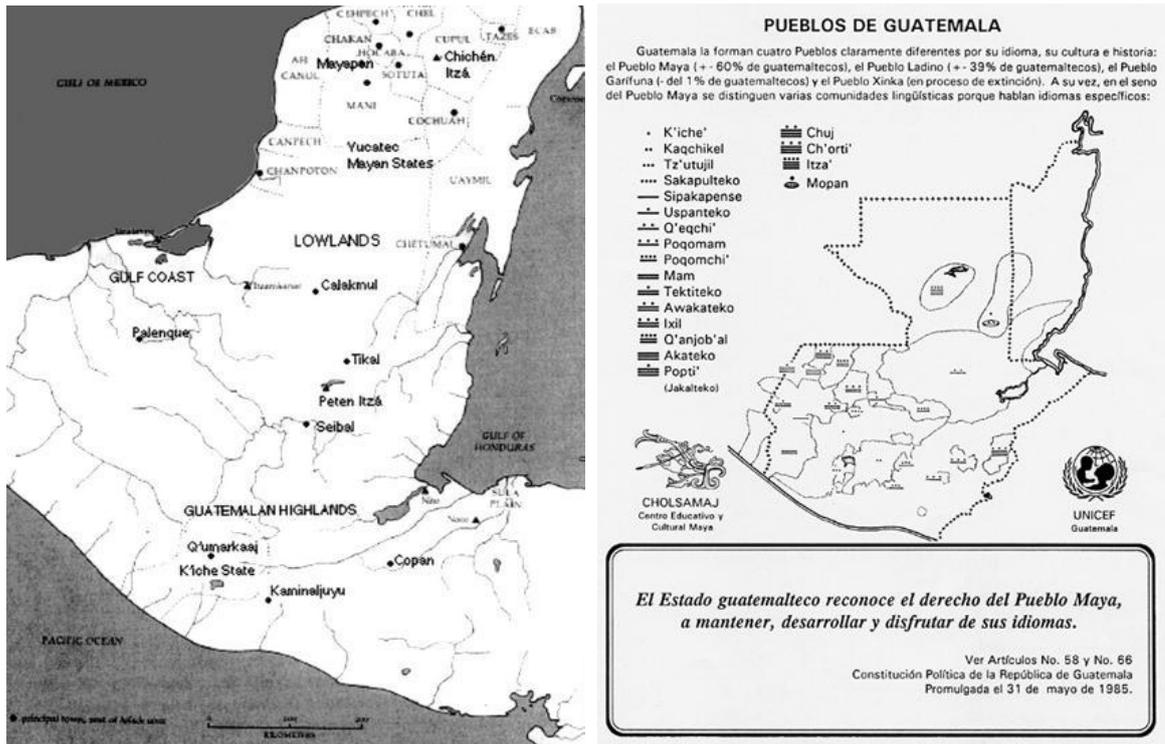


Photo 3-2 Mayan Region of Southern Mexico, the Yucatán, Guatemala, Honduras, El Salvador (Carmack, 2003).

Photo 3-3 Mayan linguistic map in Guatemala (Fischer, 2004)

Today's international border was established in 1882, yet the populations on both sides share similar geography, socio-economic conditions, and indigenous Mayan heritage (Ogren, 2007, p. 205). This cultural continuity trenchant on both sides of the Mexico-Guatemala border allows for historically significant regional ties particularly in agriculture. Since the nineteenth century, migrant agricultural labourers from Guatemala travelled to the southern Mexican coffee plantations of the Chiapas which is integral to the economy on both sides of the border (Ogren, 2007, p. 206). Ancient cultural connections include historically established routes of agricultural migration which aid in the creation of informal cross-border movements of people. While the cultural historical ties have an important impact in the region, more recent history has also strengthened cross border informal migration.

Another historical factor affecting current routes of migration was during the 1980s when Central America became a crucial battle field of the Cold War and migration routes were shaped by the diaspora of refugees fleeing the violence. In the name of anti-Communism, brutal internal conflicts became campaigns of genocide forcing refugees to flood over borders, numerous Guatemalans sought refuge in Mexico and while many were deported, a number of these refugees were allowed to stay (North & Simmons, 1999; Press, 2004, p. 15). During this time important connections were created by refugees given that, “migration is a social process involving kin and social networks between migrants’ places of origin and destination” (Moran-Taylor, 2008, p. 113). The refugees who were naturalized after the violent conflicts in the 1980s help foster social networks of informal migration. These networks would facilitate the more recent economic migration (Ribando Seelke, 2010, p. 2). As was the case with research participant Lily, who began her experience of traffic by travelling to Southern Mexico to meet an aunt who was naturalized refugee from *La Violencia*. The aunt took a cut of the money for Lily’s travel cost, before passing Lily onto a smuggler who would take her into the United States where a cousin was waiting in Florida to sell her to another man (Lily, 18 years, Guatemalan, Indigenous, Trafficked Victim, Florida, #114, 6/6/2011). Many cross-border social connections have matured into migration networks as a result of more than two generations of migration (Moran-Taylor, 2008, p. 113). Understanding this dynamic history of cross-border social connections is fundamental in understanding the elusive informal migration networks that facilitate human traffic.

Until recently, immigration policy directed at deportees had contributed to the bottle-neck effect of Guatemala. Before 2001, all irregular Central American migrants found in the US and Mexico were deported to Guatemala, “where they often lived as vagrants in border cities, awaiting their next chance to cross the border” (Ogren, 2007, p. 211). New

deportation policies are to bus Salvadoran and Honduran deportees to their respective borders with Guatemala. However, once released at the Guatemalan-Honduran or Guatemalan-Salvadoran border many deportees simply move out of sight of immigration, board a bus heading north across the border and resume their informal migration.²² Early deportation policy abandoned deportees at Guatemala's northern border while current policy abandons deportees at Guatemala's southern border. In both cases of migration through Central America, Guatemala remains a strategic nation in the "southern gateway to North America" (Sandoval Palacios, 2003, p. 98; Ogren, 2007, p. 210).

3.6 Human Traffic

Latin America is a source region for migrants whose destinations have been Spain, Italy, Canada, the Netherlands, Britain, Japan and the United States, as well as a transit region for Asians intended for the United States, Canada, and Europe (Ribando Seelke, 2010, p. 1). Many destination states rely on Latin American migrant labour for low-wage agriculture, construction, manufacturing and domestic work as a consequence of low birth rates and aging populations (Ribando Seelke, 2010, p. 2). Meanwhile tightening immigration policies in destination countries have led to a "global rise in illegal immigration" (Ribando Seelke, 2010, p. 2). Guatemala is a source, destination, and transit country of human traffic (United States Department of State, 2008). The recent violent history, social systems of exclusion, large impoverished population, and cultures of agricultural migration in Guatemala create an atmosphere conducive to human trafficking. Dreams of employment and prosperity in the North pull greater numbers of vulnerable

²² (Clarissa, 23 years, Honduran, Sex Worker, Trafficked Victim, Capital, #103, 21/6/2010); (Athena, 44 years, Salvadoran, Sex Worker, Trafficked Victim, Capital, #80, 12/6/2010)

migrants toward established trafficking networks northward to the United States (Ribando Seelke, 2010, p. 1). According to the literature, trafficking activity is perhaps the most visible and concentrated along the Guatemalan-Mexico border at Tecún Umán.

Well deserving of its “New Tijuana” name, Tecún Umán was referred to by many government and non-governmental representatives as indicative of the grave problem of trafficking in the region. The situation of Tecún Umán illustrates the nature of trafficking and other major elements that contribute to a fertile environment for trafficking activity. First, the availability of women and children is extremely high. Many sources indicated that Tecún Umán has served as the principal crossing point for migrants—both legal and illegal. Migrating women and minors will often find themselves at the border with insufficient funds to secure their further progress. In addition, the Central Americans who have crossed without success are returned to the Guatemalan side of the border, rather than to their countries of origin. Many desire to try again, for which money is necessary. (IHRLI, 2002, p. 48)

Border towns are transient areas where many migrants can be found waiting to cross. Mass amounts of waiting male migrants as well as a flow of international truckers provide demand for sexual services which supported sixty-seven establishments in the sex industry in 2002 (IHRLI, 2002, p. 49). Criminal networks along the border trade in vehicles, cattle, drugs and human beings as well as orchestrating regional sex traffic between brothel owners, migrant smugglers, rickshaw drivers (*tricileros*), and corrupt municipal officials, police and immigration authorities “in the form of bribes, payment through sexual services, and direct participation” which has cemented impunity for traffickers. (IHRLI, 2002, p. 49). Guatemala has been referred to as the “New Thailand” (Farr, 2005, p. 115) and the

“New Tijuana” (IHRLI, 2002, p. 48) with regards to trafficking which has demonstrated a need for attention of researchers to this area of the world. The legality of prostitution and implementation of the latest anti-trafficking legislation creates a difficulty in the identification of traffic victims as well as the conviction of traffickers (discussed further in Chapter 9). Why is the anti-traffic action in Guatemala so far behind other states in the region? Why do non-governmental organizations serve to facilitate the rehabilitation of traffic victims entirely without government support? It is evident that corruption facilitates the impunity with which traffickers operate, but what other social mechanisms are present within Guatemalan society assist in the persistence of human traffic? Such questions are addressed in subsequent chapters.

3.7 Summary

Guatemala has a long history of racial discrimination launched by the Ladino elite since, most prominently, the great cholera epidemic in which Ladinos were increasingly seen as a superior culture. This was followed by the transformation of Guatemala into an agro-export economy effectively destroying subsistence foundation of the indigenous rural population in order to foster a readily available labor force. The state then created an education system that served as a vehicle of Indian assimilation into the Ladino culture. When the Indigenous communities resisted the infringements on their culture the state came to see them as anti-progress. This was best demonstrated when the introduction of the railroad as a symbol of progress and the resistance of the Mayans solidified the link between indigenous-ness and anti-advancement. Indigenous women subsequently became the preservers of indigenous culture, a precarious role as the state became increasingly hostile toward all things Mayan. During the internal armed conflict, society was reeducated in structures of racism and sexism through extreme violence and state terror which has persisted into the post-conflict period. By examining historically significant factors such as

the Mayan ethnic and cultural consistency across the Guatemalan-Mexican border as well as *La Violencia*, the creation of established routes and linkages for migration across Guatemala's northern border facilitating today's trafficking can be seen. It is the position of this research project that there are consequent social links between this history of exclusion and the vulnerability to human traffic which are highlighted by the seriousness of the human traffic dilemma within Guatemala and the lack of anti-traffic efforts exhibited by the Guatemalan government. Those historical links to today's social exclusion lead to the hypothesis that internal human traffic of Guatemalans' would have a disproportionately indigenous aspect to victims. A further hypothesis was that given the history of violence and exclusion from state institutions that indigenous victims will be less likely to seek institutional rehabilitation due to mistrust in formal institutions and language isolation. This research project maps Guatemalan social exclusion within contemporary society in order to test these hypotheses as well as to produce a more concrete firsthand analysis of the links between exclusion and human traffic and commercial sexual exploitation.

4 Methodology

“You can’t always get what you want, but if you try sometimes, you just might find, you get what you need.” (Jagger & Richards, 1969)

This chapter details the methods utilized for this ethnographic study which identifies the underlying social structures which encourage human traffic. As case study for this endeavour, I conducted a thirteen month ethnography in the Central American country of Guatemala,

- to identify the social push / pull factors which contribute to human traffic,
- to examine those social structures which enable human traffic,
- to understand why Guatemala has experienced a proliferation of human traffic,
- to explore the intense social exclusion of indigenous women and its relation to human traffic,

These objectives guided the research project but did not limit the incorporation of emerging ideas or opportunities for increased understanding. This research process included qualitative ethnographic methods of accessing the research setting and target populations, data collection and analysis as well as numerous ethical concerns that arose. Yet, as suggested by the quotation above, given the capricious nature of working with people, it is often difficult to get *what you want*, clear, concise data, but *what you need*, the underlying social structures do, in fact, emerge over time from the wealth of collected data. Initially this chapter describes the ethnographic approach to the design of this project. The negotiation of access is presented along with a brief outline of selected research

participants. Research setting, data collection and analysis methods are described. An examination of reflexivity, positionality reveals existential shock and post traumatic stress syndrome that developed from researching vulnerable populations in violent contexts, followed by a summary of the main arguments for the choice of these methods.

4.1 An Ethnographic Approach

The purpose of the ethnographic approach is to gain access to local world views (Bryman, 2004, p. 282; Hammersely & Atkinson, 1995, p. 2) and the ability to scientifically report on those views in order to discover deeper structural patterns. The approach is appropriate for this research project because it is both descriptive and analytical (Punch, 1998, p. 200; Bryman, 2004, p. 280). In order to identify the social conventions that reinforce human traffic it is important to be descriptive. Yet, to understand the power dynamics and the underlying, reinforcing social structures within cultures, it is imperative to remain analytical. As the research was conducted in a country foreign to the researcher, these dual aspects were essential tools especially given the sensitive nature of the topic of human traffic.

The aim of ethnography is to represent the local world while simultaneously drawing conclusions that reflect the larger global system through an intense study of a locale penetrated by those larger systems (Marcus, 1998, p. 39). Thus it is the most appropriate method given the global and local composition of human traffic. Ethnography takes into account various global issues such as growing unemployment amidst of the current global economic climate, unrest and delinquency in local communities and neighbourhoods, as well as the emerging problems associated with explicit sex in national and international media (Schensul, et al., 1999, p. 7). To contribute to an enhanced understanding, the methods of ethnography call for the long term immersion of the researcher into the locales

of study (Hammersely & Atkinson, 1995, p. 1; Bryman, 2004, p. 291) specifically for this study, the sex worker community of Guatemala City.

In order to understand the underlying cultural and social structures which reinforce human traffic, it is important to understand the culture and society in which the social phenomenon occurs.

The essential core of ethnography is this concern with the meaning of actions and events to the people we seek to understand. Some of these meanings are directly expressed in language; many are taken for granted and communicated only indirectly through work and action. But in every society people make constant use of these complex meaning systems to organize their behaviour, to understand themselves and others, and to make sense out of the world in which they live. (Spradley1980:5)

It is this “taken for granted” (Spradley, 1980, p. 5; Punch, 1998, p. 185) aspect of culture which allows an advantage for a foreign researcher in the identification of underlying structures. There are limits to the perspective of the researcher as the outsider, the most obvious is the possibility of misinterpretation by the outsider and the time consuming nature of learning community cultural systems. Nevertheless, insider/outsider notions in ethnographic research, often “associated with juggling the simultaneous distance and intimacy of field work” (Hume & Mulcock, 2004, vol. xix), must be navigated to the best of the researcher’s ability. Particularly I found, as a foreign ethnographer, I was granted a special status of ignorant or naïve (O’Reilly, 2009, p. 112) and was therefore able to ask more probing questions which could be considered odd if asked by a native. From these probing questions I was able to infer patterns and structures which influence behaviour. The patterns emerge over time and can be recognized through detailed observations only

possible by living and working in the community (Fetterman, 1998, p. 36). Using ethnographic field methods, from June 2009 until July 2010, I was able to uncover numerous patterns within Guatemalan society which reinforce human traffic.

A central advantage of the ethnographic approach is the diversity (Punch, 1998, p. 139) of data collection methods. Principally, the methods applied in this ethnographic research project were participant observation, interviews, and life histories collection. This range of methods was essential given the unpredictable nature of working with people in different settings (Hammersely & Atkinson, 1995, p. 23). Another advantage is the flexibility, as the researcher “can change direction in the course of his or her investigation much more easily than in quantitative research, which tends to have a built-in momentum once the data collection is under way” (Bryman, 2004, pp. 282-3). Field work can be unpredictable with environments and characters changing precipitously. The flexibility and variety of the ethnographic method is important in that it allows the researcher to adapt while continuing to collect data.

In contrast, however, this flexibility and diversity has been criticized as the primary cause of the reduction in reliability (Bryman, 2004, p. 273). The ability to replicate ethnographic research is compromised by its contextual inconsistency. Being able to access numerous qualitative methods, however, allows for a methodological triangulation which can increase the validity of the research. Validity refers to the “quality of the theoretical inferences” (Bryman, 2004, p. 285; Hammersely, 1992, p. 78) which comes to light from the data and whether those inferences can be generalized. Consequently, triangulation of qualitative methods is crucial to show consistency within the data. The mixture of methods utilized in this thesis creates a methodological triangulation thereby demonstrating the validity of the research.

4.2 Negotiating, Renegotiating and Maintaining Access

Arguably, access into research relevant social settings is one of the most difficult and important stages of ethnography (Bryman, 2004, p. 294). Initial and ongoing access is central to this methodology. Accordingly, this research project began initial access to the country of Guatemala through a university culture and language course (Appendix I). This six week, summer semester course, called *Oxlajuj Aj*, accredited through Tulane University of New Orleans, served to cushion the initial culture shock (Hammersely & Atkinson, 1995, p. 102; Hume & Mulcock, 2004, vol. xiv), or estrangement often experienced by researchers entering a new cultural environment. The course helped me to safely acclimatise to Guatemala while at the same time providing formal cultural knowledge, basic indigenous Kaq'chikel language skills, and an introduction to indigenous Kaq'chikel local communities. In addition, this program also allowed access to key indigenous informants.

Flexibility in ethnography, as previously mentioned, is critical to the organic nature of the research. Initially this research project sought to identify the links between human traffic and the social exclusion of indigenous populations. The hypothesis was that the history of intense social exclusion experienced by the indigenous populations of Guatemala would increase the risk for indigenous girls to be trafficked. Given this aim, the enrolment into an indigenous culture and language course was essential, especially as the course was based in Antigua, the capital of the indigenous Kaq'chikel triangle (Field Notes 25/6/2009). At the end of the course, I began to seek volunteer opportunities which provided access into the target research population. At the end of August, with a number of volunteer opportunities offered, I was faced with a choice of which aspect of the research would be emphasized; either the indigenous exclusion or the elusive web of human traffic. I felt that the key factor in the research was to uncover the social links which reinforce human traffic.

Moreover, the indigenous element of the study could still be represented. Given the excessive danger of the capital, ethnographic research in this area is scarce; likewise, there is very little research into the Guatemalan Ladino culture (O'Neill & Kedron, 2011, p. 4). The rural indigenous culture is the focus of the majority of the research conducted in Guatemala. With this in mind, I accepted a volunteer research position with a Guatemalan Sex Worker NGO. Conducting an ethnographic study within the sex worker community would provide peripheral insight into the more secretive world of human traffic. The decision to embrace this ethnographic opportunity had a profound impact on the focus of the research project.

The NGO provided a setting dedicated to building personal relationships within the sex worker community including visits in the red-light districts as one way to accomplish that objective (MuJER, 2010). Working alongside NGO workers provided unique in-depth insight into the conditions which affect women and sex workers and provided a source of triangulation for interviews. Previous work on human traffic within Central America has found that, “the most reliable and consistent information (...was from...) health service providers—both public and private---who have regular access to and contact with individuals in the commercial sex industry, including trafficked persons and traffickers” (IHRLI, 2002, p. 21). Moreover, the NGO provided relative safe access to dangerous red-light districts outside of the prescribed NGO zone. Furthermore, the NGO provided a research assistant who had an intimate connection with sex work which enhanced the legitimacy of the research project in the eyes of the participants.

4.3 Selecting Participants

Given the dangerous and elusive nature of human traffic, research participants were selected through non-random, convenience, snow ball sampling (Schensul, et al., 1999, p.

233; Bryman, 2004, p. 304) based on opportunities which arose within the NGO, including staff members and participants at the NGO as well as affiliated organizations. Participant selection was also conducted in red-light districts,

Table 4-1 Characteristics of the Areas and Types of Data Collection

| Area Accessed | Research Participants | Reason |
|--|---|--|
| NGO MuJER, Guatemala City, Guatemala, Central America | <ul style="list-style-type: none"> • NGO Workers and • Sex Workers who frequented the Centre. | The Centre of Empowerment provided a safe space to establish a trusting reciprocal relationship with research participants: Sex Workers, Staff, and Former Traffic Victims. |
| Red-light Districts Inside Guatemala City, Guatemala, Central America | Sex Workers in red-light districts; <ul style="list-style-type: none"> • La Línea, • El Trébol, • Plaza la Concordia • Calle 17 | Consistent visits to red-light districts provided invaluable ethnographic data including first-hand accounts of conditions experienced by research participants as well as key interviews with sex workers who do not use the Centre. |
| Red-light Districts Outside Guatemala City, Guatemala, Central America | Towns where interviews were conducted; <ul style="list-style-type: none"> • Antigua • Escuintla • Puerto Barrios • Tecúm Umán • Quetzaltenango • Huehuetenango • Chimaltenango | Visiting and interviewing NGOs and Red-light districts from the four cardinal directions around the capital, specifically those towns and cities with notorious links to sex work and human traffic; generated a contextual understanding of the uniqueness of the Capital as well as a glimpse of commonalities which exist nationwide. |
| Workshops & Meetings Guatemala, Central America | <ul style="list-style-type: none"> • Leading Organizations for Human Rights • Government Organizations | By accompanying NGO members to activist workshops and meetings, and maintaining the role of the participant observer, I was exposed to numerous viewpoints providing further context and |

| | | |
|--|---|---|
| | <ul style="list-style-type: none"> • NGOs • Community Based Organizations • Religious Based Organizations • Constituents from organizations | <p>perspective of the home NGO.</p> <p>Moreover, insider perceptions were collected on the latest cross-cutting issues and themes relating to women’s rights and human traffic.</p> |
|--|---|---|

Participation in this research project was voluntary, which was established through the use of information sheets accompanied by consent forms (Appendix II-V). Of the criteria outlined in table 4-1, interviewees were further categorized by occupation, specifically; NGO worker, Sex Worker, Sex Worker/Former Traffic Victim in addition to nationality, Guatemalan, Mayan²³, El Salvadorian, Nicaraguan, Honduran, and American (for further details see Chapter Six). While women from the capital and participants in MuJER were disproportionately represented as a result of my continued positive work with them, their interviews were the most in-depth and detailed. The addition of interviews from the various towns around the country on routes of trafficking networks provided triangulation with the core sample inside Guatemala City. Identifying the varied backgrounds of research participants, in and around the capital, originating in and outside Guatemala, including Southern Central America helped to establish migratory paths and regional generalizability. From a total sample of one-hundred and fourteen participants, I interviewed twenty former traffic victims, which can help answer the question, what happens to victims after they are trafficked. The inclusion of thirty-five cultural experts including NGO and governmental workers, doctors, lawyers, nurses, teachers, and

²³ The international pan-Mayan Movement, consisting of numerous tribal languages and communities recognizing a common ancestry and Cosmo-vision, has led to the creation of an identity of a Mayan Nation (Kawoq, 2005; Chávez, 2008).

housewives brought an important perspective to the research and a method of triangulating the information from sex workers. Presentations, talks and conferences I attended have also produced a wealth of data, see table 4-2.

Table 4-2: Conferences & Workshops by local NGO's are cultural windows into the direction of social change

| Date | Title of Workshop or Conference | Location |
|-------------|---|-----------------|
| 29-Mar-10 | Workshop by the Group of Guatemalan Women on Femicide ²⁴ | Capital |
| 14-Apr-10 | Workshop by The Alliance, on Work in Communities of Traffic ²⁵ | Capital |
| 19-Apr-10 | Workshop by the Ombudsman of Human Rights on the Nexus between Refugees and Traffic ²⁶ | Capital |
| 27-Apr-10 | Round table event with Mexico on Boarder Crossing and Gender ²⁷ | Huehuetenango |

These talks provided data on the real-time situation of human traffic including perceptions, participation and directions in which the movement is headed. Some of which I was only allowed access to as a result of my steady willingness to work on the front lines of the movement for women's rights through the organization MuJER.

²⁴ Taller GGM (Grupo Guatemalteca de Mujeres), Femicidio

²⁵ Taller La Alianza, Trabajo en Comunidades de Trata

²⁶ Taller PDH, Nexo entre Refugio y Trata

²⁷ Mesa con México, Mesa de Transfronteriza de Genero

4.4 Access via NGO

The principal base of operations for the research project was the Centre of Empowerment. This was the environment where full-time volunteering developed long term trust enabling in-depth data to be collected with both sex workers and those who work with them. As indicated in table 4-1, travel was an ongoing aspect of the research to provide a broader picture of issues affecting the country as a whole, furthermore an opportunity to triangulate data collected in the capital. The Centre of Empowerment, was located in a building on the edge of the broader downtown area, a fifteen minute bus ride from the oldest red-light district in the city. The Centre was not indicated from the street and the building was securely locked whereby all entry was regulated by a doorman or cleaning woman. The organization shared the building with a number of legal offices, but only rented two rooms in the building. The main room was divided into common room, library and office space. The second room was used as a small class room and occasionally the NGO was permitted access to a hidden courtyard for workshops. The Centre was open from 8am until 5pm, Monday and Wednesday through Friday although closing hours were not strictly kept and the staff often remained in the office until the last sex worker decided to leave. Tuesdays were reserved for staff to visit red-light districts. During opening hours the Centre provides a number of classes for the Sex Workers, including literacy, accelerated primary education, computer classes, jewellery making, and embroidery. The Centre was exclusively open to female sex workers and by extension their children as the majority of female sex workers are single mothers. The Empowerment Centre maintains a small library of books for adults, children and young people, in addition to a number of puzzles and learning workbooks. The Centre provided a secure place of dignity for the women to come and feel safe enabling them to share their life's experiences, participate, learn, and discover one another, as women, as people with rights and tools to value. The Centre is generally a

bustling area where the women bring their problems to the staff and almost every day a woman cries.



Photo 4-1 Common Area, Centre of Empowerment, MuJER,

In terms of ongoing access, the research project took place over a considerable period of time, as such, access can be thought of as increasing in depth with greater length of time invested. Acclimation within the NGO was a process which often included a number of non-verbal methods, such as consistency. An ethnographer can achieve a level of trust in a foreign environment by being predictable so that those involved in the research become accustomed to the foreign presence of the researcher.

Today at lunch they noticed that I ate two tortillas rather than one. The action was commented on at length and was a source of some humorous comments. They only openly notice these minute details when I differ from my routine. Being studied and discussed is not ideal, but is an important part of the people becoming accustomed to me and learning to trust me. (Field notes 23/11/2009)

In order for the researcher to begin to blend into the surroundings, it is important for the researcher to remain consistent. The ethnographer must establish and maintain a role that is non-threatening, especially when the researcher enters into dynamic power situations. At first, the new Guatemalan Executive Director seemed wary of my presence, fearful that a North American might try to usurp her authority.

[The Executive Director] seems cautious of me, she isn't sure she can trust me and seems wary that I may be there to try to run the organization. I certainly do not want to run the organization, I'm just trying to accomplish the research and don't have the time even if I wanted to. (Field Notes 9/9/2009)

I think I'm making headway with [the Executive Director], every morning she walks in and I make her a cup of coffee, a subordinate task which I believe has established my non-threatening motives. (Field Notes, 22/9/2009)

In order to earn the trust and access from the research participants I first had to establish a relationship with workers of the organization, and then gradually the research participant constituent population of sex workers. This access was earned through my dedication to give back to the research participants. First, as indicated above, I developed a relationship with the fellow NGO workers by performing tasks like preparing coffee for them, participating in day to day life, assisting with chores such as cleaning, and offering to help where-ever possible. Initially I took on the translating documents and later teaching. I began teaching English and also became a literacy and primary school tutor. Later, at their request, I developed and delivered a dance aerobics class and helped with their computer problems. I developed a very good rapport with the sex workers in my classes because of my patient and encouraging teaching style.

It has been a few weeks of classes and the students are finally beginning to open up in class. This is a real change from their shy demeanours at the beginning of the course. I still don't know what their first experience with school was like, but I've heard stories in the slums of structured discipline used to shame and punish the students into learning. It seems that my primary task in these classes is not teaching English rather teaching that the learning environment is an enjoyable place of the exchange of ideas and understanding. Many of these sex workers, haven't been to school in years and have no idea what a noun and a verb are or the difference between the two. (The other English teacher for the organization) uses the immersion method, not allowing Spanish to be spoken, and many of her students are coming to me asking questions about grammar. (Field Notes 17/2/2010)

It was clear that the constituents responded well to an open forum learning environment as attendance increased and additional classes were requested. While these activities were vastly time consuming, they allowed me to establish trust and a positive presence as a researcher and a person among the research population.

Further access granted outside the safe walls of the organization occurred weekly when visits were made to the oldest red-light district in Guatemala City. These visits served a number of purposes including, fact finding missions, human rights education, solidarity building activities and a means to connect with and invite new sex workers moving around the city. As such, volunteering yielded the relative safety of affiliated access to four red-light districts in the capital; access that a lone Caucasian American woman would otherwise not be able to obtain without significant risk of life. The Centre afforded a safe space with privacy to interview respondents away from red-light districts where there

could be a fear of being overheard, gang intimidation, inebriated clients making lewd or profane advances, or an overall intensity and chaotic nature of the red-light districts. The Centre was a space separate from my home where the women would come and feel safe to speak candidly.

Principally, the Centre offered me an opportunity to give back to my research participants in a more direct way than the distant hope of the research's impact. My non-monetary contribution was to share my knowledge, skills including computer technology, compassion and support, and the solidarity of participating in public demonstrations.



Photo 4-2 Sex Worker marches with MuJER, November 25, 2009

Relationships were built by maintaining a constant presence in the NGO as well as the treatment of each research participant as though they were my teacher to be respected and

learned from. My primary role at the NGO was researcher, but additionally, as a means of reciprocating for the research participants, I volunteered as English and aerobics teacher as well as tutor in literacy and primary school classes. Moreover, I participated in numerous activities including workshops, field visits, and marches. It was important for the sex workers to see that I was willing to stand with them for their rights; that I had a positive investment in the future. I also participated in fellow NGO work with sex workers including two night visits into the red-light districts to deliver condoms and lubricant to sex workers. Gaining and maintaining access is a constant give and take of time and resources. It involves a constant web of observation and understanding, negotiating the ever changing relationships and roles (Schwartzman 1993:53-54) while observing ethical codes and uncovering relevant data. By adopting different roles at different times it was inevitable that at times the boundaries were blurred. Similar to feminist action research and participatory research this project involved social action biased in favour of dominated and exploited groups wherein researchers work “with” rather than “for” the researched by breaking down power dynamics while legitimizing the knowledge people are capable of producing (Reid, 2004, p. 3). Participant observation inherently consists of the “messy, complicated, and often emotionally fraught interactions between two or more human beings, one of whom is the researcher” (Hume & Mulcock, 2004, p. xviii). As such, preserving the balance of research and reciprocity was an ever present struggle in this research project.

On trips to interview sex workers outside the centre and around the country, the NGO provided a research assistant. The research assistant was key in providing, not only local knowledge (Schensul, et al., 1999, p. 74), but also safety in numbers. Given the extreme violence towards women in Guatemala and impunity of crimes, for a woman to be alone is to be at risk. Moreover, this research assistant often had an intimate connection with sex work, having practiced sex work herself, having been the daughter of a sex worker or

having worked extensively with sex workers. For these reasons she was largely beneficial in establishing trust with research participants. The research assistants varied depending on the needs of the organization, but one would always travel with me to outlying towns to facilitate interviews. While travelling, time was often limited. In order to use our time efficiently the assistant would prepare subsequent interviewees. We would greet the initial respondents together, introduce ourselves and explain our purpose. While conducting the first interview, my assistant would facilitate the necessary introductions to the project and assist a comprehensive understanding of participation. Research assistants explained the purpose of the research, themes of questions likely to be asked and would answer any questions that potential participants might have. In order to maintain confidentiality with respondents, however, the research assistant was almost never present during interviews. The rare occasions when it was necessary to have the research assistant present in the interview was when the safety of the research assistant was in question if she were to be alone. An example of such an occasion would be, on the Line, when interviews took place behind the closed doors in rooms of the sex workers. If only my research assistant and I visited the Line that day, it would have been unsafe to leave her outside the room with such a high gang presence. On exceptional cases, where the research assistant attended the interview, it was only with the consent of the interviewees, and the assistant agreed to be included in the confidentiality and would not participate in the interview but quietly and patiently wait. More often research assistants were an uplifting source of camaraderie and eased the progress of the research. At this point, it is necessary to define the main advantages and disadvantages of the unique factors of this setting.

4.5 Advantages & Disadvantages of Research Setting

Because of the elusive nature of human traffic, its links with organized crime and the obvious risk associated with field work in human traffic, access is limited at best (Kara,

2009, p. xiv; Bales, 1999, p. 37; Malarek, 2003, p. 26). Nevertheless, the blurred lines which separate victims of human traffic into sexual exploitation and the consensual sex workers are often crossed numerous times by the same people (Malarek, 2003, p. 203). As such, this research project sought access to the Sex Worker Community, through the organization MuJER. MuJER is unique in that it is the only NGO to work exclusively with female sex workers in all of Guatemala, allowing for a profound understanding of the sex worker experience. Another benefit of my connection with the NGO was that the trust associated with this NGO was often extended to include me. Access into the sex worker community is a risky and difficult prospect for which my affiliation to the NGO provided for nominal security. Additionally, MuJER is located in Guatemala City; arguably the most dangerous place in Guatemala and “now one of the most dangerous cities on the planet” (O’Neill & Kedron, 2011, p. 2) and a symbol of urban violence.

On average, 250 people are murdered each month in the capital. Armed robbers attack vehicles on main roads in broad daylight. People who regularly ride public buses (the only mode of transportation available to most) expect to be victimized when they travel. Images of bloody corpse and bullet-ridden cars dominate the mass media. The genuine reality of violence is sensationalized, made into a commodity sold on street corners and on television screens (Moser and Winton 2002). Guatemala remains a dangerous place, and the question of just who is to blame is the subject of regular conversation. (Benson, et al., 2008, pp. 38-39)

There were disadvantages to living and working in Guatemala City. Firstly, the innate danger of living in Guatemala City with one of the highest homicide rates in urban Latin America (O’Neill & Kedron, 2011, p. 11). In addition, I was and working with a profession

that is considered “impure” or “dirty” (Malarek, 2003, p. 79; Scoular & O’Neill, 2007, p. 769) and a constant target of violence. Violent murder of women has increased from 2005 when 665 cases were registered (Amnesty International, 2006). In November of 2009, I attended a vigil for the 727 cases registered since January of that year (more cases were added in December). MuJER was particularly advantageous in that it provided rare access to red-light districts which are frequent sites of murder, violent crime and constant gang supervision and exploitation. The capital is a key area for human traffic, as previously stated, according to the human traffic literature (Farr, 2005, p. 155). As an ethnographer, I felt this was the closest I could study human traffic into sexual exploitation without endangering myself or those around me.



Photo 4-3 Vigil for Victims of Femicide (November 24, 2009)

More than a target of violence, sex workers are also viewed with of profound indifference (Scoular & O’Neill, 2007, p. 769). In the case of Claudina Velásquez Paíz, 19-year-old law student, her body was not identified for days having been discarded because investigators assumed she was a prostitute as she was wearing sandals and a belly-button ring (Father of Claudina Velásquez Paíz, Public Appearance, Field Notes 24/11/2009). Women in particular have become targets of brutal violence in Central America, a practice come to be

known as femicide, in which women are raped, brutalized, mutilated, murdered and left in public spaces.

For example, on 24 June 2005 Marta Olga Caseros Batres's body was found in zone 6 of Guatemala City. She had been decapitated and her body cut up with a machete. On 6 November 2005, the dismembered parts of an unidentified woman were found in three bin bags in Guatemala City. She had been beheaded and her body cut into 19 pieces. On 1 December 2005 another decapitated woman was found in a tunnel in Guatemala City. (Amnesty International, 2006)

Living and working in a city of such extreme violence and fear resulted in an intense restriction of movement and a tremendous affect on the researcher psyche resulting in the development of post-traumatic stress syndrome (Warden, 2013). Yet an advantage of conducting research in Guatemala City was that very little is ethnographically known about the capital even though “anthropologists have been writing about Guatemala for more than a century (...) most scholarship has focused on the rural Maya, (...) prompting many foreign researchers, like tourists, to leave Guatemala City only moments after their flights touch down” (O’Neill & Kedron, 2011, pp. 3-4).

Secondly, working within an NGO using “practitioner ethnography” (Hammersely, 1992, pp. 135-136) at times, limits research opportunities to the boundaries and resources of the NGO. The Centre was open to all female sex workers; however, the resources of the NGO were limited in terms of staff and time. As such, the most significant long term trust building exercises occurred in the red-light district, *La Línea* (The Line), and more recently *El Trébol* (The Clover) and *Parque Concordia* (Concord Park). Consequently there were sections of the city which were under represented. The majority of sex workers who

frequented the Centre were those who worked on The Line. These women tended to be Ladino Guatemalan, Central American, and very few Mayan. Moreover, those sex workers who utilized the Centre tended to be those who either had overcome or not been involved in drug and alcohol abuse. Initially, this sample of participants seems limited, however, given the often inherent aspect of mobility in sex work (Rekart, 2006, p. 2128; Seddon, 1998) so as to maximize profits as the 'new girl' or 'flavour of the week' (Rose, 36 years, Guatemalan, Executive Director of NGO, Capital, #12, 25/1/10), there was often an opportunity to meet with women on the Line who had experience in other areas of the capital, country and abroad. Similarly, many of these women had varied histories working in different types of sex work in a variety of different areas, allowing for further varied samples given the collection of life history data.

4.6 Data Collection Methods

A principle method of ethnography is participant observation. The researcher as the instrument of interpretation and analysis raises questions of the level of involvement the researcher has in the culture they are recording. How much of the project will involve direct researcher participation or distant researcher observation? The literature suggests a number of different roles which a researcher could assume given the depth or participation or observation the researcher utilizes (Punch, 1998, p. 189; Bryman, 2004, p. 301; Schensul, et al., 1999, p. 91). This project was, for the most part, conducted overtly utilizing the role of participant-as-observer which involves a deep personal investment in the research (Johnson, 1990, p. 18). Advantages to this approach were the degree of openness and trust established which enhances the validity and reliability of the data, along with an increased researcher empathy with the participants allowing me to remain sensitive to ethical issues (Rynkiewich & Spradley, 1976, p. 137). The disadvantages to this approach were the long term exposure to high levels of violence, fear, and despair which

culminated in post-traumatic stress syndrome and a drop in the production in field notes (Warden, 2013).

In this research project I utilized a number of roles among my research participants. I was first and foremost a researcher; I made my intentions clear to the organization and was offered an unpaid internship with the organization to research the effects of the new law Decree 9-2009 on the sex workers. Included in this was a chance to conduct my own research on human traffic along side helping the organization understand the effects of the new law. This role as researcher for the organization afforded me ample organizational resources including safe space, research assistants, connections to other organizations, the extension of the organization's good reputation, insight and helped to facilitate the introductions to interviews. Another role I held was that of a student. I was often introduced as a university student from the UK. This role allowed me to be able to freely explore "taken for granted" (Spradley, 1980, p. 5; Punch, 1998, p. 185) questions allowing participants to articulate their own interpretations of their social worlds. As previously stated, I began each interview assigning the research participant the role of the teacher with all the respect and authority that role commands. I would explain that I was a student of Guatemalan society, that I was aware of social stigmas and rules from my own country, but that I was ignorant of those in Guatemala, and the participant as a teacher would have the opportunity to help me understand her social world.

I also held the role of teacher–staff within the organization, a dual role held by all the NGO workers. As a teacher I was responsible for weekly classes and tutoring; while as staff, I helped around the office, including translations, organization, fixing the printer, computer maintenance, making coffee, making new comers feel welcome, listening to constituents, watching their children, and field visits into red-light districts. These tasks offered me the

opportunity to reciprocate for participants, establish my long term presence, acclimatise me to the surroundings and the research participants to me. These tasks also extended the good faith of the organization to me as a researcher and provided me leverage to assert the research as a priority when necessary. Because I began to blend in as just another staff member, my research would at times get overshadowed by NGO goals and operations. In order to maintain the research as a priority, I made the research a fixed part of the agenda during the monthly meetings; we would make a plan, with long term and short term goals. At the next monthly meeting we would reassess our gains and unachieved goals.

I had to assert my research again, which is uncomfortable for me, even though I feel I've earned the right to speak up at MuJER. The great thing is (Executive Director) is very accommodating when I do this. She has a great saying, "help me today, tomorrow you will be helped"²⁸ which seems to work reciprocally for both us. Whenever I assert the research she immediately jumps to action making phone calls and for a while there is a burst of focus specifically on the research. (Field Notes 2/3/2010)

Ethnography is inherently time consuming (O'Reilly, 2009, p. 19) which then allows the researcher to be more capable of blending in to be able observe subtle everyday acts, such as quiet resistance of "foot dragging, false compliance, pilfering, and feigned ignorance that are used by relatively powerless groups in their everyday struggles against dominance and exploitation" (O'Reilly, 2009, p. 6). My tasks were time consuming, and there were times when the needs of the organization or the constituents outweighed the needs of the

²⁸ "Me ayudas hoy, mañana serás ayudado."

research, however, these tasks allowed for consistent acceptance, observation and reciprocity. Moreover, in the thirteen months more than enough data was collected to satisfy the research questions.

These roles were not mutually exclusive, in fact, were often combined and adjusted to the situation. The flexibility of moving between roles was necessary given that at times there were “things about the setting itself that make access difficult or impossible” (O’Reilly, 2005, p. 86) such as the sensitive and dangerous nature of the topic of human traffic.

On the other side of the Line, we avoid a particular group of doors where [the research assistant] calls the women ‘aggressive’²⁹. Some women don’t want to be talked to while they are working. We stand at a door of a regular to the Line, a heavy woman in her late 30s in full traje³⁰, I want to stay and chat, and to ask about the indigenous aspects of sex work, but we have still more doors to get to, and I can feel Wendy’s urgency to get off the Line. I look over to the neighbouring door which is closed, at the stoop are several used candles, some in glass with the virgin Mary painted on them, I notice the door has crime scene tape taped across it, it occurs to me that one of the women has been murdered. (Field Notes 28/1/2010)

Circumstances in ethnography can change precipitously, especially in dangerous environments with risky topics (Lee, 1995, p. 4), so I had to move fluidly through the

²⁹ ‘agresivas’

³⁰ Traje: translated from Spanish as Suit, but in Guatemala often refers to traditional Mayan dress, Güipil, Corte, Paz.

different roles and modes of participant observation. It should be noted that adopting a single role over the full course of research “would be undesirable, because there would be a lack of flexibility in handling situations and people, and risks of excessive involvement or detachment would loom large” (Bryman, 2004, p. 303).

At times it was necessary to adopt a covert role. When the research participants were provided with information sheets about the project and contact information (Appendix II), I used a variation of my own name³¹ for my own protection. Giving the research participants information sheets outlining the research project and contact details in areas of dangerous, even murderous, crimes was unwise. The variation of my name used was not so distant that the participants could not find me, but distant enough that I felt safer given the sensitive and dangerous nature of the topic of human traffic. Likewise, when visiting traffic hubs within Guatemala, I tried to blend in and stay off the streets especially in the towns where traffickers hold a significant presence. In some such situations it is only possible to obtain a secondary account, yet if at all possible I attempted to participate in situations. As a researcher in potentially dangerous situations I used a “dispersed identity in many different places of differing character” (Marcus, 1998, p. 63) to ensure my own safety, my assistant’s as well as the safety of the research participants. I always preferred the wealth of contextual data which was attained from first-hand experience to second-hand stories.

³¹ Normally I use my maiden name, Tara Warden, but in Guatemala I introduced myself as Terra Rebour. Terra is the rough Spanish translation of Tara and Rebour is my married name (Appendix II).

4.7 Informants & Interviews

Informants, or gatekeepers as they are known in anthropology, are crucial in negotiating access to a foreign cultural world. Key informants have specific topic-related knowledge while cultural experts with specific cultural-knowledge may be useful to the ethnographer (Schensul, et al., 1999, p. 74). An example of a key informant with specific topic-related knowledge for this project could be an employee within an anti-traffic organization, while a cultural expert could be a leading member within an indigenous community. Informants can be solicited or unsolicited (Bryman, 2004, p. 300). The role of a key informant and cultural expert can be an issue in ethnographic research as often those who are initially the most eager to take on the role can be those with the most invasive agenda, yet, this did not appear to be the case during this investigation. Additionally, the initial power structures within a community may not be clear to the researcher until after considerable time has passed. For this reason it is imperative to remain patient and objective when seeking out key informants and cultural experts.

Informants were chosen using non-random, convenience, snow ball sampling (Schensul, et al., 1999, p. 233; Bryman, 2004, p. 304) based on affiliations within the home NGO and activist community including staff members of affiliated organizations. The sampling of informants is an important task in order to ensure accurate representation of a social domain. This project also incorporated a stratification sampling technique in which the underlying rationale was “based on a theoretical model of organisational planning” (McClintock, 1983, p. 153 cited in Johnson, 1990, p. 44). This stratified sampling scheme was applied to decisions about which outlying towns and cities to include as representative samples of different regions in Guatemala. Additionally, stratified sampling logic was applied to the organization of informants into professional and layman as well as cultural (addressing indigenous domains) and technical (concerning human traffic structures).

In addition to field notes, semi-structured interviews were an important aspect of data collection. Both formal and informal interviews took place. Informal interviews occurred during the participant observation, when I simply inquired or asked questions to the participants (Spradley, 1980, p. 123). Formal interviews occurred in a more structured manner in which I had a line of questions with which to work. These more formal interviews took place toward the latter half of the research project so that I was prepared to decide who to interview and on what topics. Formal interviews ranged from ten minutes to three hours depending on a number of circumstances, with environment being a key factor. While travelling, I was usually limited in time, access, and levels of trust. In some instances as in Chimaltenango and Antigua only two interviews with sex workers were conducted, whereas in other circumstances such as Escuintla and Tecúm Umán as many as eleven sex workers were interviewed in addition to several cultural experts.

Feminist action research is a conceptual and methodological framework that attempts to address these needs and limitations and to locate the study of women's health in a broader social justice agenda. Feminist action researchers typically use qualitative research methods to generate in-depth understandings of women's experiences and put women's diversity at the centre of the analysis. FAR strategies attempt to be inclusive, participatory, collaborative, and to elucidate poor women's experiences. Indeed, FAR can be seen as a research tool to better understand the factors that perpetuate women's poverty, to appreciate the diverse and often disparate ways that poor women negotiate their lives, and to respond to social injustices through advocating collective action and social change. (Reid, 2004, p. 2)

Three types of interview methods were utilized in this research project: in-depth open-ended interviewing, semi-structured interviewing, and life-history collection. This research incorporated the collection of life histories, so that participants would provide rich, detailed, autobiographical descriptions (Fetterman, 1998, p. 51). Depending on the depth of trust, these interviews imparted a view of relationships dialectically, “in terms of history, flux, and flow [which] connects them to communities, relationships with the state shaped by neoliberal contexts and ideas of inclusion and exclusion, and to local struggles to address ongoing political and structural violence” (Burrell, 2010, p. 108). Life history collections were important, especially at the initial stages of the research project in order to help to familiarize me with local slang as well as the cultural and structural dynamics present both currently and historically. Throughout this research I varied the structure of the interviews depending on the respondent’s level of confidence. It should be noted that initially the interviews were in-depth and open-ended in order to deepen the overall understanding (Schensul, et al., 1999, p. 121). This project recognizes the value of reliance on informal unstructured interviews within the ethnographic process which allows for social knowledge to be imparted in passing. Opportunistic interviews are “very informal, a matter of directing questions towards somebody on the spur of the moment that they may or may not answer in ways you had expected” (O’Reilly, 2005, p. 124). This information can be the very telling and can help create a contextual reference to increase validity of the data. Given the unpredictability of ethnography, especially that which is conducted in violent contexts with marginalized populations, various data collection methods are required. Yet, contradictions often occur in ethnographic research. The uncertainty of violence invokes terror and confusion along with survival, resistance and creativity; “the simultaneous existence of laughter and suffering, fear and hope, indeterminacy and want, creativity and discipline, and absurdity” (Nordstrom & Robben, 1995, p. 10). In order to

examine and understand these contradictions, interviews whether formal or informal, unstructured or structured are key methods in an ethnographer's tool kit to be used when the opportunity for data collection presents itself.

Structure increased as the research progresses and the focus narrowed. The interviews became semi-structured, utilizing a *research guide*, yet allowing the interviewee a great deal of leeway to reply (Bryman, 2004, p. 321). This research guide was designed to draw out the respondents experiences with social exclusion and/or human traffic. This research design was informed by both criminology, which focuses on the crime, and victimology, which focuses on the victims' experiences (Schurink, et al., 1992, p. 11). This investigation sought to understand the experiences of the victims in order to map the extent of criminal exploitation and human trafficking. According to Nordstrom and Robben, understanding these experiences is particularly complicated because,

One can count the dead and measure the destruction of property, but victims can never convey their pain and suffering to us other than through the distortion of world, image and sound. Any rendition of the contradictory realities of violence imposes order and reason on what has been experienced as chaotic. (...) There are ways to reduce the degree of distortion. The closer one remains to the flow of life, to its often erratic progression, the greater understanding one will evolve among the readership about the daily existence of people under siege. (Nordstrom & Robben, 1995, pp. 12-13)

Distortion of the medium of event and text may be inevitable, yet preservation of veracity and authenticity of the data can occur through the investment of time and intimacy with data. Yet, the temperance of closeness with the research was maintained though critical

distance from research. In this case victimology provides for the analysis of “the role victims played in their own victimisation” (Schurink, et al., 1992, p. 9). During this investigation, however, I was crucially aware of preventing the possibility of “secondary victimization” (Campbell, 2002, p. 53). Secondary victimization is a phenomenon in which rape survivors exposed to “victim-blaming behaviours or attitudes, the experience may feel like a ‘second assault’ or a ‘second rape’” (Ahrens, 2006, p. 264). The purpose of my research was not to assign blame, rather to identify possible harmful perceptions and actions which could perpetuate the general climate of violence and fear. Interviews were conducted with the awareness that topics such as human traffic can potentially “magnify feelings of powerlessness, shame, and guilt for rape victims” (Campbell, 2002, p. 52). Efforts were made to minimize the risk of secondary victimization by focusing on perceptions of the interviewee rather than interviewer, and most interviews were preceded by a discussion of the possible local outlets for victim support. In addition to victim support, interviews were conducted with the heightened sensitivity to the difficulty of a discussion of rape and possible fragile state in which an interviewee may become. It is therefore vital to iterate that in all situations the needs of the victim outweighed any aspirations for data collection and at all times the interviewee’s needs were respected.

Before all formal recorded interviews, written and/or verbal informed consent was attained. Participants were provided with an information sheet at the start of the interviews which gave a clear outline of the research aims and methods (Appendix II-III) as well as a consent form (Appendix IV-V). Participants were asked if they fully understood the research aims, their role and how the data would be disseminated and if they would like to continue. Participants were given the opportunity to ask questions at any stage. If participants agreed to the interview they were asked to sign a consent form (Appendix IV) adhering to the American Anthropological Association (AAA) guidelines in the AAA

Briefing Paper on Informed Consent (2000). The consent form confirms that participants agree to participate in this research and that the information provided may be used in publications, conferences and future research but that their name and their personal details would remain confidential. The interview transcripts were kept anonymous and any identifiable information was removed in accordance with the *AAA Statement on the Confidentiality of Field Notes* (2003). In the event that the participant was illiterate, in recognition of the *AAA Common Rule Section 46.117(c)* (2004), consent was attained verbally, with the consent form read aloud to the participant and verbal consent was recorded digitally. The participant was at no time asked to sign a paper, the participants themselves cannot read.

4.8 Language Issues & Translation

Guatemala is an ethnically diverse country with over twenty-three indigenous dialects, principally *Kiche, Kaq'chikel, Q'eqchi, and Mam* (United States Department of State, 2008), in addition to the national language of Spanish. I had a working knowledge of Spanish before my arrival in Guatemala. I had conducted previous ethnographic research in Ecuador years ago and had since been taking night classes while conducting my literature review at the university. I had successfully completed four out of six levels of a Spanish Language Programme. Before my departure I was classified as Intermediate Advanced by Noé Sanchez, Head of Adult Learning and Language Services³². While evaluated as being able to carry on conversation, initially, I often felt frustrated with my lack of ability to discuss abstract ideas, argue, persuade, or joke with the ease of native fluency. This frustration lessened over time, but varied with situations. For example,

³² El Castillo, Scion House, Suite 14, Stirling University Innovation Park, Stirling, UK

during the Kaq'chikel course, I was being taught by native Kaq'chikel speakers for whom Spanish is a second language; I found it easier to communicate because we were using similar vocabulary from taught Spanish. On the other hand, when I was speaking with the native Spanish speaking sex workers who had very little formal education, I found their use of slang and imagery to express themselves and their humour frustratingly difficult to grasp.

Local Phrase: Ojalá que las patojas ha ganado huesos, vos.

Literal Translation: God willing those girls have won bones, dude.

Translation from Slang: Hopefully the young women have gotten work, friend. (Fieldwork 2010)

I bought the book, ¿Qué Onda Vos? What's Up Dude?, by Juan Carlos Martínez (2007), on Guatemalan slang and took further Spanish tutorial sessions at La Unión, Centro Lingüístico in Antigua on the weekends to increase my vocabulary and understanding. I did not have a translator, but relied on my own knowledge of Spanish. Moreover, I recorded almost all interviews for further review and have a wealth of contextual understanding. The majority of the research was conducted in Spanish, and Kaq'chikel was only utilized to establish cultural good will and respect with those who spoke this language.

Today, I met with the with (the representative) of DEMI³³, the Indigenous Woman's Rights Organization, and was thrilled that I immediately recognized her Güipil as being from (a certain Kaq'chikel village), so I greeted her formally and respectfully in her native language and she was very pleasantly surprised and seemed become enthusiastic about the interview, which is impressive considering how busy they are. We spoke for over an hour. (Field Notes 21/4/2010)

The meeting above was conducted in Spanish, but my indigenous greeting and knowledge of her culture afforded me an openness I may not otherwise have had. I transcribe my interviews to ensure confidentiality, reduce the probability of misrepresentative data and provide my instrumental cultural knowledge to experiences uncovering deeper cultural meanings (Spradley, 1980, p. 161). I do not underestimate the limiting factor of language in my research; however, I feel that I progressed significantly during the thirteen months which allowed for specific contextual cultural understanding (Verba, 1971, p. 314) to aid in language understanding and vice versa.

4.9 Reflexivity and Positionality

The researcher as the primary tool of interpretation requires considerable reflexivity (O'Reilly 2009:116) to be included in the analysis. Reflexivity is the understanding that ethnographic research does not occur in a vacuum, rather it is affected by the history, culture, values, and personal characteristics of the researcher as well as the values and

³³ La Defensoria de la Mujer Indígena (DEMI), a non-governmental organization that promotes the rights of indigenous women and girls.

interests conferred on the researcher from the research location and awareness of those effects (Hammersely & Atkinson, 1995, p. 1; Davies, 2008, pp. 4,6). Reflexivity is the critical consideration of the researcher's self, their biases within the research and those effects on the research (Jacobs-Huey, 2002, p. 791; Rose, 1997, p. 308). Reflexivity also recognizes the researcher's affect on the research participants along with that, "the production of knowledge by researchers has consequences" for the social world which has been researched (Hammersely & Atkinson, 1995, p. 17).

Included in Feminist Reflexivity is the practice of *positioning*, which is the act of incorporating into the research "the situatedness and partiality of all claims to knowledge" (Marcus, 1998, p. 198) in order to avoid the "false neutrality and universality of so much academic knowledge" (Rose, 1997, p. 306). It is important to take into account how one's position of power and privilege affects the collection of data. Furthermore, to recognize that researchers are also positioned by our research participants as they adjust to our presence in their social world (Roberts, 2001, p. 3). The understanding that the researcher's position as intricately attached to the complex fluidity of the insider/outsider position is essential to include in the research process in order to provide a point of reference and to remain critical of the process of the production of knowledge. Positionality (Chiseri-Strater, 1996, p. 116) is the means for researchers to examine, "how the self impacts upon the data generated (...) by focusing on social categories such as gender, class, ethnicity" (Punch, 2012, p. 87). The social categories in which I fit are; near-thirty-years-old, North American, female of relatively white ethnicity, from working class background.

A researcher's position is convoluted in the complex fluidity of the insider/outsider position. This position was compounded because I was a North American researcher in Guatemala, a Central Latin American country, researching sex workers and former traffic victims. I spoke Spanish to communicate with the research participants which for me was a

second language. Researching in a language and culture that is not your own can be a constant source of frustration when even the most casual nuances of society such as humour become a struggle. I was always conscious that the research participants were positioning me as they adjusted to my presence in their social world (Roberts, 2001, p. 3). My ethnicity and accent were obvious determinants to first impressions with research participants. As such, I had to always consider that my “role was embedded within a colonial relationship between the United States and Latin America” (Lee, 1995, p. 24). I was sensitive to my own position of privilege in relation to the women studied. This privilege can be “understood as entailing greater access both to material resource and to the power inherent in the production of knowledges about others” (Rose, 1997, p. 307). Given this privileged position, I took precautions to maintain a subservient rather than a superior *image* (Punch, 2012, p. 89). I felt that it was important to ask questions to establish my status as a student of Guatemalan culture, eager to learn, and ready to respect the people and culture I was studying. I tended to rely on the value of social interaction without needing in-depth conversation. I was frequently the first to offer to make someone a coffee or give someone my chair, demonstrating esteem while earning respect among participants. As time passed, I was entrusted with more and more of the personal struggles of research participants. I never sought the responsibility of solving someone’s problems, nor was I a qualified counsellor, but was available for listening when requested. It is important to realize that,

What I conceive of as normal had been shaped by structures within society such as family, educational system and political discourse. My role as a researcher of violence cannot be divorced from my lived experience. Listening to the narratives of violence of my research participants chimed with some of my lived experiences of my own context. (Hume, 2007, p. 148)

These lived experiences can be seen as both strengths and weaknesses with regards to the research. While not within the scope of this dissertation, both reflexivity and positionality of this project are expressly examined in the article “Feet of Clay, Confronting Emotional Challenges in Ethnography” (Warden, 2013).

4.10 Existential Shock

In their book, *Fieldwork Under Fire*, Nordstrom and Robben identify an experience of bewilderment on seeing violence for the first time which they call existential shock (1995, p. 13).

It is a disorientation about the boundaries between life and death, which appear erratic rather than discrete. It is the paradoxical awareness that human lives can be constituted as much around their destruction as around their reconstruction and that violence becomes a practice of negating the reason of existence of others and accentuating the survival of oneself. It is this confrontation of the ethnographer's own sense of being with lives constructed on haphazard grounds that provokes the bewilderment and sense of alienation experienced by most of us. Existential shock is highly personal and context-specific research phenomenon. (Nordstrom & Robben, 1995, p. 13).

Nordstrom and Robben describe participant observation in violence as seemingly impossible to conduct with relative detachment (Nordstrom & Robben, 1995, p. 13). This shock is reportedly common among researchers of violence and can be an intensely isolating experience. In order to illustrate researcher shock amidst research participant's apparent blasé attitudes toward violence I use the frog in boiling water syndrome. If a frog is dropped into a pot of boiling water, it will try to leap out to save its own life, however, if

a frog is put into a pot of tepid water and the heat is slowly turned up, frog's legs can be served for dinner. The violence is the boiling water in this metaphor. Like the first frog, the researcher's existential shock is the reaction to a sudden immersion into a life threatening situation. The second frog, however, like the research participants, has a history of acclimation in a lifetime of increasing violence. Research participants have established tolerance levels and coping strategies, while the researcher is adjusting to extreme circumstances in the immediate here and now. Unlike the first frog, however, I did not leap out of the boiling water; I did not leave Guatemala or settle for safer research. I stayed and committed to the transformation in the extreme environment. This adjustment, however, became a seemingly unending set of questions and self criticism of my own fears and whether my reactions to the violence were the appropriate ones in comparison to local reactions. Menjívar, in her article, "Violence and Women's Lives in Eastern Guatemala, A conceptual Framework" described a similar situation in which she, the researcher, was teased by research participants for showing shock and fear at a man brandishing a gun, chasing another and then being told to remain indoors (Menjívar, 2008, p. 123). Levels of shock and the readiness to show fear are different depending on length of time spent immersed in violent contexts.

Such a transformation in the researcher's psyche can have profound consequences 'for the extremes that people's existential disorientation may reach' (Nordstrom & Robben, 1995, p. 3). I remember abnormal intrusive thoughts in relation to the danger. Once on a long bus ride, we passed an accident where a bus hit a truck in a horrific fiery collision, and I remember feeling every bone in my spine from my tailbone to my neck. The fragility of my body and the ease with which life was destroyed in Guatemala was a grim actuality to normalize. Moreover, I found that writing field notes at the end of the day became an increasingly daunting task. The struggle of continuing participant observation in violent

contexts day after day was draining. After work for the organization, conducting of interviews and then returning home alone, the thought of re-living the day's experience by writing about it was often unbearable. I could take notes during the day, but at night, I needed to turn off the violence. I had to find some small way to escape, in order to be able to get up the next day and do it all over again.

Never was the inability to process the violence more severe than when one of my research participants was killed. On February 22nd 2010, Sandra was strangled to death with a power cord in her room on the Line. On March 10th 2010, Doña Sessi was shot five times as she was closing the door to her room to leave the Line for the night. She bled to death in the dirt. These murders were not distant unknown people, these were women I was getting to know, and had shared laughs with. Moreover, I was emotionally separated from my colleagues though difference of experience and a guilt that I was a privileged researcher (Chiseri-Strater, 1996, p. 116) only a sharing their struggles of a year. In Guatemala I was more critical of my abilities as a researcher than in any of the other ethnographies I conducted, while the layers of fear mounted. The more than one hundred interviews I conducted around Guatemala while confronted with mounting tragedy attests to my strength, endurance, and commitment to the research. The prolonged exposure to “such life threatening violence demonstrates the paralysis as well as the creativity of people coping under duress, a duress for which few are prepared” (Nordstrom, et al., 1995 p. 3).

4.11 Post-Traumatic Stress Syndrome

When I left the field I could not turn-off my emotional adaptation to Guatemala. Upon returning to the UK, I was greeted with a bombardment of expectations and pressures while simultaneously it seemed impossible to reconnect with my old life. Because the trauma occurred a continent away, people appeared uninterested in the experience of the

ethnography or its effects on me, yet it appeared as if everyone had their own expectations of me. Since little had changed among my friends and colleagues, there were assumptions that little had changed with me. It was the pressure to be happy, that I found particularly daunting.

It is attitudes like that, the constant pressure to “suck it up and deal” or to be happy that adds pressure to an already emotionally taxed state. Everyday people ask, “So, are you happy to be back in Scotland?” “So, I bet you’re happy to be out of Guatemala?” When in actuality, you are not happy to have left your Guatemalan friends behind, left others to struggle without you, left your life behind. (Email to Supervisors, 10/8/10)

Six months after my return from the field, I could not understand why I was having such a hard time coping with my new reality. Upon a suggestion from my sister and a good friend from a previous ethnography, I sought counseling through the university, where a qualified professional counselor confirmed that I was experiencing Post-Traumatic Stress Syndrome. Post-Traumatic Stress Disorder (PTSD), as defined by the American Psychiatric Association in 1980 is the re-experiencing of a traumatic event such as natural disasters, accidents, and wartime experiences (Perkonigg, et al., 2000 p. 47; Macfarlane, et al., 1994 p. 715). According to Kinchin, in order for a diagnosis to be made five criteria must be met:

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| 1. | The person must have witnessed or experienced a serious threat (real or perceived) to his life or physical well-being. |
| 2. | The person must re-experience the event, or part of the event, in some form. |

| | |
|----|--|
| 3. | The person must persistently avoid situations associated with the trauma, or experience a numbing of general responsiveness. |
| 4. | The person must experience persistent symptoms of increased arousal or ‘over-awareness’. |
| 5. | Symptoms must have lasted at least a month. |

Table 3: (Kinchin, 1994 pp. 50-51)

Many ethnographic research projects in dangerous contexts about distressing topics qualify for the first category. Additionally, ethnographic researchers may be susceptible to “Secondary Trauma” which is the trauma experienced by the researcher from the research topic in which interviews consist of trauma survivors recounting horrifying, terrifying and shocking traumatic memories (Jenkins & Baird, 2002 p. 423) or the telling of crimes committed which have generated suffering, recounting their memories of generating trauma. According to Kinchin, depression also often accompanies PTSD (1994 p.119). Future field workers should be made aware of the different levels of trauma that ethnographic researchers can be susceptible to and how to identify those levels in their own research.

It is also important to understand the symptoms of this trauma and how they can affect researchers. The second category, is what Kinchin calls “intrusive” because the symptoms tend to invade daily life as, “recurrent and distressing recollections; flashbacks, thoughts, nightmares, dreams” and some develop, “phobias about specific daily routines, events or objects” and “feelings of guilt for having survived” (Kinchin, 1994 p. 113-114; also see van der Kolk 1987 p. 69). In my case, there was both an everydayness of these feelings, but they intensified when I was exposed to stimulus that triggered my symptoms. I began to identify triggers such as violent images in films or the news, even my own field notes

took on the “role of the stressor” (Mcfarlane, et al., 1994 p. 722; also see Kinchin, 1994 p. 79). I would suddenly have feelings of panic, usually later followed by more guilt. I had violent nightmares and restless sleep. I felt disconnected from the peacefulness of my surroundings and became uncomfortable around people. These triggers evoked the physical symptoms of PTSD represented in category four which can include, “high levels of arousal and anxiety, information processing disorder, dissociation or avoidance” (Mcfarlane, et al., 1994 p. 722) as well as the “psychological symptoms, anxiety, agoraphobia, tension, social withdrawal, aggressive outbursts, poor concentration, panic attacks, obsessions, depression” (Kinchin, 1994 p. 113). In my case, I physically felt that my computer with my data was a coiled rattle snake in the corner of the room ready to bite and poison me with my own memories if I opened the interview files. I felt plagued by “intrusive emotionally-laden thoughts” which were “distressing and unwanted” (Mcfarlane, et al., 1994 p. 723). These issues were exacerbated by the deep seeded frustration from not being understood (Mcfarlane, et al., 1994 p.724).

Now given these realities, in hindsight, a week off from work may not have been enough, (truly a year seems more appropriate, though admittedly not very practical). Forcing myself back into the research has been a struggle in itself. I am struggling to return to the research, to go back into it all, to reopen what I am, each day, so successfully hiding away in order to find the happiness everyone’s expecting. Especially, in light of the chaotic life I’m working to get back in order. This may sound familiar, as it was a similar problem I had in Guate, but I am forcing it as best I can. I realize I’m not the only ethnographer who deals with this amount of emotional turmoil, but I thought you should be aware of what’s happening with your research student because I’m getting the sense that you both feel a bit in the dark about everything. I hope after this, you

can appreciate what it is like to be me today. In light of the fear & loss I carry with me from Guate in the face of the unfamiliar realities of Scottish culture, the upheaval of my home-life, and the constant pressure to be happy, be fine, just get used to it already because you should be used to it by now (laden with condescension). (Email to Supervisors, 10/8/10)

In terms of category three, I involuntarily avoided my triggers by leaving my home less and less, while feelings of estrangement and social isolation (van der Kolk, 1987 p. 3) lead to an almost agoraphobia which was probably the result of conditioning from Guatemala where the streets represented heightened danger. As I mentioned, I often wanted to return to the violence where these feeling would make sense. When I returned from Guatemala, I felt incapable of conducting data analysis and avoided the research “through various forms of busywork, to feelings of depersonalization” struggling with unrelenting “fears surrounding images of illness, injury, and death” (Lee 1995 p. 14). I developed avoidance methods that seemed to me largely involuntary. I avoided conducting data analysis which included thoughts or feelings associated with my experiences in Guatemala (Kinchin, 1994 pp. 113-114). I describe these reactions as involuntarily because I am an active person, so if I was not working on my dissertation, I was constantly finding a chore that needed done, cleaning the house, doing every piece of laundry, arranging and rearranging things until I would come to the end of the day and not know how I had gotten to the end of the day. Although, every day was different, on the days where I forced myself to work, I often buried myself in advocacy and activism work. I created power points and presentations illustrating my findings while in Guatemala which became the only forums I felt where I could express the horror of Guatemala and fulfill my promise to my research participants that I would raise awareness about the situation in Guatemala. In terms of advocacy, I provided expert testimony on a trafficking case involving a Guatemalan victim trafficked

to the USA. Focusing on these tasks helped me to avoid transcribing my interview data, while easing my guilt for abandoning my research participants.

4.12 Process of Data Analysis

Preliminary analysis of data was integrated with the data collection as part of a process of continual reflection. Analysis conducted during the field work using grounded theory aimed at comparing new data with that collected at the beginning of the project and emerging categories in order to demonstrate relations between concepts and categories (Charmaz, 2006, p. 23; Glaser & Strauss, 2009, p. 230). As the researcher became familiar with the data in the field throughout the investigation intrinsic researcher reflection influenced the evolution and expansion of interviews which were coded thematically (Charmaz, 2006, p. 45). This approach incorporated both inductive and deductive approaches to data analysis (Glaser & Strauss, 2009, pp. 5 & 17-18). The investigation was deductive because prior to field work for this project, previous ethnographic work in the developing world shaped my ideas of marginalization. In my experience social exclusion can be more marginalizing than financial concerns such as poverty which are often credited with being the source of vulnerability. Because of these experiences, I researched social exclusion theory for the literature review which was incorporated into the initial hypothesis (Glaser & Strauss, 2009, p. 6) and thematic categories (Charmaz, 2006, pp. 47-48) which commenced the composition of semi-structured interviews (deductive approach). I was aware, however, of how preconceptions can obscure data (Charmaz, 2006, p. 67). Therefore this study remained inductive through methods of ethnographic observation, feminist action research and grounded theory. Such methods call for privileging the voices of participants and allowing for open-endedness to reveal previously unknown social structures. These methods also allowed for the materialization of interpretation on the different levels of impact of factors such as violence and for thematic

categories and codes to come to light during the field work and analysis phases of research (inductive approach).

Upon completion of fieldwork, those thematic groupings were further organized so as to map wider social structures while indicating immediate impact as opposed to background influence. These broad categories were then translated into codes within Microsoft Excel, analytical software used in research (Atkinson, et al., 2001; Fielding, 2001, p. 455). Interviews were then translated and transcribed by myself and ascribed to those wider focused codes (Charmaz, 2006, pp. 57-58; LeCompte & Schensul, 1999, p. 47 & 129).

Table 4-4 Thematic Codes Utilized

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|---|---|
| Thematic codes at the local level included, | <ul style="list-style-type: none"> • race and ethnicity, • gender roles and patriarchy, • discrimination or exclusion • family structure and history, • violence and insecurity, • nexus of coping strategies for violence • migration |
| Thematic codes at the macro level included, | <ul style="list-style-type: none"> • political influences • economic factors • violence and insecurity • social structures • legislative frameworks • discrimination or exclusion • real time trafficking networks • international influences |

Each of these codes was analyzed for its relation to the push/pull factors of human trafficking nationally in Guatemala, and regionally in Central America. Within all of these wider thematic codes are between five and twelve specific sub-categories (LeCompte &

Schensul, 1999, p. 49) for micro analysis of interviewee experience, also known as “axial coding” (Charmaz, 2006, pp. 60-61).

4.13 The Production of Knowledge

Ethnographic research produces a descriptive representation of human events (Atkinson, et al., 2001, pp. 9-10). Ethnography tends to tell a story as absorbed and filtered through the researcher who decides what to include and what to ignore from data in order to tell that story (Glaser & Strauss, 2009, p. 6). In sociology that story is can considered a social problem (Mills, 1959, p. 4) while in criminology that story often involves a crime (Brown, et al., 2010). This dissertation presents an examination of the criminal and social problem of human trafficking by mapping the underlying social and cultural structures which reinforce extreme levels of exploitation. These structures are social constructions based on the “dimension of all human experience, connecting the material to the symbolic, generation-to-generation, group-to-group” and are therefore not static or homogenous (Kane, 2004, p. 305). The descriptive analysis of these social constructions is conducted by me, the researcher (Atkinson, et al., 2001, p. 123). Realists are critical of the duality of the descriptive nature of qualitative research. While realists accept “the notion that there is an external social reality that can be accessed by the researcher [they reject] the notion that such access is direct and in particular that the researcher can act as a mirror on the social world, reflecting its image back to an audience” (Bryman, 2004, p. 281). The observed phenomenon is, to some extent, shaped by the researcher who is engaged in constructions and representations of that happening. Engaging descriptiveness is a key tool in the identification of social structures. For this reason reflexivity is essential in qualitative research. Reflexivity in analysis allows the researcher to process the data collected from local interaction while allowing for the researcher’s own presence and how that presence may affect the subjects’ actions (Atkinson, et al., 2001, pp. 132-131). Nevertheless, the

interpretive data of this investigation claims to be an authority on social structures in Guatemalan society as it relates to human traffic and extreme exploitation, but also recognizes that this project only presents a particular interpretation and construction of these social structures. The researcher recognizes the possibility of multiple understandings and explanations of the same events.

Field notes and illustrative responses from interviews were included throughout the text for the insight it proffers and to “emphasize the importance of the contextual understanding of social behaviour” (Bryman, 2004, p. 281). Interview excerpts were systematically presented by including the participant’s (assigned pseudonym, age, nationality, occupation and/or capacity of expertise, number of the interview, and date of the interview). In the case that the interview was first conducted in Spanish, the original Spanish transcript is provided via footnote, while the English translation is incorporated into the main body of the text. Efforts were made to include a range of data so as not to privilege one voice or perspective. Despite my not always agreeing with my research participants, I endeavoured to accurately portray their perspectives and experiences. My field notes provided the means of producing knowledge through experience including emotional and sensory effects.

The validity of knowledge is based primarily on how well these conclusions can be generalized (Atkinson, et al., 2001, p. 447). The ability to generalize was achieved through quantitative aspects of one-hundred and thirteen interviews. The patterns which emerged in the quantity of testimonies produced the validity of assertions. Furthermore, the authority of generalizing nationwide was achieved by the addition of non-random convenience sampling in seven different cities from the four cardinal directions outside the capital and along known routes of human traffic. Moreover, the inclusion of non-Guatemalan Central

American migrant interviews indicates a tentative generalize-ability in the wider Central American region. It should be noted, however, that this generalize-ability only extends to the Latin American Hispanic culture and does not include the Afro-Caribbean Garífuna culture. This was not by design rather the lack of inclusion of this ethnic group in Guatemala was primarily the result of the group's geographic location on the Eastern coast. Data was gathered in the Eastern town of Puerto Barrios yet the population was primarily indigenous, Ladino, and Latin America's Honduran cultures. Data was not gathered in the isolated, far Eastern coastal town of Livingston, where a large community of Garífuna are known to reside. Livingston is a key town in drug trafficking from Columbia, however, the reasons for the not gathering data in this area were the lack of NGO ties which would have provided access to sex workers and the relative safety of local knowledge and reputation.

The process of analysis is to turn descriptive data and experiences into communicable yet actionable insight. Ethnographic experience, however, is neither "linear, nor always conveniently demarcated with clear boundaries" (Charmaz, 2006, p. 173). Given the chaotic nature of ethnography, Chapter Five, Research Participants, is both a methodology and findings chapter. Themes and coding, however, aided incisiveness and usefulness of the analysis. Ultimately, chapters were organized into macro and micro structures in addition to a chapter dedicated specifically to traffic related content. While other research projects have focused on the economic factors contributing to human traffic, this investigation offered a unique look into the social and cultural factors reinforcing trafficking.

4.14 Summary

This chapter provided a reflective description of the research methods from design to field work and analysis. Ethnography was presented as the most encompassing methodology.

Ethnography provides the flexibility and diversity of methods to research in foreign cultures. In addition to the importance of the overarching qualitative ethnographic approach, this chapter has addressed numerous infield obstacles. The difficulties of accessing relevant areas of society were initially tackled through the summer culture and language course and later through NGO access and the use of key informants and cultural experts. Data collection focused in areas of human traffic occurred through research into Guatemalan anti-traffic legislation and interviews in Guatemalan traffic hubs. Interviews were conducted with sex workers, some of which were revealed to have been former trafficked victims, and with personnel who are in direct contact with sex workers. During my thirteen months in the field, I was unable to penetrate the especially marginalized groups of indigenous sex workers. I attempted to make up for this with various research participants, but was unsuccessful in making a meaningful penetration to this group. This was in part for the language barrier and also the predicted mistrust from the group of outsiders. There is something to be learned from every failure. My lack of success in this regard confirmed the extremity of their marginalization within the wider sex worker community. Yet, the most significant difficulty with this investigation was my naivety regarding the extreme levels of post-war violence (Warden, 2013). This chapter has openly and reflexively outlined the multitude of difficulties which were overcome in order to conduct and analyze this research. While I consider the tremendous insecurity and violence to be a deterrent to research, it also became a major focus as an overarching social structure in the investigation into trafficking.

Data collection focused on social exclusion through long-term participant observation and interviews and life history collection. The immersion required by the ethnographic method prepared the researcher to be the instrument of description and analysis. “The empathetic stance of seeking to see through the eyes of one’s research participants” (Bryman, 2004, p.

280) calls into question the nature of the collected data when the researcher is the primary tool of interpretation. The diversity of methods within the qualitative discipline allowed for the triangulation of the data to increase the validity and reliability of the data. Those methods, being both descriptive and analytical, generate data from which it is possible to uncover underlying social and cultural structures. This chapter has demonstrated the utility of the ethnographic method in the identification of the dominant patterns and underlying structures which encourage human traffic within Guatemalan society. For a presentation and analysis of sampling and research participants see Chapter Five.

5 Research Participants

*They call me the disappeared, ghost that's never there.*³⁴ (Manu Chao, 1998)

This chapter presents a combination of methods and findings. A detailed account of the sources where information was collected and an analytical description of the participants in this project are provided. In addition, an in-depth, descriptive, contextual analysis of a previously understudied group, the sex worker community of Guatemala is discussed. This includes real-time information on routes of human traffic through Guatemala. As mentioned, one hundred and thirteen participants were chosen through non-random, convenience, snow ball sampling (Schensul, et al., 1999, p. 233; Bryman, 2004, p. 304). The overall profiles of participants including an analysis of the sex worker community are exhibited while discussing issues such as agency and choice as well as structure and exploitation. Afterwards, there is an examination of the sex worker community in wider national contexts with sample populations from seven different cities along trafficking routes in Guatemala. Emerging realities and contradictions regarding migration and trafficking are presented. The chapter examines the target research population by seeking to answer the questions:

- *Who is the typical sex worker in Guatemala?*
- *What are the different environments in which women can practice consensual sex work?*
- *What are the reasons for choosing this occupation?*

³⁴“Me dicen el desaparecido, fantasma que nunca esta”

- *What forces does she struggle against?*
- *What are her rights and support networks available to her?*

Ultimately these questions expound a richer understanding of sex traffic and commercial sexual exploitation in Guatemala.

5.1 Participant Profiles

In addition to the target sex worker population, cultural experts were also interviewed. Eighteen Guatemalan cultural experts were interviewed who worked in educational, humanitarian or governmental organizations in Guatemala. Some cultural experts consisted of workers who had a unique perspective on the rights and treatment of the target community having worked with sex workers. Others were indigenous Mayan activists who provided this project's source for the indigenous perspective. During the initial indigenous culture and language course I worked intensively with more than a dozen native Kaq'chikel teachers for eight hours a day, five days a week. An additional advantage of the course was that it moved locations from Antigua, to Tecpán then Panajachel in order to introduce students to different Kaq'chikel communities. In the latter two locations students were paired with teachers to live together in hotel rooms. The result of these close interactions was the development of trust and rapport. I interviewed seven indigenous Kaq'chikel teachers, four women and three men between the ages of 29-70. Additionally an interview was conducted at the DEMI³⁵ an organization in the capital dedicated to the promotion of the rights for Indigenous Women.

³⁵ La Defensoría de la Mujer Indígena (DEMI).

Nationalities and ethnicity varied with perceptions of identity. At times, given the lack of education among sex workers, ethnicity was often confused with nationality. In these cases I recorded the identity given to me by the interviewee. This ethnography, focused specifically on the Central Americans interviewed in Guatemala. The vast majority of Central American migrants interviewed were Guatemalan, Honduran, Salvadoran, and Nicaraguan. I did meet some Panamanian sex workers, but they did not participate in interviews. Consequently the phrase ‘Central American’ refers in this project specifically to migrants of these nationalities and did not include Belize or Costa Rican. The finding that neither Belize nor Costa Rican migrants were available participants points to in the significant difference between the social climates encouraging trafficking in the countries in the region. The ethnicity of interviewees and research participants tended to be Ladino. Ladino is a Guatemalan term for people with Spanish or European heritage (Gibbons & Ashdown, 2010, p. 116; Ashdown, et al., 2011, p. 78). Those who identified as Ladino only spoke the national language of Spanish. The racist history between the Ladino and indigenous cultures, however, led many participants to identify themselves as Chapín, a slang term referring to Guatemalans using a national-cultural identity as an ethnicity (Martínez, 2007, p. 82). Those who identified as indigenous Mayan either they themselves or their parents spoke one of multiple (over twenty-three) Mayan dialects and thereby participated to some degree in Mayan culture (Chávez, 2008, p. 10; Kawoq, 2005). Eighty-seven interviewees were Guatemalan and thirty-five of those claimed to be either indigenous or mixed³⁶ culture. Eight interviewees were indigenous Kaq’chikel cultural experts. Twenty-three Central American migrants were interviewed, including nine Nicaraguan, four Salvadoran, and ten Honduran.

³⁶ Mestizo (Indigenous and Ladino heritage)

Research participants and interviewees were almost exclusively women, with a few key exceptions. This was a conscious decision made primarily for researcher safety, given extreme patriarchal values and the persistence of femicide. I felt it would be potentially hazardous for me to approach men for information on the commercial sex industry and human traffic. The few exceptions included informal interviews with men that I had long term cordial contact with in safe environments. Ages of research participants varied between eighteen and eighty. There were occasions during the ethnographic observation in red-light districts when I observed young women whom I strongly suspected to be under the age of eighteen; however, given the illegality of underage sex work these young women would lie about their age. All of the underage sex workers I observed in red-light districts would disappear after my initial observation making it impossible to build a trusting relationship so they were never interviewed. I was informed that many of the younger women, because of the illegality of their work and vulnerability of their situations, become sex slaves in the homes of gang members (Ricky, 34 years, Guatemalan, Teacher, Antigua, #1, 16/1/2010). All interviewees self-identified as over the age of eighteen.

5.2 Sex Worker Community

As a full-time volunteer with the NGO, I was able to access the sex worker community whereby seventy-nine sex workers were interviewed. The majority, fifty-eight percent, of sex workers selected were based on opportunities which arose within the NGO for empowerment in the capital. Participants primarily included those who benefited from the NGO, members of staff as well as affiliated organizations and their members. In both cases I was able to establish “respectful, on-going relationships” with interviewees, “including enough rapport for there to be a genuine exchange of views and enough time and openness in the interviews for the interviewees to explore purposefully with the researcher the meanings they place on events in their worlds” (Atkinson, et al., 2001, p. 367). Many of

these ethnographic interviews were conducted in-depth after a period of time to establish trust and develop a positive presence in the Center of Empowerment as well as in the red-light districts, such as *La Línea*, *El Trébol* and *La Plaza Concordia*.

Prostitution is the exchange of sexual service for money (Jolin, 1994, p. 70), however, due to the negative social stigma surrounding the term prostitution (Saunders, 2005, p. 344), and given the complications which could arise with the Spanish word for prostitute, *prostituta*, being the root of the Spanish word for whore, *puta*, this project adopted the term sex work, *trabajo sexual*, which was used by local activists and sex workers. Feminist debate regarding sex work can be broadly split into two camps, the abolitionists who believe all forms of sex work is violence against women regardless of agency and the sex-as-work perspective in which sexual services can be seen as a form of labour (Jolin, 1994, p. 70; Sanders & Campbell, 2007, p. 2; Weitzer, 2005, p. 2; Bernstein, 1999, p. 93; Jenness, 1990). Similarly to O'Connell Davidson's (1995) findings, this project recognizes that the "issues of control and consent in prostitution are rather more complex than either the radical feminist or the liberal 'sex work' model suggest" (O'Connell Davidson, 1995, p. 1). On the one hand, this project recognizes the frequency of abuse within sex work, the common desire to escape sex work, and the dangerous implications for the sale of sexuality, but on the other hand acknowledging that the abolitionist perspective denies the agency of sex workers and the consequences of making sex work illegal could violate the "civil and workers' rights and integrity of sex workers" (Vanwessenbeeck, 2001, p. 243). This project recognizes the women's agency in conducting sex work and a sex workers' right to have their livelihood recognized as legitimate. The consensual sales of sexual services to earn a livelihood were, in many cases, an individual "choice" of research participants (Caradonna, Ava, 2009) unlike in human traffic in which consent is taken away.

It is important to note, however, that “the existence of choice does not, of course, indicate that there are no constraints restricting choice. Indeed, choices are always made within the limits of what are seen as feasible (...) and circumstances that determine the alternative possibilities open to us” (Sen, 2006, p. 5). Research participants conducting sex work revealed a number of forces which influenced their decision to engage in sex work. For example, ninety percent of sex workers in Guatemala are single mothers and heads of households struggling to obtain some economic income to provide daily sustenance for their family (ASI, 2008, p. 41). In many cases dependents were not limited to children, but comprised of wider family responsibilities including siblings, nieces and nephews, parents and parental figures. Similarly, the mother’s personal characteristics such as age, education and ethnicity were likely to influence her choices particularly including the availability of substitutes for the mother’s time in child care (Quisumbing, et al., 2007, p. 433). Many women conducting sex work highlighted the flexibility of hours that allowed for an increase in the amount of time spent with their children. Some women described their choice to enter into sex work only occurred when life presented some crisis of necessity, such as a family member’s illness or increased childcare expenses such as educational costs. To some extent women saw themselves pressured into sex work by socioeconomic conditions and political structures (ASI, 2008, p. 42). For further analysis of social structures which constrain women’s choices see Chapter Eight.

The legal status of sex work means that sex workers are vulnerable to exploitation in Guatemala. Sex work is not specifically illegal, and is regulated by the Ministry of Public Health and Social Assistance through the Directorate General of Health Services under the Division of Surveillance and Disease Control, Department of Transmissible Diseases.

Under these services, the Regulations for the Control of Sexually Transmitted Diseases³⁷ were developed. Significantly, in article eighteen defines, the requirement of sex workers to submit to gynaecological exams for STI testing, keep a booklet which documents their health status, and show this booklet to authorities upon request (1986, pp. 5-6). While sex work is technically recognized by government bodies; neither legislation, agreements, nor norms exist to defend the workers' rights of the population or mediate between duties, rights and obligations of interested parties as exists in other forms of labor (ASI, 2008, p. 42). Therefore, many businesses such as night clubs, bars, hotels, and closed houses among others take advantage of this ambiguity to exploit the women. Exploitation can take the form imposing fines to maintain control, filtering all payment for sexual services through the house register stopping women from contesting when money is siphoned away, when they endure abuse, or are required to remain for very long hours before they are paid (ASI, 2008, p. 43). All this can contribute to or an inability to leave the establishment (Field notes 16/6/2010) which begins to blur the boundaries between consensual sex work and human traffic. In the absence of protective national policies, such exploitative measures are normalized through rules and fines varying levels of severity.

Research with sex workers often characterizes sex work by the risk associated with working in “indoor sex markets” (Sanders, 2004, p. 562) and “street-based” (Abel, et al., 2009, p. 516) sex work (Weitzer, 1999, p. 84; Weitzer, 2005, p. 971). Similarly to O’Connell Davidson (1995) this project found that street workers tend to cater primarily to

³⁷ Ministerio de Salud Pública y Asistencia Social. Dirección General de Servicios de Salud. División de Vigilancia y Control de Enfermedades. Departamento de Enfermedades Transmisible. Reglamento para el Control de Las Enfermedades de Transmisión Sexual (1986)

men who want cheap “quickies” while indoor sex workers cater, “to men who are better off and/or more fearful and inexperienced, as well as to men who have more diverse and demanding requirements” (p. 4). In Guatemala there are a number of different ways in which sex work is conducted, and each type of sex work has different levels of risk associated with it. Sex work can also be differentiated into full time or part time. For example, university students who practice sex work are often considered part time. They occasionally exchange sex for money or gifts but sex work is not their only income. A defining factor which emerged during this research project was not whether the sex worker was street-based or worked indoors but whether the sex worker considered herself to be working independently or as an employee of an establishment. A sex worker as employee often worked for a bar, night club or closed house.³⁸ She was responsible for adhering to the rules of the establishment and the requests of managers, bosses, and owners. Establishment policy and sex worker control was often enforced through the application of fines. In order to work in an establishment, one must follow the house rules. A typical example can be found from former sex worker Paula who recounts the first establishment where she conducted sex work,

I'm going to see this place where they say they earn more money, (...) and when I get there, and I told the lady I needed to work and the lady told me... I knew what I was going to do because the lady..., the young women [who had told Paula about this place where you can earn more money] had also explained what [the work] was and the lady said to me also that "if I knew what the job was about?" I told her "not much", then she began to explain what it was

³⁸ El Bar, Night Club o Casa Cerrada

working there, what was the time of entry, that I was to lay the men who came there, to sell them drinks, and sell a service for sex with them. So I said it was okay, and I was working, but with me it was very difficult because I was nervous, completely shy (...) and all that, then I started working there, there was work for like, like five months, because the customers were accustomed to that, the oral we'd do without a condom, and that to me, I did not like that, because they say a disease can stick to you, that's horrible, so, so then she, always required us to attend a man and make oral sex without a condom, then customers knew and they knew how she was in charge, the boss, the owner, one can say, the customers would complain with her, and she loved the attention they gave, because one wasn't attending it well, and so I did not like that. I got out. (Paula, 33 years, Guatemalan, Sex Worker, NGO Worker, Capital, # 20, 19/3/2010)³⁹

³⁹ Yo voy a ver esa lugar que ellas dicen que se gana más dinero, entonces yo fui a un lugar, (...) Y allí llegue yo cuando, y me dije a la señora que necesitaba trabajar y la señora me dijo, ya sabía yo lo que iba porque la señora, las patojas habían dicho también de que se trataba y la señora me dijo a mi también que “¿si yo ya sabía de que se trataba el trabajo?” Yo le dije que “no mucho”, entonces ella me empezó a explicar que como era el trabajo allí, cuál era el horario del entrar, era de a tender los hombres que llegaban allí, era de vender les bebidas, y a uno de vende el servicio del sexo con ellos. Entonces yo le dije que estaba bien, me quedé trabajando, pero yo con mucha pena porque ha sido nerviosa, toda tímida, (...) allí había trabajando como, como cinco meses, porque aquí, estaban acostumbrado a los clientes de que el oral se hacen sin, sin condón, y eso a mí, no me gustó, porque dije a un enfermedad le pueden pegar a uno, eso es horrible, pues, entonces ella, siempre exigía que uno atendiera los hombres así, hacen sexo oral sin condón, entonces los clientes ya sabían y ya sabían cómo era la encargada, la dueña, se puede decir, los clientes iban a quejar con ella, y ella le amaba la atención a uno, porque uno no lo atendía bien, entonces no me gusto a eso, yo me salí.

The owners of these establishments can impose rules at their discretion. The sex workers employed are obliged to follow these rules, at times, despite the risk to their personal safety. As demonstrated by Paula, the no-condom policy for oral sex meant that she was forbidden by the establishment to protect herself with available safety measures. Guatemala's lack of codified labour rights and standards for sex workers meant that many women complained of various levels of exploitation endured in order to continue conducting sex work. As Paula continued the interview she described other forms of exploitation in her various experiences of working in establishments around the city.

...I left, and went for the other side, (...), but I didn't like the business, the owner drank a lot and he wanted you to be with him, to have sex with him, and he sometimes did not pay you, and he wanted to be selling sex with you, and did not pay, and so then no..., also equally, already I didn't like it just because they were only taking and drinking, and sometimes you would arrive and he was well drunk and would not open the business, opened late, and so you just weren't working, many times the clients take off and the business was closed because he was inside drinking, and wouldn't open the business, so then it was better that I did not want to work there also, not long after I left from there.

(Paula, 33 years, Guatemalan, Sex Worker, NGO Worker, Capital, # 20, 19/3/2010)⁴⁰

⁴⁰ me salí, y me fui por el otro lado, (...) lo que no me gusto de allí que el dueño del negocio tomaba mucho y él quería que uno estuviera con él, tuviera sexo con él, y él a veces no le pagaba uno, y él quería estar vendiendo sexo con uno, y no pagaba, y entonces no..., también igualmente ya no me gustó porque iban solo tomando bebía, y a veces, a uno llevaba y él estaba bien tomado y no abría el negocio, abría ya tarde,

The account given by Paula above illustrates another form of the exploitation sex workers experience from these establishments. She demonstrated how ideas of machismo have blurred the boundaries between employment and ownership (see also Chapter Eight). Paula was unable to assert her rights or demand payment for services rendered. Consequently, sex workers' only alternative is to search for work elsewhere. In addition to sexual exploitation, many women claimed to struggle with exploitative fines or rent required by the establishment in order to work there.

And I went over there to the zone eleven, (...) there also you had to pay 80Q [10\$US] daily, rent of the room, and on Saturday one paid, 115Q [15\$US], and so sometimes that's a lot of money and sometimes you don't, you don't make it, and during more days they are going to enjoy, or sometimes you just [work to] pay [the cost of working], they took you, then, it is very difficult, it is very difficult. (Paula, 33 years, Guatemalan, Sex Worker, NGO Worker, Capital, # 20, 19/3/2010)⁴¹

As mentioned by Paula, rent, although high, was a typical cost of working in closed houses. In some cases exploitative charges for working in an establishment were equal to,

entonces ya no trabajaba uno, mucho a veces los clientes llevaban y negocios estaba cerrado porque estaba tomando adentro, y no abría negocios, entonces mejor ya no quise trabajar allí también, hace poco me salí de allí.

⁴¹ Y me fui para allí, para la zona once, (...) también allí de diario tenía que pagar 80Q diarios, de renta del cuarto, y el día sábado se paga, 115Q, entonces a veces es mucho dinero y a veces uno no, no lo saca y entre mas día uno se van degustando, o a veces solo para pagar, sacaba uno, entonces, es bien difícil, es bien difícil.

or more than, it was possible to earn. Those establishments that did not charge rent, would charge a percentage of the cost of the service. These costs associated with working for an establishment were often considered an exchange for a relative guarantee of safety in the form of bouncers to protect the women. Bouncers were also associated with risk in that some bouncers were employed as enforcers. Some interviewees reported being locked inside brothels and forced to work without pay before being allowed to leave, in one case as long as a month (Warden, Field notes, Tecúm Umán, 16/6/2012). Interviewees regularly described exploitative fines as well as verbal and physical abuse accompanying house rules, yet sex workers lacked a formal or official place to address injustices. Thus sex workers are left vulnerable to exploitation by more powerful brothel owners.

Alternatively, independent sex workers usually work on the public spaces. An independent sex worker is not an employee of an establishment or a pimp so is therefore is not responsible for fines associated with infractions such as lateness or swearing. It is important to note, however, that while there is a freedom associated with independent sex work, there is also a high level of associated risk. An independent sex worker does not have the benefit of a bouncer to protect her physical safety in the event of an attack from a client. The independent sex worker, rather than being employed, will often work from a street corner, park, hotel or she could rent a room in an established red light district, like *La Linea*. If she works from a public park, her clients solicit her services in the park then they move to a secluded area, hotel, car or other private location. In this case there is an increased risk of safety when the sex worker gets into the car of a client. In a particularly grave case, Xomara was abducted and taken to a remote place outside of town where she was met by various men who stripped her naked, raped her, tied her hands to a column behind her, beat her relentlessly, broke her nose, and strangled her so brutally that doctors had to reconstruct her vocal cords and remove two discs in her spine in order to save her

life (Xomara, 53 years, Guatemala, Sex Worker, Indigenous, #28, 26/3/2010). Xomara is a rare survivor of attempted femicide, many other victims do not survive. Femicide is the murder of a woman because she is a woman (GGM, 2006; GGM, 2008; Benson, et al., 2008, p. 51; Carey & Torres, 2010, p. 143; Caissie, 2010). Gender based motives include rape, sexual torture and mutilation followed by bodies often being left in very public spaces. Sex workers in Guatemala are especially targeted for violence known as femicide. These are the very real risks undertaken as an independent sex worker.

Increased risk is also accompanied by increased benefits. In the case of the independent sex worker, her work hours are decided by her rather than a boss, manager or employer and sex workers often cited this as a positive aspect since their extra time was spent with their children. A common theme among sex workers is that most sex workers lived day to day, unable to save money. The independent sex workers earned between \$3-6 US dollars for each service.

Who pays your services? (...) Customers, because it's them who come for service, they pay me, directly to me. How much is each service? Sometimes 25Q [\$3.19USD] and 30Q [\$3.82USD] or sometimes 50Q [\$6.37USD] for each service, it depends, there are people that, yes they pay you nice and others who pay the least they can, and they pay 25Q [\$3.19USD]. (Natalie, 28 years, Guatemalan, Sex Worker, Capital, #23, 25/3/2010)⁴²

⁴² **¿Quién le paga sus servicios?** ¿Los servicios de qué? ¿Los servicios de trabajo? ¿De aquí, de trabajo? los clientes, porque ellos que vienen a servicio, ellos me pagan a mi **¿Cuánto paga cada servicio?** A veces 25Q

Yet, even though Natalie describes a consistent payment, sex workers seemed unable to save money. This is because their earnings primarily go to supporting their families, children and extended family members. That does not mean, however, that her work was solely for profit, she was still responsible for expenditures which included the cost of public transportation to commute to work, food, rent for the room of service and the daily extortion by the local gang (Emily, 26 years, Guatemalan, NGO Worker, Capital, #34, 7/4/10). Each day, most sex workers must conduct at least three services simply to cover the overhead cost of conducting sex work. These three services must occur before they are able to begin earning money for themselves and their families. With tough competition in terms of age, weight, and beauty in addition to slower week days having less clientele than weekends, the women were continuously at risk of falling behind in their fees. Given these costs, many sex workers were unable to financially cope in times of emergency.

***Do you currently live in the place you work?** Yes, because I once a week I go to my house. **Can you freely leave the place where you work?** If I can leave at any time? Yes. **Does your workplace keep your personal documents?** No, I keep them, I have them. **How often do you have a day off?** Once every 15 days. [...] **Do you have debt to pay in your work?** Yes, I have debts. **What kind of debt?** For me, in my work, I sometimes borrow money when I have an emergency, I borrowed money, then since then I have debt that every day I have a commitment to pay so much debt that provided a daily (...), so for that I have debt, right? Yes, so for example I borrowed 1000Q [\$127.43USD] I have*

y 30Q o a veces 50Q por cada servicio, depende, hay personas que si le pagan bonito a uno y otros que lo menos le pagan 25Q.

*to pay 100Q [\$12.74USD] daily. After 15 days I have paid off and then I am free of debt, right? But like this I always have debt, sometimes whichever thing I maintain sometimes... **You have to pay 100Q daily?** Yes, they are 1000Q [\$127.43USD], 100Q [\$12.74USD] completed daily for 15 days. **And to rent a room?** No, that's besides the debt, I rent the room, my room is separate, I pay daily 125Q [\$15.93USD]. **125Q [\$16USD] daily for the room?** Yes, my room, I have my two rooms, I have this, and I have another in there [she points deep into the back of the dark building] to sleep, and to have a quiet sleep, I have a TV, all of this I rent from the lady owner of this house, is nice because it's like a furnished apartment at once, it's beautiful, yes, and I'm safe, I feel very safe so I do not mind paying. (Natalie, 28 years old, Guatemalan, sex worker, Guatemala City, #23, 25/3/2010)⁴³*

⁴³ **¿Actualmente vive usted en el lugar de trabajo?** Sí, porque yo una vez a la semana voy a mis casa. **¿Puede salir libremente del lugar donde trabaja?** ¿Si puedo salir a cualquier hora? Sí. **¿En su lugar de trabajo le guardan sus documentos personales?** No, Yo los aguardo, yo los tengo. **¿Cada cuanto tiene usted descanso?** Una vez cada 15 días. [...] **¿Tiene alguna deuda que pagar en su trabajo?** Sí, tengo deudas. **¿Qué tipo de deuda?** Porque yo, sea en mi trabajo, yo a veces prestó dinero cuando yo tengo un emergencia, prestó dinero, entonces, ya después tengo la deuda de que diario un compromiso tengo que pagar tanto la deuda de que prestaba una bón diario, entonces eso si tengo deuda, ¿verdad? Si, así por ejempló yo presto 1000Q (mil quetzales) tengo que pagar 100 diario. A los 15 días ya he terminado de pagar entonces soy libre de deuda, ¿verdad? Pero así siempre tengo deuda, a veces cualquier cosa yo mantengo, a veces. **¿Tiene que pagar 100Q diario?** Si, son 1000Q, 100Q diarios para terminaron los 15 días. **¿Y alquilar cuarto?** No, eso es aparte del presta, del cuarto yo pago, se aparte mi cuarto, yo pago 125Q diario. **¿125Q diario por cuarto?** Sí, de mi cuarto, yo tengo mis dos cuartos, tengo este, y tengo otro allá adentro para dormir y duerma tranquila tengo tele, todo me preste la dueña de la casa, es bonita pues, es como un

As illustrated by Natalie, independence in sex work does not guarantee freedom from some forms of debt bondage. In case of emergency, women were often initiated or incur further debt. Emergencies were described as a family member falling ill or a new family member may arrive in need of support, or the appearance of a new baby or inheriting the responsibility of a niece or nephew, among other things. In these times of financial emergency, the sex worker is obliged to borrow money. The money is lent with interest, in this case \$127.43USD was borrowed, with \$63.71 of interest; thereby the total debt became \$191.14USD which initiated the sex worker's debt bondage. As Natalie exclaimed, "like this, I always have debt," which demonstrates the difficulty of leaving sex work for any other profession. While Natalie was aware of her unending debt situation, she still considered herself free to leave her job location at any time.

According to O'Connell Davidson (1995, p. 8), an obvious difference between a self-employed and a wage sex worker "is that the self-employed prostitute does not enter into a relationship with one employer" thereby "transferring rights of command over her person to anyone or any firm in particular" however, this does not make her more free than a wage worker. In sex work there is an inherent need to "surrender control over who to have sex with and how and when, just as it is necessary to surrender control over who directs your labour power and to what ends when you enter employment. The prostitute-client exchange is thus 'voluntary' only in the extremely limited, abstract and theoretical sense that the capitalist employment relation is a 'voluntary' one." (O'Connell Davidson, 1995, p. 8). Given the limitations within the concept of consensual sex work, both wage and

apartamento equipado de una vez, esta bonito, si, y estoy segura, me siento muy segura por eso no me importa pagar.

independent labour, it becomes difficult to clearly differentiate between traffic victims and consensual sex workers. Trafficking is often associated with “having control over another person” (United Nations, 2000, p. 42). Similarly to O’Connell Davidson (2002), however, this project found that while some have been forced into sex work by a third party, a larger majority enter through “dull economic compulsion” (p. 94). As mentioned in the introduction, the crime of trafficking is often not carried out by a single actor, but involves multiple actors in a network of recruitment, transportation and exploitation. While narrowly defining trafficking using clear delineations seems futile given the complexity of the crime, this project often encountered the denial of movement or the selling of people as significant indications that trafficking has occurred.

5.3 Traffic Victims and Traffickers

During the course of this investigation, only one trafficker was interviewed. Morag did not identify herself as a trafficker, but did admit to having recruited and sold into brothels a number of young girls mostly between the ages of twelve to sixteen (Morag, 42 years, Guatemalan, Sex Worker, Trafficker, Capital, #55, 28/4/10). She recruited street children, drug addicts, young girls who had been beaten by their boyfriends, by telling them to come with her so that they would not be killed by gangs on the street and that she had a place for them to sleep, food and a job. She described having sold up to eight girls every two or three days consistently over a two month period for Q100 [\$8USD] for each girl. Yet she considered her position as a trafficker to be a positive role since the brothel where she sold the girls refused to allow narcotics inside so some of the drug addicts were forced into sobriety. Morag, herself, had a history of victimization having been brutally raped by her mother’s second husband when she was seven years old that she was put in the hospital. Morag described how she recognized that she was continuing the cycle of violence by being verbally and physically abusive to her daughter. She also confessed a propensity for

violence and revenge as she recounted her plans for the murder of the infant child of her ex-husband and his new wife. Morag's history was consistent with data on women traffickers which revealed that many women traffickers were once trafficked or victimized themselves (Aronwitz, et al., 2010, p. 43; Kangaspunta, 2008).

This research project focused on victims' experiences because accepted knowledge of human traffic does not always include an "analysis of the lived experiences of migrant women" (Alpes, 2008, p. 35). Recognizing the value of testimony from sex workers, twenty former trafficked victims were identified. Given the varying levels of exploitation in sex work, identifying trafficked victims was a difficult task. The length of imprisonment varied radically from over a decade (Olivia, 45 years, Guatemalan, Sex worker, Traffic victim, Indigenous, Capital, #14, 3/10/2009), to several years (Athena, 44 years, Salvadoran, Sex Worker, Trafficked Victim, Capital, #80, 12/6/2010), to only two days locked inside a brothel forced into sex work (Cassidy, 26 years, Honduran, Sex worker, Trafficked Victim, Capital, #44, 16/4/2010). Similarly to other NGOs' data on traffic victims, most interviews occurred after the victims had escaped the traffickers which can make identification a difficult prospect,

We have identified some who may no longer be traffic victims but initially were upon entrance to Guatemala, like we had a case of traffic last year with an El Salvadoran who said that her stepfather had raped her in El Salvador, so she came to Guate to escape her situation, when she arrived, for her bad luck, she fell into a trafficking net, and they forced her to into prostitution, now she is 15 years old and ok, but in her first years she was a traffic victim. Now she has the freedom to be with her kids and move as she likes, but before they forced her to

do it, but there are many like her. (PDH, Roundtable discussion, Guatemalans, Capital, 42, 13/4/2010)⁴⁴

As illustrated by the PDH, a victim who does not meet the ideal traffic victim script of rescue from being chained to a bed in a brothel (Haynes, 2007), identification in retrospect can be a vague process. In light of the vast range of experiences of trafficked victims, identification among the sex worker population was based on a formula adopted from the Comprehensive Health Association (ASI, 2008). Questions used to discover if the respondent was a victim of slavery would assess the ability of the respondent to leave the situation, reach out for help over the phone, if the establishment was holding their personal documents or simply their ability to have a day off or stop the activity if they choose.

1. *Do you live in the workplace?*
2. *Do they forbid you to talk about your work by telephone?*
3. *Can you leave freely the place where you work?*
4. *Does your workplace keep your personal documents?*
5. *How often do you break?*⁴⁵

⁴⁴ Hemos identificado algunos de los que ya no pueden ser víctimas de tráfico, pero inicialmente eran al ingresar a Guatemala, como si estuviéramos en un caso de tráfico el año pasado con un salvadoreño El que dijo que su padrastro la había violado en El Salvador, así que vino a Guate a escapar de su situación, cuando llegó, para su mala suerte, cayó en una red de trata de personas, y que la obligó a ejercer la prostitución, ahora ella tiene 15 años y está bien, pero en sus primeros años ella era una víctima de tráfico. Ahora tiene la libertad para estar con sus hijos y se mueven como a ella le gusta, pero antes de que la obligó a hacerlo, pero hay muchas como ella.

⁴⁵

Other questions were used to determine the degree of commercial exploitation. For example certain questions can reveal if the respondent is maintained by the establishment or boss through debt bondage or if her income is given directly to her by the client. This can establish if she manages her own income, or if her income goes through a boss or manager of the business. A manager or boss is in a position of power to siphon away money from the payment for the service and further questions can establish to what extent (if any) the manager may exploit that power.

6. Does your workplace make discounts for: Accommodation, Food, Room, Clothing, Makeup and hair, Beverages, Fines, Others? None?

7. Do you have debt to pay in your work? What kind of debt?

8. Who pays for your services? Business owner, Manager, Client, Other?

9. How often are you paid? Daily, Weekly, Fortnightly, Monthly, Other?

*10. How are you paid? They give your full payment, They give according to your needs, They keep it, Whatever the manager decides, Other?*⁴⁶

-
1. ¿Actualmente vive usted en el lugar de trabajo?
 2. ¿Le prohíben hablar sobre su trabajo por teléfono?
 3. ¿Puede salir libremente del lugar donde trabaja?
 4. ¿En su lugar de trabajo le guardan sus documentos personales?
 5. ¿Cada cuanto tiene usted descanso?

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6. ¿En su lugar de trabajo le hacen descuentos por? Alojamiento, Comida, Cuarto, Ropa, Maquillaje y peinados, Bebidas, Multas, Otros? Ninguno?
7. ¿Tiene alguna deuda que pagar en su trabajo? ¿Qué tipo de deuda?
8. ¿Quién le paga sus servicios? El propietario de negocio, El encargado, El cliente, Otro?
9. ¿Cada cuanto le pagan? Diario, Semanal, Quincenal, Mensual, Otro?
10. ¿De qué manera le pagan? Le dan su pago complete, Le dan según sus necesidades, Se lo guardan, Lo que el encargado decide, Otro?

Questions were also used to determine the extent of violence the respondent faced along with the extent to which she lived in fear. Also, what reason, if any, did the respondent feel compelled to continue with the work.

11. Where you work have you received some type of abuse or violence? What kind? Physical (hitting)? Verbal (insults)? Forced sex? In having forced sex, did you have some subsequent STIs? Threat? Other?

12. Do you feel compelled to follow in this work for one of the following reasons? A debt in your work? Because they do not pay you the money owed? Because they will hurt you? Because they will report you to the immigration authorities or other authorities? Because they will hurt your family? Other?

13. In some other work place have you had these problems previously?⁴⁷

Many of these questions have a list of possible responses that each help the victim articulate their experience; at times the experience was so traumatic that the respondents found themselves wordless. The list of possible responses was also important because respondents had a way of normalizing violence which on the surface would made it seem invisible, but revealed a web of exploitation with more in-depth questioning. Additionally, this list of responses aided in maintaining consistency, while at the same time keeping a final option in each question open-ended for the respondent to add anything or say

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11. ¿En donde trabaja ha recibido algún tipo de maltrato o violencia? ¿De que tipo? Físico (golpes)? Verbal (insultos)? Sexo a la fuerza (Al tener sexo a la fuerza, tuvo posterior a esto algún ITS?)? Amenaza? Otro?
12. ¿Se siente obligada a seguir en su trabajo por alguno de los siguientes motivos? Alguna deuda en su trabajo? Porque no le paguen el dinero que le deben? Porque le hagan algún daño? Porque la denuncien a las autoridades migratorias u otras autoridades? Porque le hagan daño a su familia? Otro?
13. ¿En algún otro lugar de trabajo ha tenido los anteriores problemas?

anything in their own words so as not to detract from the lived experience of the respondent. Using these questions (ASI, 2008), a number of former traffic victims were identified as well as a brothel of potential current traffic victims (Warden, Field notes, Tecúm Umán, 16/6/2010).

5.4 Research Participants outside the Capital

In addition to the capital which was the primary research site, seven other cities were chosen in an effort to triangulate and assess the generalizability of the data from the capital. These surrounding cities were chosen specifically for known connections on the routes of human trafficking and their geographic locations in the four cardinal directions around the capital. In the west the vast Pacific coastline is where Guatemala “receives and dispatches much of the contraband entering and departing this country. The mountainous interior, combined with the vast, sparsely populated stretches of jungle in the north make the country an ideal storage and transit nation” (In Sight, Organized Crime in the Americas, 2012) for drug, arms and human traffic. Internal human traffic includes rural to rural trafficking for labour exploitation around Guatemala. Such exploitation includes being cheated out of or simply not being paid after the harvest (Menjívar, 2008, p. 116). In the west, people from the highland communities migrate to coastal plantations (Field Notes, Monte Rico, West Coast Guatemala, 27/7/2009) and in the east, the majority of landless peasants are forced into an exploitative land tenure systems which leads to multiple forms of abuse and exploitation (Menjívar, 2008, p. 116). Such systems encourage exploitation of the powerful over others, creating a poverty of place within Guatemala and encouraging internal trafficking (see Chapter 9).



Photo 5-1 Map of Guatemala including Departments and their Capitals (24 Point, 2009-2012)

The sex worker community outside the capital was sampled in Antigua (west), Chimaltenango (west), Huehuetenango (north), Quetzaltenango (west highlands), Tecúm Umán (north-west border), Escuintla (south), and Puerto Barrios (east). In these locations both humanitarian workers and sex workers were interviewed. Given the limitations of distance, time, access, danger and the lack of lengthy immersion for trust building, the depth of the data gathered outside the capital was less than the data gathered inside the capital.

Antigua is a wealthy, picturesque tourist town an hour west of the capital (O'Neill & Kedron, 2011, p. 15). It is kept relatively more secure than the rest of Guatemala by the large quantity of private security forces employed around the town (Field Notes, Antigua, 20/6/2009). While sex traffic is often considered to be concentrated in tourist areas (Skrobanek, et al., 1997, pp. 9-10), I found little evidence of this being the case in Antigua, however, it should be noted that the evidence gathered from sex workers was sparse given the weak connections between NGO's in the capital and in Antigua. The two sex worker profiles gathered seemed typical of Guatemala as a whole, half those interviewed were Guatemalan, the other half was Central American (Salvadoran) and both were single mothers. Both spoke of the privilege of the town in terms of wealth and safety, but maintained that sex work can be an abusive, chauvinistic environment.

Chimaltenango is a transient town on the Pan-American Highway well-known for sex work and human traffic. Many people migrate from the coastal areas, Escuintla and western Quetzaltenango, while much of the native population living in Chimaltenango travel to work in the capital and sleep in dorms designed for this level of movement. The sex work here is highly visible along the highway in the evening and is also segregated; there is a street in Chimaltenango specifically dedicated to indigenous women (Field Notes, Chimaltenango, 15/6/2010). Because Chimaltenango lacks an NGO presence to act as gatekeepers, and because of the city's violent reputation, it was impractical to collect data in the red-light district of the town itself; however, I was able to interview two sex workers and an NGO leader in the surrounding department. As in Antigua, my data collection with sex workers was limited by a number of factors. Also similarly to Antigua, half the sex workers interviewed were Guatemalan, the other half was Central American, (Nicaraguan) and both were single mothers. Kara began conducting sex work at seventeen years old in Quetzaltenango in order to take care of her two year old son (Kara, 18 years,

Guatemala, Sex Worker, Chimaltenango, #83. 15/6/2010). Sara began sex work at twenty years old in the capital to escape domestic violence and support her new born son (Sara, 25 years, Nicaraguan, Sex Worker, Chimaltenango, #84, 15/6/2010).

According to a local NGO leader, Brooke, in a town in the department of Chimaltenango, women in this area face a number of cultural pressures resulting from the high levels of *machismo* embedded in the indigenous cultures. This is also evident in local Christian religions and in the overall political culture of Guatemala which she asserted exacerbates the violence against women through local gangs (Brooke, 29 years old, Guatemalan, NGO Leader, Chimaltenango, #85, 15/6/2010). Similarly to other areas in Guatemala, Chimaltenango suffers from a normalized level of violence attributed to the gangs. Brooke explained, however, that in contrast to the capital, resources in rural areas were sparse with high rates of illiteracy. Resources for rural NGOs were even harder to attain, so that activism occurs by community volunteerism rather than employment and, therefore, levels of understanding and education in human rights were low. The combination of high levels of *machismo* and little education around rights and responsibilities result in lofty levels of domestic violence, incest, and child sexual abuse. Brooke described elevated levels of discrimination resulting from ignorance in rural areas based on age, gender, race, poverty, rural areas, indigenous ethnicity or foreign nationality and sexual orientation. Evidence lies in management in public institutions, and can especially be seen in the treatment of homosexuals in the health centres, which differ in the capital where there is a struggle for the right to sexual diversity. At the community level, sexual diversity is still a taboo theme. The segregated zones of indigenous and Ladina in Chimaltenango are characterized by different levels of services, such as water and electricity, which are bad in the zones of Ladinas/mestizas, but worse in indigenous zones which is indicative of entrenched racism and discrimination (Brooke, 29 years old, Guatemalan, Chimaltenango, 15/6/2010). These

social structures of exclusion create the dehumanization which encourages human trafficking.

Tecúm Umán is a key trafficking hub, and remains a largely transient area on the border with Mexico. Considered an extremely violent area with soaring crime levels that was referred to as the 'New Tijuana' almost ten years ago (IHRLI, 2002, p. 48), until strong drug trafficking organizations conducted what locals called 'social cleansing' (Gwen, 32 years, Guatemalan, NGO Worker, Tecúm Umán, #97, 16/6/2010), which transformed Tecúm Umán. The city was not the haven of violence that its reputation suggested, rather was a refuge of non-violence enforced by the dominant organization of drug and human traffickers who maintain a zero-tolerance policy for petty crime to subvert public attention which could disrupt clandestine activities (Gwen, 32 years, Guatemalan, NGO Worker, Tecúm Umán, #97, 16/6/2010; Eve, 30s years, Guatemalan, NGO Worker, Tecúm Umán, #98, 16/6/2010; Rose, 36, Guatemalan, Executive Director of NGO, Capital, #12, 25/1/10). In this relatively petty-crime-free city women NGO workers claim they feel safe to walk alone on the streets in the early hours of the morning (Eve, 30s years, Guatemalan, NGO Worker, Tecúm Umán, #98, 16/6/2010). In this city, thirteen interviews were conducted including two NGO workers and eleven sex workers. Eight of the sex workers were Guatemalan and three were Central American (Honduran) and nine of the total sex workers interviewed were single mothers. The proximity of Tecúm Umán to the Mexican border and its control by traffickers highlights it as significant place for further research on trafficking.

Huehuetenango is a key city in the routes of drug and human traffic northward through Mexico and into the United States. According to an interview with the lead detective of the Human Trafficking Unit in one of the largest counties in Florida, USA, the majority of

human traffic victims rescued are of labour exploitation and originate from the department of Huehuetenango in Guatemala (Frank, 40s, American, Detective in Human Traffic Unit, Florida, #11, 22/12/2009). This is consistent with the data I collected in the city of Huehuetenango, that a large majority of the population from the department of Huehuetenango migrate to the United States, and a majority still living in the department are migrants from other departments in Guatemala seeking less violent environments (Aileen, 44 years, Guatemalan, Doctor and Surgeon, Huehuetenango, #51, 27/4/10). This migration brings a significant amount of remittance money into the area which is a pull factor for trafficking victims. While fear is an endemic aspect of life in Guatemala, Huehuetenango has been described by inhabitants as a tranquil city, unlike other areas of Guatemala, like the capital city or even Xela.

The situation is so difficult here in Guatemala, alive, yet no, oh, with all your fingers, every day, to me, it happens to me, my daughter goes to college [in Xela], and at night, I, oh dear God, let her come home alright, and the girl comes home at nine, and blessed god in everything, oh and I call her every day, “have you arrived baby? where you are baby? Have you already left the university? and where are you going?” because, with her in Xela, because I lived so very scared, living so very afraid, living so much violence in Guatemala, right?⁴⁸ (Aileen, Doctor and Surgeon, 44 years old, Guatemalan, Huehuetenango 27/4/2010)

⁴⁸ La situación está bastante difícil aquí en Guatemala, vive aun no ay, con todos los dedos, todos los días, a me hace me pasa, mi hija va a la universidad, y en la noche, yo ay Diosito, que venga bien, y ay entro la niña a las nueve, y bendito dios en todo, ay y diario por teléfono, nena ya llegaste, nene donde esta, ya saliste a la

As illustrated by Aileen, fear of widespread femicide, even in cities considered to be peaceful, creates an insecurity surrounding all women in Guatemala and in wider Central America. At a conference in Huehuetenango I noted how fear emanated from the other representatives of the various organizations originating from different departments around Guatemala and especially from my colleagues from the capital (Field Notes, Huehuetenango, 27/4/2010). An NGO worker from the capital described the department of Huehuetenango as “no man’s land,”⁴⁹ since after the murder of the mayor a war began between the two remaining council members for power (Carolina, 41 years, Guatemalan, NGO worker, Huehuetenango, #50, 27/4/2010). Moreover, Huehuetenango is said to be run by drug traffickers.⁵⁰ For this reason, and because of a partly remittance based economy, explains why the poor rural department of Huehuetenango, enjoys an unusual level of wealth.

...the drug trade and its by-products are pervasive in Guatemala. In rural Huehuetenango and Petén, traffickers are accumulating farms to be used as safe havens and arms depots. The DTOs [Drug Trafficking Organizations] also pay poor labourers to clear land that can be used for clandestine airstrips, and narco-money suffuses the entire economy. Much of the perhaps \$10 billion in drug money that flows through Guatemala each year is laundered through local

universidad par adonde va, porque, con la está en Xela, porque vive bien asustado, vive bien asustado, vive tanta violencia está en Guatemala, verdad?

49 Tierra de Nadie

50 Narco Traficante

banks, construction and other business venture, and public investment projects.

(Brands, 2011, p. 233)

Similarly to Tecúm Umán, the drug traffickers keep order in the city ensuring that delinquency and common crime are low so as not to draw attention to trafficking. It should be noted that, while in Huehuetenango I witnessed openly armed civilians in commercial areas, specifically handguns tucked into men's trousers (Field Notes, Huehuetenango, 27/4/2010). One doctor and three sex workers were interviewed in Huehuetenango. Of the sex workers, one was Guatemalan from a southern department, the other were Central American (Nicaraguan and Salvadoran). All three were single mothers who migrated to Huehuetenango for anonymity, a safer environment and work. The rural areas of the department characterized by agriculture, poverty and low levels of education are largely populated by indigenous communities. According to Erica, a migrant sex worker, the indigenous men,

They say that AIDS does not exist, they don't want protect themselves, they say natural is better, but it's a lie, I guess they're missing information, right? At the same time the Guatemalans that don't have education and they watch TV right? or whatever...⁵¹(38 years old, Nicaraguan, Sex Worker, Huehuetenango, #53, 27/4/2010)

⁵¹ Ellos dicen que SIDA no existe, no se quieren proteger, que mejor a lo natural, que es mentira, yo me imagino que faltan información, ¿verdad? a ellos, mientras que el Guatemalteco no tenga estudios y miran la tele ¿verdad? o cualquiera...

Indigenous men being portrayed as particularly resistant to using condoms is an important piece of data in that it demonstrates two key differences. The first is that STI, HIV/AIDS education in indigenous communities is severely lacking. The second allusion to naturalism which is a core principle in the Maya Worldview⁵² indicates a need for culturally sensitive sexual education that can aid in traditional teachings rather than run contrary to them. This indigenous aversion to condoms was not noted in other parts of Guatemala. Overall, Huehuetenango is an important origin, transit, and destination town for trafficked persons (Aileen, Doctor and Surgeon, 44 years old, Guatemalan, Huehuetenango 27/4/2010). Anti-traffic efforts are minimal, however, representing a mixture of apathy from organizations with few resources, little will and fear of the traffickers who are thought to have networks everywhere (Carolina, NGO worker, 41 years old, Guatemalan, Huehuetenango 27/4/2010). In Huehuetenango, as in many other areas, routes of drug traffic often also coincide with routes of human traffic.

Quetzaltenango, known by indigenous communities as *Xela*, is the second largest city in Guatemala and an important city on the migrant journey northward to the Mexican border. It is primarily an indigenous highland city characterized by a slower pace of life than the capital. In the west the indigenous people are more organized around a variety of causes for Maya cultural activism, NGOs having proliferated since the ratification of the 1996 peace accords (Moran-Taylor, 2008, p. 112), yet none cater specifically to sex workers (Field Notes, Xela, 17/6/2010). In terms of sex workers there is much migration, not only from Central America but also from other departments within Guatemala such as San Marcos, Escuintla, Huehuetenango, Izabal, and Jalapa (Rachel, 29 years, Guatemalan, Sex

⁵² Cosmovisión Maya

Worker, Xela, #100, 17/6/2010). Rachel explained that women primarily migrate to maintain anonymity, so that their families will not discover the type of work they are conducting, while others pass through Xela on their migration to Mexico or the United States. She also described a large number of indigenous women who migrate from the villages to the city of Xela, not only from local surrounding villages, but from villages as far away as Sololá, Retalhuleu, Masagua. Indigenous women migrate mostly to be domestics because wages are lower in villages than in cities, but since Xela is a large commercial centre others migrate for better job opportunities and educational opportunities including high schools and universities. In Xela, given the lack of time only four participants were interviewed including a doctor, a psychologist and two Guatemalan sex workers, both single mothers escaping domestic violence. Evidence uncovered in Xela suggests that the issues with femicide, domestic violence, impunity, incest and sexual abuse are common nationwide,

Yes, a lot of domestic violence, abuse and incest, the exact reasons is that the majority of the fathers of daughters believe that they have rights to their daughters, right? since he is the dad, he can be with her. Or sometimes the same ignorance, let's say, from the daughters that, in saying he is my dad so I have to do what he says, and they do not realize that they are suffering from incest. It's very frequent that here there'll be incest.⁵³ (Ava, 22 years old, Sex worker, Guatemala, Xela, 17/6/2010)

⁵³ Los papas se crean con, porque la mayoría de los papas hacia las hijas, los papas se crean con derechos sobre las hijas, verdad, de que como es el papa, puede estar con ella. O a veces la misma ignorancia digamos

Also, we have problems of sexual abuse at the shelter last year we have many cases of girls raped by friend, father, grandfather, and now we have two cases of a girl who is already a mother, who was raped by her father, and a grandfather is another case, it is common, it is more common and with frequency, right now, maybe now more have decided to report it, before maybe they would just to shut up, but yes there are cases of sexual violence. This is not normal, but I don't know what happened to the population, I don't know what happened with the men, right, maybe they believe the same thoughts that they are men, who have macho culture that exists in our country, the men think they're the masters of their daughters, their grandchildren, because they have power over them, this is how I think we see now is the mentality concept of man, What is it to be a man?, he decides, He decides on the family, but also on the body of each member, right, to me this is the conception of those people who do these acts of incest.⁵⁴ (Rachel, 29 years old, Sex worker, Guatemalan, Xela, 17/6/2010)

de las hijas, en decir es mi papa y tengo que hacerlo que el di, y no se dan cuenta de que están sufriendo de incesto. Es muy frecuente que aquí sean incesto (12:00) normalización of incesto.

⁵⁴ También, tenemos problemas de abuso sexual, en el albergue tenemos el ano pasado tenemos muchos casos de niñas violada sexualmente por amigo, por papa, por abuelo, y actualmente tenemos dos casos de una niña que ya es madre, fue violada por el papa, y por el abuelo tenemos otro caso, es común, es común y ahorita es mas la frecuencia, tal vez ahora ya decidido denunciar mas, que antes tal vez solo hacia callaba, pero si hay casos de violencia sexual. Esto no es normal, pero no se qué paso con la población, no sé qué paso con los hombres, verdad, quizás crean que por el mismo pensamientos que son los hombres, que son de la cultura de machista que hay en nuestro país, los hombres se crean que son los dueños de sus hijas, de sus

As evident from the quotes, strong machismo which emerges from many places in Guatemala which contains social structures that dehumanize women and encourage sexual exploitation and human traffic. In Xela, brothel owners are said to on average take fifty percent of the cost of sexual services and some brothels force their employees to only buy their necessities, such as food, paper, and bathroom products from inside the brothel, they are not allowed to buy them outside or they will be fined (Rachel, 29 years old, Guatemalan, Sex Worker, Xela, 17/6/2010). This level of financial control over employees is another measure used to exploit the vulnerable sex worker population. Given high levels of migration among sex workers, compounded vulnerability within this group would make Xela an important city to research sex traffic.

Puerto Barrios is an eastern town in Guatemala and a principal transit point for migrants coming from Honduras (Field Notes, Puerto Barrios, 5/6/2010). The presence of NGOs in the east is dramatically less than the west resulting in the phrase “*Oriente Olvidado* (Forgotten East)” (Moran-Taylor, 2008, p. 121). Puerto Barrios is also a hub for South American narcotics arriving at the town port or Puerto Quetzal “via commercial shipping lines, or are moved by ‘go-fast’ boats that traverse Guatemala’s coastal seas and inland waterways” (Brands, 2011, p. 233). The strong presence of drug traffickers and the highly migrant population suggests that Puerto Barrios is also a key location for human traffic. Six people were interviewed in Puerto Barrios, including an NGO worker, a nurse and four

nietos, porque tienen poder sobre ellas, se es así como vemos ahora yo creo que es la mentalidad concepto del hombre, que es como ser hombre, pues se decide, se decide sobre la familia, pero también sobre el cuerpo de cada uno de integrantes, verdad, para me es la concepción de esas personas que hacen estos actos de incestos.

sex workers. Of the four sex workers, three of them were Honduran and only one was Guatemalan. Three of the sex workers were single mothers, only the nineteen year old Honduran was not supporting children, but was supporting her mother. Additionally, there was evidence of exploitation and trafficking by having been pressured into sex work,

I came because, supposedly I came to work, in a cafeteria, and after the person who brought me told me that, they had already found a person to cook, and I protested a lot, but the owner said the easiest way to make money is to work in the bar, for that reason I began to work in the bar, before I had no idea I'd be working in a bar, because supposedly even in the cafeteria they weren't going to pay me nothing. (Madeline, 35 years, Honduran, Sex Worker, Puerto Barrios, #75, 5/6/2010)⁵⁵

Similarly to many traffic victims, Madeline indicated that she was recruited to work as a cook, but upon arrival was suggested to start as a sex worker. In addition, Madeline claimed to have twice been beaten by the brothel owner. Although she did not consider herself forced into her situation she was aware of some level of deception. Yet since varying levels of exploitation are so normalized in sex work, migrants often find themselves in situations which border trafficking.

Escuintla is another transient town on the Pan-American Highway, but is located in Southern Guatemala. Escuintla is a hub for migrants transiting north from El Salvador. Ten

⁵⁵ Vine porque supuestamente vine a trabajar, pero en una cafetería, y después la persona la que me vine, me dijo, me dio que ya había conseguido quien cocinara, me puso un montón de protesta y la dueña del negocio me dijo de que, que lo que onda de donde me trabajado más fácil era en el bar.

people were interviewed there, including two NGO workers and eight sex workers. Seven of the sex workers were Guatemalan from surrounding villages in the department and one was Central American (Nicaraguan). In Escuintla, four of the respondents had varying levels of experience with trafficking victimization. Two respondents began sex work as minors, Mandy at sixteen years old (Mandy, 28 years, Guatemalan, Sex Worker, Trafficked Victim, Escuintla, #67, 3/5/2010), Chloe at seventeen years old (Chloe, 18 years, Guatemalan, Sex Worker, Escuintla, # 66, 3/5/2010). One respondent, Catherine, explained that she had been a traffic victim, that she was fifteen years old when she was taken to a bar, unable to leave, beaten, threatened, given food and a place to sleep but never paid for her services. She was trapped for six months in sex slavery, until the bar owner's son opened the front door and she ran as fast and as far as she could to escape (Catherine, 20 years, Guatemalan, Sex Worker, Escuintla, # 68, 3/5/2010). Unlike Catherine who readily acknowledged her circumstances as a traffic victim, Jackie explained her exploitation of five years as a normal part of sex work, in which she was mistreated, the owner levied exorbitant fines of Q500 [\$64USD], her identity card was confiscated and used to maintain control over her so she could not leave (Jackie, 22 years, Guatemalan, Sex Worker, #70, 3/5/2010).⁵⁶ Jackie saw her debt bondage as a normal part of sex work. In addition to the identification of several traffic victims, the interviews with the NGO workers revealed that Escuintla contains much of the same recurring dehumanizing social structures evident in other parts of Guatemala, including femicide, impunity, domestic violence, incest and sexual abuse. According to Jose,

⁵⁶ Fíjense que así en este negocio, lo tratan mal a uno, porque cuando yo saque mi cedula, no me la querían andar, y como yo trabajaba.

Escuintla reflects a sickly society, the sickness of society that is called Guatemala, and which is concentrated here on such a small population it concentrates on a large scale, it is a very large sample of what it is that happens, of the anti-values that we have in the rest of the country. (Jose, 37 years, Guatemalan, Educator, Escuintla, #72, 3/5/2010)⁵⁷

As evident from the quote, there is some level of awareness that Guatemalan society has been increasingly shaped by underlying social structures of exclusion and dehumanization which facilitates exploitation and trafficking. That these structures are evident in all seven cities sampled for this investigation, and all Central American migrants, speaks to the need to address these structures, not only as wider national issues, but also regionally.

5.5 Networks of Traffic: Emerging Realities and Contradictions

The contradictory difference between Mexican immigration policy and practice contribute to the smuggling and trafficking. While the literature reflects an increase in Mexican immigration control along its southern border in recent decade's "following the September 11th attacks, Mexico reiterated its determination to improve security on its border with Guatemala" (Ogren, 2007, p. 204). One of the key border towns in the migration route from Guatemala to Mexico is Tecúm Umán. Tecúm Umán, Guatemala and Ciudad Hidalgo, Mexico are separated by the Suchiate River, which is a bustling area where informal cross-border business is conducted using rafts made from planks of wood atop

⁵⁷ Escuintla se reflejo de una sociedad enfermiza, de la sociedad enfermiza que se llama Guatemala, y que se concentra aquí en una población tan pequeña, se concentra a gran escala, es una muestra muy grande a lo que sucede, de los antivalores que tenemos en el resto del país.

inflated truck tire inter-tubes which are captained by a man who uses giant wooden poles to push the raft across the river in view of the bridge where immigration control is located. According to Ogren in her research on “Migration and Human Rights on the Mexico-Guatemala Border,” Mexican soldiers had created a makeshift post to examine passengers and cargo before they could pass into the “labyrinthine outdoor market that extends inland from the river bank” (2007, p. 206). Conversely, upon visiting the border I witnessed normalized informal border crossing within view of immigration posts.



Photo 5-2 and 5-3 Suchiate River, border between Tecúm Umán, Guatemala and Ciudad Hidalgo, Mexico (Warden 15/6/2010).

As evident in photos 8-4 and 8-5, cross-border migration occurred normally within full view of official immigration posts on the bridge. During my visit to Tecúm Umán there were not immigration controls on the opposite bank, as Ogren suggested, nor was I given any indication that informal border crossing would be at all problematic (Field Notes, 15/6/2010). The reason for the lack of enforcement along the Mexico-Guatemala border is likely the result of a shift in security focus, from the border itself to the interior (Ogren, 2007, p. 218). The majority of Mexico’s immigration stations are clustered in the Isthmus of Tehuantepec, the countries narrowest point (Ogren, 2007, p. 218). I noted a number of interior immigration enforcement tactics including check points and bus and taxi stand inspections while on a trip into the southern Mexican state of Chiapas (Field Notes,

18/11/2009). Chiapas has gained strategic importance as a priority for Mexico's immigration enforcement agency (Ogren, 2007, p. 208). The normalization of informal border crossings is reflected in Mexico's immigration law in which sanctions for illegal entry, detention and deportation are considered administrative rather than criminal (Valdés, 2004, pp. 132-133; Ogren, 2007, pp. 216-217). Normalization of informal border crossings however does not protect migrants from exploitation either from the state or its agents. This border is where human smuggling thrives as immigrants search for routes to continue northward. Human smuggling and human trafficking tend to follow the same routes. Places like Tecún Umán, robust networks of traffickers are poised to exploit vulnerable migrants (Field Notes, 16/6/2010).

An interesting emerging reality has been the marked decline in the flows of migration through Central America in recent years. In the early 2000s the International Organization of Migration reported a marked increase migration north through Mexico in which many lost their lives (IOM, 2005; Ogren, 2007, p. 212). This period around 2001 until 2005 when, "the number of non-Mexican illegal migrants apprehended along the U.S.-Mexico border more than tripled" yet around 2007 numbers of non-Mexican unauthorized immigrants from Latin American entering the United States have declined (Ribando Seelke, 2010, p. 2). Reasons for this marked decline in migrants are difficult to infer. Border patrols may credit increased enforcement, apprehensions, miles of fences and new technology along with initiatives such as Hold the Line, 1993 and Secure Border Initiative, 2006 among others (Cohen, 2011). Ogren asserts that migration is an exception rather than a norm, since inertia or strong connections with one's home in addition to heightened border controls discourage migration (Ogren, 2007, p. 209). Others credit the *Coyote*, or smuggler whose costs have risen from \$978USD in 1995 to upwards of \$7000USD (Cohen, 2011; Moran-Taylor & Taylor, 2010, p. 207). There is also evidence to suggest,

however, that the escalating violence from organized crime and drug cartels along the borders and migration routes may have raised the cost/benefit ratio too high for many of migrants (Pressly, 2011).

*And why did you go to Mexico? Because I want to go to the United States, but as I could not go then I stayed there in Mexico, right? Like this, as a sex worker. Why couldn't you come to the United States? Because I could not go, no money to pay the Coyote to take me, and I could not pass if I had no money, so I thought maybe later I'd join, but then I became desperate, better I came back. I was afraid, I was afraid to pass the border.*⁵⁸ (Natalie, 28 years, Guatemalan, Sex Worker, Capital, #23, 25/3/2010)

As illustrated from Natalie's response, on her trip to the United States she ran out of funds in Mexico, yet resolved to stay in Tijuana, Mexico where she began as a sex worker for the first time. She remained in Tijuana for four years attempting to save money to finish her journey. Then she describes succumbing to desperation and fear greater than those feelings which drove her to migrate in the first place. Therein lays another contradiction. Increasing violence in Guatemala, El Salvador, and Honduras means that all three countries have more than double the homicide rate in Mexico (Beale, 2011). Despite the risk of extreme

⁵⁸ **¿Y por que fue usted a México?** Porque, yo me querría ir a los Estados Unidos pero como no me pude ir entonces yo me quede allí en México, ¿verdad? Así de trabajadora sexual ente cual (...) **¿Por qué no pudo venir a los Estados Unidos?** Porque no me podía pasar, no tenía dinero para pagar el Coyote que me pasaran, y no me podía paso si no tenía dinero, entonces yo pensé que tal vez yo iba ajuntar pero después me desesperé me vino regreso mejor. Me dio miedo, me dio miedo pasara la frontera.

violence en route which acts as a deterrent to migrate, would not extreme levels of violence in source countries act as a push factor for migration?

Additionally, various types of predators have emerged to prey on various migrant vulnerabilities. Factors thought to encourage migration are said to be a combination of the networks through which migrants encourage other potential migrants and pressures from supply and demand (Ogren, 2007, p. 209). Research on migrants has revealed that many have some capital to make the trip north, while the very poor migrate into debt bondage (Moran-Taylor, 2008, p. 115). The accumulation of migrant debt not only increases personal risk but also risk to family economic well-being, especially in the case of mortgages on jointly held land (Burrell, 2010, p. 107). In the current economic climate, when about 400 square meters is worth approximately Q70,000 (\$8,750) (Moran-Taylor & Taylor, 2010, p. 207) and failed attempt to find work in the north can easily result in debt bondage. This economic risk has been capitalized on by the spread of local banks in rural Guatemala over the last decade making access to cash for migration to the United States as easy as receiving remittances in remote locations (Burrell, 2010, p. 107). Economic predators appear in various forms and the most important risk factor for migrants is that while travelling they lack local knowledge and are vulnerable to deception, abuses and often fall into exploitation and forced labour (ASI, 2008, p. 44).

Negative perspectives of migrants and a strong state bias towards security and border control along with a fear of an increase in undocumented migrant criminality leads state policies to ignore migrant agency or protection (Alpes, 2008, p. 37). Traffickers and women are often considered in terms of “evil perpetrators” (Alpes, 2008, p. 35). Not all migrants are innocent travellers, some are clandestine criminals, but there are non-criminal migrants who require varying levels of protection. The result of Central American nations putting the state concerns over the protection of human rights leaves migrants profoundly

vulnerable to criminal gangs and even human rights abuse from Mexican officials (Ogren, 2007, p. 204). Linda Pressly's BBC report, Crossing Continents, murder, migration and Mexico, (2011) describes an incident in Mexico in which Mexican immigration officials stopped a cargo train with more than 150 migrants riding atop the roof, during which time only some of the migrants were apprehended by officials, shortly afterward a criminal gang appeared and kidnapped many of the remaining migrants. Immigration offices are widely known to be infiltrated by organized crime groups (Field Notes, 19/4/2010). Meanwhile, "the indifference of regional political actors like the Central American Parliament (PARLACEN) and others is evident in the field of migration, given a lack of will to create common strategies for the creation of laws and regional public policies"⁵⁹ (GREDEMIG, 2009, p. 9). Indeed at a roundtable discussion, "Nexus between Refuge and Traffic,"⁶⁰ with NGOs and local authorities from both Mexico and Guatemala, I observed how local authorities attend meetings merely to keep abreast of current action, but refuse all responsibility and requests for help thereby leaving NGOs to carry the weight of anti-trafficking efforts (Field Notes, 19/4/2010). Lack of political will leave migrants without protections whereby their human rights can more easily be violated.

Evidence suggests that highly militarized organized crime groups have increasingly targeted migrants. Many of these groups consist of ex-military personnel who are extremely dangerous (Pressly, 2011) and who murder in increasingly brutal ways as evident from the mass slaughter of twenty-five to thirty labourers in May 2011 (Stewart,

⁵⁹ La indiferencia de los actores políticos regionales como el Parlamento Centroamericano –PARLACEN- y otros, es evidente en el campo de las migraciones, puesto que no buscan estrategias comunes para la creación de leyes y políticas públicas regionales.

⁶⁰ Nexo entre Refugio y Trata

2011). An example of those militarized groups is *Los Zetas*, a Mexican drug cartel, which has gained control of two southern states in Mexico and the northern Petén of Guatemala (Stewart, 2011). *Mara Salvatrucha 13* and *Barrio 18* control many human trafficking routes in Guatemala, but the dynamic may be shifting as the Mexican group *Los Zetas*, who hold a monopoly of human traffic routes in Mexico, increases their foothold further south (In Sight, Organized Crime in the Americas, 2012). According to STRATFOR intelligence, *Los Zetas* still actively recruit soldiers from both the Mexican and Guatemalan military, but are unable to secure members as fast as they are being captured or killed (Stewart, 2011). If this information is accurate and *Los Zetas* are in decline, this may make them even more dangerous. These drug cartels have become increasingly violent in recent years in response to competitions for markets and from increased pressure from the United States and the Mexican Governments. It is important to note that government corruption is endemic so that the crackdown is focused more on drug violence than actually stopping the flows of narcotics (Stewart, 2011). Given the mounting pressure on the cartels, “many of these groups, particularly the VCF,⁶¹ the *Arellano Felix* Organization and *Los Zetas*, have been forced to resort to other criminal activity such as kidnapping, extortion and human trafficking to fund their operations” (Stewart, 2011; also see Mares, 2011).

In many parts of the world, trafficking in money, weapons, and people is largely conducted by criminal gangs or mafia groups. Human trafficking can be a lucrative way for organized criminal groups to fund other illicit activities.

In Latin America, Mexican drug cartels are increasingly involved in the

⁶¹ Vicente Carrillo Fuentes organization

*trafficking of people as well as drugs.⁶² According to the *Bilateral Safety Corridor Coalition (BSCC)*, criminal gangs from Mexico, Central America, Russia, Japan, Ukraine and several other countries have been caught attempting to traffic victims across the U.S.-Mexico border. (Ribando Seelke, 2010, p. 8)*

The notorious prospective profits from “sexual slavery makes human trafficking a multibillion-dollar industry” (Shirk & Webber, 2004, p. 3) and quickly rose to the second of the three most lucrative criminal enterprise behind drug trafficking (Ribando Seelke, 2010, p. 8), but now equal to arms traffic (UN GIFT, 2007; UNAGP, 2011, p. 1). There is evidence that these organized crime groups are targeting migrants for ransom, human traffic into forced labour, (Pressly, 2011) and even “increasing instances of youth trafficked by drug gangs into urban warfare” (Ribando Seelke, 2010, p. 6). For migrants these organized crime groups amplify the risk of human traffic and death.

The Western Hemisphere is not exclusively affected by Latin American human traffic. The U.S. State Department estimates 100,000 Latin Americans are trafficked internationally each year to the United States but also destination countries such as Spain, Italy, Portugal, and Japan (Ribando Seelke, 2010, p. 7). Guatemala, in particular, is recognized as a source country for traffic victims found in Korea (PDH Roundtable discussion, Guatemala, Capital, #42, 13/4/2010). Guatemala is also “among the largest source countries of children kidnapped and trafficked internationally for adoption” (Ribando Seelke, 2010, p. 6). Among indigenous populations, child trafficking is the most known form of human traffic

⁶² “Mexico on the Brink,” *Gardian UnLimited*, July 28, 2009; Melissa Graham, “Mexico’s New War: Sex Trafficking,” *La Prensa San Diego*, October 1, 2009.

and has developed into dangerous perceptions of white foreigners in indigenous communities (Ixaq'a, 32 years, Guatemalan, Indigenous Teacher, Antigua, #5, 24/07/2009). Both the UK and US government websites warn their citizens against taking photos of Guatemalan children due to increased numbers of lynchings associated with accusations and fears of child trafficking and organ trafficking (Foreign & Commonwealth Office, 2012; United States Department of State, 2012). In addition to child trafficking, in recent years, the United States Department of Justice has processed a number of trafficking cases for forced labour, the majority for sex work but also for agricultural labour (Ribando Seelke, 2010, p. 8).

Destinations of migration include Huston, Texas and Los Angeles, California (Moran-Taylor & Taylor, 2010, p. 202) and Florida among other places (Field Notes, 22/12/2009). One and a half million migrant farm workers from Latin America and the Caribbean come to the United States annually to work for low wages, under harsh conditions and lack legal protections (Ribando Seelke, 2010, p. 8). Evidence suggests that demand for cheap labour and masses of vulnerable migrant workers results in ever increasing forced labour abuses (Ribando Seelke, 2010, p. 8). According to the lead detective of a Human Traffic Unit in one of the largest counties in Florida, USA, the majority of the trafficked victims he finds in the agricultural sector are from Huehuetenango region in Guatemala (Frank, 40s years, American, Detective in Human Traffic Unit, Florida, #11, 22/12/2009). He described finding evidence of sex traffic victims in the form of a “guttled trailer with the make-shift partitions” each containing a dirty mattress, and a few feminine hygiene products left behind which suggested that the occupants left in a hurry (Frank, 40s years, American, Detective in Human Traffic Unit, Florida, #11, 22/12/2009). During my stay in Guatemala, it was revealed to me that Huehuetenango was a key city in the route to traffic people north (Field Notes, 27/4/2010).

The PDH described areas of considerable human traffic in 2009 were said to be Cobán, Quiché and Zacapa where victims were captured or reluctant participants were directly taken to Alta Verapaz, where they crossed the borders (PDH Roundtable discussion, Guatemala, Capital, #42, 13/4/2010). Additionally, different areas of the Guatemalan-Mexican border are associated with different levels of risks. If the border was crossed by Tecúm Umán, the route was cheaper, but there was an increased risk of being caught by border control agents, however, if the route crossed through Huehuetenango, there was increased cost for the coyote (smuggler) but a decreased risk of being caught by border control (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010). Guatemala is a key transit country in trafficking because it is a point where migrants can easily receive false documents, especially in villages in rural municipalities where they can acquire birth certificates without difficulty (PDH Roundtable discussion, Guatemala, Capital, #42, 13/4/2010). Even the government is known to issue false passports, primarily to Asians seeking to immigrate to Canada and Europe (In Sight, Organized Crime in the Americas, 2012).

The type of human traffic which particularly affects women is sex traffic and traffic into domestic servitude. Estimates from the International Organization for Migration suggest that across Latin America and the Caribbean, sex trafficking now generates some “\$16 billion worth of business annually” (Ribando Seelke, 2010, p. 4). A potential profit often results in a growth in industry and more recently, there has been a raise of women trafficked into Guatemala for the purposes of sex slavery (In Sight, Organized Crime in the Americas, 2012). Sex traffic is characterized by victims as “deceit, coercion, debt bondage and forced labour” (Alpes, 2008, p. 35). The majority of women who pass through or end up in Guatemala are Central American, but there are cases of Russians, Colombians, Chinese and others from various places, speaking different languages, including Mandarin,

and many discovered in zone ten of the capital (PDH Roundtable discussion, Guatemala, Capital, #42, 13/4/2010). Specifically, the Chinese victims cannot speak Spanish and after a time they disappear and the state remains unconcerned (*Nexus entre Refugio y Trata de Personas*, Roundtable Notes, 19/4/2010). With the help of a translator, some Chinese traffic victims recounted the six month journey from China to Colombia where they were loaded onto a vehicle, unable to see where they were, and driven to Guatemala across at least five international borders and were only captured in *El Petén* (PDH Roundtable discussion, Guatemala, Capital, #42, 13/4/2010). Exact numbers of victims trafficked into Guatemala are unknown, but what is well known is that criminal organizations of trafficking are well defined and working within the system (PDH Roundtable discussion, Guatemala, Capital, #42, 13/4/2010). Evidence of powerful criminal networks entrenched in state institutions can be found in victims' phone calls to mysterious Guatemalans who provide them with private cell phones and money, in the maintenance of fear in victims and of traffickers collecting victims from migration shelters (PDH Roundtable discussion, Guatemala, Capital, #42, 13/4/2010).

Sex workers migrate internally and internationally and are not always victims of human traffic. Human traffic must be understood in terms of the degree of relative control and autonomy over the outcomes of migration which is why human traffic is often pulled into wider debates on labour migration directing attention toward migrants rather than states (Alpes, 2008, p. 39). The lived experience of human traffic is a constant negotiation for autonomy. Victims often describe resilience to control and resistance to exploitation. Even in situations of intense pressure to generate enough money to satisfy the debt and demands of traffickers, there were also margins to manoeuvre and renegotiate within relations of decency as over time, women increasingly acquired skills to get by in unfamiliar places (Alpes, 2008, p. 39). Some sex workers manage to pay off their exorbitant debt and gain

their freedom (Clarissa, 23 years, Honduran, Sex Worker, Trafficked Victim, Capital, #103, 21/6/2010). Negotiated autonomy makes distinguishing between a migrant sex worker and a victim of human traffic a difficult prospect. More so because sex work is highly stigmatized, so this amplifies the vulnerability of sex workers to extreme exploitation and human traffic (ASI, 2008, pp. 44-45).

The stigma related to sex work inhibits migrant workers from attaining justice when their rights are violated by officials. In this climate of discrimination and clandestine exploitation a migrant sex worker can easily become a sex traffic victim. In *Tecúm Umán*, while conducting interviews in a brothel several participants were revealed to be traffic victims, yet the levels of exploitation varied (Field Notes, 16/6/2010). Several women in this brothel explained under duress that their incarceration was to last an entire month, at the end of which they were expecting a *descanso* or “break from work” when they could exit the brothel building (Field Notes, 16/6/2010). Upon their exit they planned to escape their traffickers by fleeing as far from this part of Guatemala as they could for fear of reprisal or renewed imprisonment (Field Notes, 16/6/2010). The accounts of these traffic victims in *Tecúm Umán* was different from others interviewed elsewhere, like Athena who was imprisoned in a brothel without the hope of release and only managed to escape by climbing down a drain pipe (Athena, 44 years, Salvadoran, Sex Worker, Trafficked Victim, Capital, #80, 12/6/2010). The difference between these accounts was that a break was promised by the brothel in *Tecúm Umán* at the end of every month which implies an ease with which traffic victims could be replaced. That the length of imprisonment in brothels varies between cases blurs the line between social constructions of human traffic and debt enforcement as described in section 7.3. Different degrees of exploitation are normalized. For these reasons and high concentrations of stigma surrounding sex work, efforts to redress traffickers seem futile. Moreover, in Guatemala the consequence of

receiving the label “human traffic victim” under new anti-trafficking legislation can have negative consequences for the human rights of migrant sex workers.

5.6 Summary

This chapter outlined the different types of informants, gate keepers and research participants associated with this project. In the following sections there is a discussion of the primary research population, the sex worker community which includes the feminist theoretical perspective of this research project regarding sex worker agency and constrained choice to practice sex work. The chapter also examines traffickers and traffic victims by specifying the identification process of traffic victims. Ultimately, this chapter describes the expansion of the research project into surrounding cities in order to contrast the in-depth information gathered in Guatemala City.

The perceptions of levels of violence varied around Guatemala, but all agreed the capital was the most violent area of the country. Another common finding was that unlike in the capital, outside of the capital, almost no one had heard about the new law 9-2009, and those who had heard about it knew next to nothing about its positive and negative effects. This chapter found that strong patriarchal ideas perpetuating the dehumanization of women are consistent throughout the country in every location where data was collected. The consistency of these ideas is evidenced by the prevalence of child sexual abuse and incest in all sampled cities within Guatemala. Such ideas along with strong presence of organized crime groups trafficking drugs, arms and people may explain the proliferation of sex traffic and commercial sexual exploitation in Guatemala.

Migration and human traffic often occur along the same routes; thus it is important that they be considered together. Trafficking is affected by flows of migration, “particularly

when those flows are illegal and unregulated” (Ribando Seelke, 2010, p. 2). Accurate measurements of illegal and unregulated movements of people is problematic, while some estimates have strongly suggested that in recent years the number of migrants crossing the Guatemala–Mexico border is increasing (Ogren, 2007, p. 212) while other estimates argue there has been a significant decline (Ribando Seelke, 2010, p. 2). Yet, migration has had a dramatic affect on Guatemala and the Western Hemisphere, leading some to believe that “international migration is the single most important social, cultural, and economic phenomena affecting Guatemala (...) cutting across gender, generational, class, and ethnic boundaries” (Moran-Taylor, 2008, p. 111). Emerging realities and contradictions were presented including the difference between Mexican immigration policy and the practice of enforcement at the borders and the recent decline in levels of migration. Migrant status as vulnerability is considered in relation to border control and human rights abuses, the rise in *coyote* costs and predatory banks which suggest that trafficking is a type of “disorganized crime” occurring in an ad-hoc basis by small group collaboration (Ribando Seelke, 2010, p. 8). Yet an analysis of drug cartels, organized crime groups and violence suggests that human trafficking may increase over smuggling as drug traffickers turn to human traffic to fund operations and networks similar to that done by terrorists in Colombia or the Tri-border region of Argentina, Brazil and Paraguay (Ribando Seelke, 2010, p. 8). Data collected on human trafficking in the capital of Guatemala revealed international human trafficking links are not limited to the western hemisphere but also exist in Korea, China, Russia, and Western Europe. Moreover, the distinction between consensual sex work and sex traffic can be difficult given the length of incarceration by traffickers and national perceptions surrounding issues of trafficking.

6 Examining Macro-Structures affecting Human Trafficking and Commercial Sexual Exploitation

“An ominous landscape of never-ending calamity...” (Incubus, 2000)

Macro-structures such as politics and economy contribute to human trafficking by setting the stage that cultivates exploitation. Macro-structures are understood to affect cognitive processing at the local level but on a grand scale (Dijk, 1977, p. 3 & 30; Münch & Smelser, 1987). This chapter traces the causality of trafficking from macro political, legal and economic structures, social indicators, and the lasting effects of *La Violencia*. These macro structures act as a backdrop which encourages trafficking by intensifying micro structures of inequality, poverty, gender roles, migration and social exclusion. Guatemala’s contemporary crisis is deeply rooted in “historical factors—namely a weak state and the socioeconomic exclusion of broad segments of the population—that have traditionally left Latin America prone to internal upheaval” (Brands, 2011, p. 232). While the history of structural violence helped shaped today’s conditions, it is important to look at the new violence as compounded by neoliberal reforms and intensified by decades of armed conflict (Benson, et al., 2008, p. 40).

This chapter provides an analysis of these macro structures directly affecting human trafficking first by examining the geo-political significance held by Guatemala. This chapter shows how Guatemala’s anti-democratic regimes (Manz, 2008, p. 159) and political authoritarianism (Stewart, 2008, p. 235) utilizes state terror and corruption to facilitate all forms of trafficking. Drugs, arms and human traffic can all be seen as feed and facilitated in the exploitative macro structures of Guatemala. At times all forms of trafficking are intertwined as they are conducted by the same groups along the same routes which, for this chapter, make them difficult to distinguish. The exploitative economic

systems (Stewart, 2008, p. 235) are subsequently considered. This is followed by an exploration of the Guatemalan legal system regarding trafficking, law enforcement, impunity, and popular justice, in light of the significance of the armed conflict and the new violence. An examination of the latest anti-trafficking legislation is presented as a step backwards in the lasting efforts to ensure human rights. Finally, the national education and health systems are evaluated in terms of increasing the vulnerability of broad sections of society. As indicated by the quote above, under an ominous landscape of structural economic inequality and the never-ending calamity of state terror and common violence, research participants found it almost impossible to escape vulnerability.

6.1 Geo-Political Significance

Guatemala's significant human trafficking has long been evidenced by high numbers of agents or *coyotes* coordinating travel or acting as go-betweens for agents further south (In Sight, Organized Crime in the Americas, 2012). Particularly the 596 miles of the Guatemala-Mexico border (CIA, 2011) is a key transit area for human traffic and illegal migration flows. A fundamental reason for the high levels of human traffic in this area is its political and geographical location. Geographically, Guatemala's northern border is an obvious transit point in the corridor of migration northward as visible from the map below (photo 8-1). Migrant flows northwards towards the United States and Canada through Guatemala are primarily composed of migrants from Guatemala, Honduras, El Salvador,

(Ogren, 2007, p. 204) and Nicaragua (Field Notes, 2010).



Photo 6-1 Simple map of Central America and Mexico (Lonely Planet, 2012)

By 2008, almost fifteen percent of Guatemala’s population had migrated to the United States and Canada (Moran-Taylor, 2008, p. 111). Migration flows had considerably increased since the 1990s with an estimated 18,000 people trafficked into the United States in each year (Shirk & Webber, 2004, p. 1). The United States has a lengthy history of viewing the Mexico-Guatemala border as a second front in the fight to stop illegal immigration from reaching its borders (Ogren, 2007, p. 211). This is progressively more evident in recent decades, as Mexico has, “drawn closer to the North American community through trade and security agreements” in addition to more “effective policing of its southern border” (Ogren, 2007, p. 204). Geo-politically, the jurisdictions of the North American Free Trade Agreement (NAFTA) and Dominican Republic and Central American Free Trade Agreement (DR-CAFTA) are divided at the Mexico-Guatemala border which means immigration controls move from lax to strict creating barriers to

migration which are often exploited by traffickers. Tighter border controls result in the use of more dangerous and therefore more costly routes to avoid detection as well as forcing migrants to increasingly rely on smugglers to complete the journey (Ribando Seelke, 2010, p. 3).

Some smugglers have sold undocumented migrants into situations of forced labor or prostitution in order to recover their costs. Recent studies illustrate how illegal immigrants transiting Mexico, many of whom lack legal protection because of their immigration status, have become increasingly vulnerable to human trafficking and other abuses. An increasing percentage of abuses, the most violent case of which resulted in the mass murder of 72 U.S.-bound migrants in Tamaulipas in late August 2010, have been perpetrated by criminal gangs and drug traffickers, sometimes with assistance from public officials. (Ribando Seelke, 2010, p. 3)

While a strong Western perspective on anti-trafficking initiatives is to reinforce border controls, evidence from the quote above suggests that these initiatives have the opposite effect on trafficking than intended. Rather than discouraging trafficking, these controls increase migrant vulnerability and push otherwise uncontrolled migrants into the hands of violent traffickers.

At the same time that the United States is reinforcing the Mexican border, it also paradoxically continues to pull migrants north by arresting them at the border instead of interior enforcement of documented labour which directly contributes to rates of smuggling and trafficking (Shirk & Webber, 2004, p. 2). Undocumented migrants are drawn to the mass of unregulated employment. This grand allure of work alongside increased border security has created a bottle neck affect (Field Notes, 2010). The northern

flow of migrants from Nicaragua, El Salvador, Honduras, and Guatemala becomes blocked at the Guatemala-Mexico border as the larger flows find themselves stuck and subsequently squeezed through narrow perforations in immigration barriers in what locals have described as a “bottle-neck effect” (Ricky, 34 years, Guatemalan, Teacher, Antigua, #1, 16/1/2010). In such cases, migrants must “increasingly rely on ‘professional’ smugglers (coyotes), who are uniquely positioned to engage in both labor and sexual exploitation” (Shirk & Webber, 2004, p. 2). For these reasons Guatemala is a key field in the fight against human traffic.

6.2 Political

The macro political structures in Guatemala influence human trafficking and commercial sexual exploitation in a number of ways both directly and indirectly. The weakening state favors military spending over social programs of health and education which indirectly contributes to the vulnerability of large sectors of the population. The state’s use of violence and state terror in order to foster legitimacy encourages the climate of violence plaguing the nation. Moreover, the exclusionary posture of the state contributes to the idea of second class or disposable citizens. The patriarchal culture adopted by the state specifically disenfranchises women. These sets of political attitudes impinge on certain groups within society and also contribute to a range of different conditions including criminal exploitation, a weak state, and violence. Where the combination of these attitudes and conditions intersect can be found the proliferation of trafficking. The state not only indirectly encourages trafficking, but levels of embedded corruption indicate that the state may have direct involvement in the degree of trafficking.

Since 1996 when the Peace Accords were signed, little has changed in terms of military influence in Guatemalan politics. Right-wing political activity was revived by leaders of

the genocide, most notably the 2003 presidential run by former military dictator General Efraín Ríos Montt, who founded the hard-line conservative Guatemalan Republican Front—FRG⁶³ party, was elected to congress and served as majority leader, holding great sway over the judiciary, yet was burdened by corruption scandals of hundreds of millions of dollars (Benson, et al., 2008, p. 47). The 2007 Guatemalan national elections were widely judged to be free and fair, yet campaigns were exercises of extreme political violence in which over fifty political figures, including seven sitting congressional deputies, were murdered, supposedly by criminal organizations and drug traffickers (Brands, 2011 p. 228). Such political violence is indicative of the broader insecurity characterizing Guatemala in recent years.

Rampant crime continues to threaten democratic governance eroding the state whose institutions have always been feeble, but whose credibility are now more acutely threatened in the onslaught of crime waves (Brands, 2011, p. 229). For many Guatemalans the atmosphere of violence and uncertainty has lead to a kind of nostalgia for a level of security experienced during the armed conflict, when the strong hand of the military maintained order. Respondents explained that during *La Violencia*, under military control, there were curfews in the cities.

Life was safer during the war in the towns and cities, we had armed guards in the streets at all hours, there was never a crime, but when the war ended the streets became more dangerous because the murders that occurred in the

⁶³ Frente Republicano de Guatemala

countryside moved into the cities. (Samantha, 51 years, American, Professor, Antigua, #4, 14/7/2009)

During the armed conflict, although there was some level of awareness about the genocide in the hills, the cities were relatively safe under military rule, unlike in recent years when parents are afraid to send their children to school fearing abduction or murder en route by gangs (Field Notes, July, 2009). This nostalgia for order is evident in the political climate of the country. Many researchers and Guatemalans have suggested that rises in levels of violence have been the right-wing military opposition's means of destabilizing the current political regime in order to rise to power (Snodgrass-Godoy, 2002; Benson, et al., 2008; Brands, 2011). Yet the majority of the post-war violence tends to be blamed on gangs which feeds into right-wing political rhetoric spouted by former military leaders responsible for violence during the conflict, who use military centric platforms of a tough-on-crime approach called the 'iron fist' or 'strong hand' (*mano dura*) (Benson, et al., 2008, p. 39). Political graffiti tends to include pictures of clenched fists (Field Notes, 25/7/2009). The elections have long been dominated by parties who promise this strong hand in dealing with the levels of crime. Politicians use the climate of fear, impunity and instability to pedal promises of a strong hand against delinquents, yet once in power, the state leaders have very little vested interest in security and stability (Field Notes, 16/1/2010). Some scholars, such as Snodgrass-Godoy (2006), hold that the appeal of the Mano dura politics is in fact a "reflection of democracy's broken promises" (p. 33) and "speak[s] more to the character and quality of communal life than they do to the actual crime rates or to characteristics of the criminal justice system" (p. 35). Peoples' responses to the 'iron fist' promises have put former genocide leaders into the highest levels of government (Benson, et al., 2008, p. 46). This has dangerous consequences because the emphasis on punitive measures and allocation of blame to individuals legitimizes the use of violence by the state

and private security forces to establish the feeling of security rather than addressing the root causes of the violence (Benson, et al., 2008, p. 53). Increased punitiveness, according to Snodgrass-Godoy (2006) is based on two false assumptions,

first, that we can reliably distinguish 'them' from 'us' (and therefore can adopt ever-looser definitions for 'terrorism' or 'crime,' untroubled by the fact that these ensnare a disproportionately large number of dark-skinned young men and of individuals from specific religious or ethnic minorities in the criminal justice web); and second, that because there is a sharp distinction between 'us' and 'them,' we can mete out ever-harsher treatment to 'them' without any adverse consequences for 'us.' (...) “an ever more invasive and aggressive state poised to strike more effectively at those we define as ‘other.’ And yet, in casting the net ever wider and turning the war within, we risk undermining the social fabric that forms the foundation of our democracy, trading diversity and tolerance for dread and fear (...) expressions of ‘us’ versus ‘them.’ (p. 38)

Yet some Guatemalans believe that the political right has little or no vested interest in ending the violence once it has reclaimed power (Field Notes, 16/1/2010). A research participant explained that the hard right always runs on a tough militarized platform to end the violence, but if they did in fact manage to end the violence they would be unable to legitimize their power (Ricky, 34 years, Guatemalan, Teacher, Antigua, #1, 16/1/2010). Military rule becomes legitimate under a threat of violence. Without this threat populations often demand civil governance. Legitimacy is fundamental in the survival of political power. As such, the hegemonic classes seek to reinforce the instruments which maintain their traditional authority and privilege (Burrell, 2010, p. 93). Rightwing political elites, therefore, have a vested interest in the continuation of violence which translates into the

continuation of legitimacy for military power (Field Notes, 16/1/2010). According to Snodgrass-Godoy, many see a sinister subtext to popular violence wherein lynchings form part of a wider plan to “mobilize lingering paramilitary structures to destabilize postwar democracy, prompting calls for greater military intervention in daily governance” which is evidenced by “the frequent involvement in lynchings of local political leaders, often from the right-wing FRG” (2002, p. 652).⁶⁴ Guatemala’s new violence is deeply embedded in historical and societal factors, especially the decades of internal conflict, followed by resonating memories of trauma and terror so that widely held support for the ‘iron-fist’ platform seems less like a definitive support for a new militarized state and more like a reasonable appeal for life without insecurity (Benson, et al., 2008, p. 49). Whatever the reason, in 2011, right-wing candidate “Otto Pérez Molina defeated Manuel Baldizón, a young, populist businessman, by nine percentage points (...) ushering Guatemala into new and old territory” (Cave, 2011). President Pérez Molina took office on January 14th 2012, yet his professional background, along with alleged connections to human rights abuses during the internal conflict, likely means he will avoid any hard line on Guatemala’s rampant impunity which could implicate his military peers in criminal actions committed over the decades (Paverman, 2012).

One way to legitimize military power in the political system is through effective state terror. Guatemala’s only moderate left president since the signing of the peace accords, Álvaro Colom, promised social programs to end corruption as a part of a broader view of the meaning of security (Benson, et al., 2008, p. 48), yet these promises never materialized.

⁶⁴ To what extent perpetrators of lynchings are acting independently or are as part of a coordinated political strategy remains uncertain (Snodgrass-Godoy, 2002, p. 652).

Other political parties, including the FRG and Patriotic Party, continued using propaganda to convince citizens to deem targeting gangs as the key to order which is wrapped up in a larger political discourse of blame (Benson, et al., 2008, p. 48) and scapegoating (Mills, 1940; Brewer, 2003, p. 86). For many Guatemalans who lack access to education, simpler explanations of us (state) vs. them (gangs) are easier to grasp than the more complex explanations attached to corruption, exclusion, a lack of social programs (Field Notes, 6/6/2010), “economic hopelessness, and terror” (Manz, 2008, p. 159). Nonetheless, state terror and violence involve not only physical acts of oppression and genocide but also “racialized and gendered processes for teaching and learning social paralysis to curtail the will to transform unequal relations of power” (Martinez-Salazar, 2008 p. 215). State terror along with targeted exclusion from access to political resources results in the inability for large areas of the population to exercise their rights.

The political system of Guatemala acts as a macro push factor influencing the rise of human traffic and commercial sexual exploitation. One of the ways in which the political system pushes people into trafficking is by focusing primarily on security. Pérez Molina’s induction as president signified that state focus has returned to the militarized right. Political efforts centered on the return to a militarized state come at the expense of constructing and implementing social programs and encouraging political participation (Field Notes, 2010). The controversial ‘iron fist’ style of governance is likely to put democratic institutions at risk by allowing members of law enforcement to ignore civil liberties in the fight against crime (Paverman, 2012). Arguably, a lack of civil liberties, social programs and the concentration on security over well-being leaves citizens in a prison of their own nation (Field Notes, 2010). Research participants described the period

during *La Violencia* as if life was put on hold; education, careers, businesses, marriages, everything seemed frozen in time, unable to move forward.⁶⁵ A return to a militarized state over the progress of education, economy and health care may return citizens to this struggle for subsistence without hope of progress. As during the armed conflict, migration may seem to have been an escape from military stagnation which has implications for trafficking given the current regime's priorities (Field Notes, 3/5/2010).

Another way in which the political system influences human traffic and commercial sexual exploitation in Guatemala is by the systematic exclusion of indigenous and garífuna peoples, women, homosexuals, the impoverished and many other groups from political participation. Political exclusion is not unique to Guatemala; it is symptomatic of wider issues in the region. Marginalization of non-elites can be considered a legacy of Latin American oligarchic practices ranging from exclusion to violent repression forcing popular movements to expand and multiply in public spaces rather than try to gain access to government institutions (Stewart, 2008, p. 233). Specifically in Guatemala, the "limited electoral democracy premised on ideologies of formal equality and exclusionary universalism whose proponents do not even recognize the perpetration of genocide and other forms of state terror, and who instead call these violations of human rights 'excesses of war'" (Martinez-Salazar, 2008, p. 110). Racism of the state has translated into a racialization of space and is considered an extension of the state terror (Martinez-Salazar, 2008, p. 210). Evidence of political social exclusion can be found in the National

⁶⁵ (Ricky, 34 years, Guatemalan, Spanish Teacher, Antigua, #1, 16/1/2010), (Ixpalow, 40 years, Guatemalan, Indigenous Teacher, Panajachel, #7, 13/7/2009), (Batz, 40 years, Guatemalan, Indigenous Teacher, Antigua, #115, 7/8/2010).

Assembly where, in 2003, only fifteen out of the total one-hundred and fifty-eight deputies elected were indigenous even though the indigenous population represents a significant majority of the population (World Directory of Minorities and Indigenous Peoples, 2008). This political exclusion creates and perpetuates ideas of a second class of citizens; a class unworthy of political participation or consideration (Field Notes, 2010). Such inequality to the extent of creating a separate identity contributes to wider social consciousness of dehumanization (Field Notes, 2010). Political power lies in dominant discourses which use images and language to label and stigmatize, thereby dehumanizing the lives of marginalized peoples while criminalizing their social and political actions (Martinez-Salazar, 2008, p. 212). Actors representing the state, such as the police and military, may then define human rights violations against the ‘others’ as in line with the dominant dehumanization discourse (Field Notes, 10/5/2010).

These ideas of second class citizenry are not exclusively in terms of the ethnic divide. The political as well as the judicial system in Guatemala has a history of marginalizing and also encouraging normalization of violence against women. Carey and Torres argue that hateful acts toward women in Guatemala are treated with a pervasive acceptability in numerous social domains including politics, work, and economic exchange (2010, p. 148).⁶⁶ Yet

⁶⁶ “Even as early as the turn of the century, it is possible to see the process by which violence became normalized and common place—mundane, if not banal—and thus ignored. Ironically, this process of normalization can be attributed partly to a judicial system that facilitated violence by excusing men’s transgression against women. These gendered practices reinforced violence as a preferred mechanism of social governance. Femicide’s pervasiveness today rests partly on the historical process of giving perpetrators the de facto power to violate others” (Carey & Torres, 2010, p. 151).

perhaps one of the most disturbing demonstrations of patriarchal political and state power exercised at the expense of women was during *La Violencia* in which state-sponsored rape and gender-based violence became a defining part of the use and reproduction of state power, using women's bodies to legitimize the role of the patriarch (Carey & Torres, 2010, p. 161). The Guatemalan political and judicial system has a history of disenfranchising women, exposing them to a normalization of violence both domestically and as perpetrated directly by state actors. This state reinforced normalization of violence against women cultivates the vulnerability that is a driving force in the root causes of trafficking and commercial sexual exploitation. Not only do women experience a lack of political and social safety nets, the set of social attitudes around women which normalized violence against women contributes to the active dehumanization of women thereby facilitating the sale and abuse of a person as a commodity (Field Notes, 2010).

Moreover, the state likely has direct involvement in all forms of trafficking (Field Notes, 16/1/2010). State structures, both political and judicial, as well as many actors who represent the state have been susceptible to corruption. Meanwhile, illicit activity thrives amidst the delineation between political and non-political violence, crime and insurgency (Brands, 2011, p. 230). While influence from “non-state criminal actors is estimated to rival or exceed that of the government in up to 40 percent of the country” and criminal organizations are said to “have corrupted—indeed, colonized—sectors of the government and turned the state to their own purposes” (Benson, et al., 2008, p. 47). Political power and influence are used to maintain impunity and foster exploitation while increasing personal wealth. According to an interviewee⁶⁷, an article appeared in *La Prensa Libre*,

⁶⁷ (Ricky, 34 years, Guatemalan, Teacher, Antigua, #1, 16/1/2010)

one of the nation's leading news papers which claimed that Former President Álvaro Colom's wife, had owned seven brothels with numerous foreign sex workers which she was said to have sold to her sister during the campaign. Ricky, a local Guatemalan teacher, described this article as evidence of political involvement in human trafficking.⁶⁸ The political stage is satiated with corruption while the decayed justice system cultivates impunity. During the stagnated economy during *La Violencia*, many military officials formed tight-knit fraternities, becoming a "praetorian elite," using their influences to acquire favourable positions in industry and became leaders in the underground illicit markets including arms, drugs and human traffic (Brands, 2011, p. 234). Several have become politicians today while remaining leaders in trafficking organizations (Ricky, 34 years, Guatemalan, Teacher, Antigua, #1, 16/1/2010).

These current and former paramilitary connections have become networks of powerful individuals, businessmen, civil servants, and law enforcement who use their positions and contacts in both public and private sectors to enrich themselves from illegal activities and maintain impunity, known as the *poderes ocultos*, hidden powers with appellations like *La Cofradía*, *El Sindicato*, *El Archivo*, and *Grupo Salvavidas* (Brands, 2011, p. 234) and *La Cadena*, The Chain (Snodgrass-Godoy, 2002, p. 650). Some of these are relatively informal networks while others are "quasi-corporate entities that employ youth gangs and current or former members of the security services to carry out their dirty work" (Brands, 2011, p. 234). Many believe that the U.S. government's war on drugs, is paying the

⁶⁸ While I was unable to find the original article mentioned by the interviewee, such statements provided me with an insight into public perception of the government's involvement in human trafficking and commercial sexual exploitation.

Guatemalan government to stop drug trafficking; meanwhile, the drug traffickers are paying the Guatemalan government to look the other way, and the only ones who win are the Guatemalan politicians (Ricky, 34 years, Guatemalan, Teacher, Antigua, #1, 16/1/2010). Meanwhile, an estimated two-hundred and fifty to four hundred metric tons of cocaine move through Guatemala annually, resulting in the United States' State Department identifying Guatemala as the 'epicenter' of the drug threat (Brands, 2011, p. 232; In Sight, Organized Crime in the Americas, 2012). Evidence can be found in September of 2008, when President Colom fired two of his top aides for allegedly helping drug trafficking organizations place listening devices in his residence and office (Brands, 2011, p. 233). These claims were further elaborated on by Brands' research into the violence in Guatemala, which argues that the international drug trafficking organizations "both cooperate and compete with domestically based organized crime syndicates" (Brands, 2011, p. 234).⁶⁹

Such evidence suggests that the leaders of Guatemala have little vested interest in combating trafficking. Specifically, immense profits from drug traffic bring a rise in official corruptions as "cartels pay small-town mayors to set up clandestine airstrips, and

⁶⁹ "U.S. officials believe that the hidden powers have particularly strong ties to the Public Ministry, military intelligence, the National Civil Police (PNC), and political parties such as the Guatemalan Republican Front, which includes former military dictator Efraín Ríos Montt and ex-President Alfonso Portillo (2000-2004). El Archivo and Grupo Salvavidas were reportedly well-represented in Portillo's administration, and government attempts to restrain organized crime were so transparently insincere that Guatemala was temporarily de-certified for U.S. counternarcotics aid in 2003" (Brands 2011, 234-235).

bribe judges, police commanders, military officials, and border guards. Much of this bribery takes place at the local level, in remote areas where state institutions are weakest” (Brands, 2011, p. 233). However, Guatemala elites, similarly to those in Mexico, profit from playing different traffickers off one another for better bribes and payoffs (West, 2012). Political corruption is hardly covert; there is evidence that while law enforcement is supposedly hunting drug traffickers, politically motivated, perhaps even state-sanctioned murder continues, with at least fifty during the 2007 elections (Benson, et al., 2008, p. 39). Not only are political leaders financially invested in the continued operations of trafficking organizations, but it could be fatal to attempt to combat trafficking (Field Notes, 27/4/2010). Trafficking organizations are said to be behind much of the political violence during campaigns in order to eliminate politicians thought to be hostile to continued activities or those declining to participate (Brands, 2011, p. 233). Consequently, not only is there is minimal political effort to identify and subvert trafficking networks in the region, but there seems to be a strong political acquiescence and nothing is expected to change in the near future.

The combination of corruption, state terror, post-war violence and exclusion impedes democracy and human rights and has culminated into a widespread lack of political participation (Field Notes, 2010). For many women, people living in poverty, and indigenous Maya a persistent, underlying structural violence hinders them from exercising their rights or developing rights-based practices within local communities (Burrell, 2010, p. 92). During the most recent event in which the people challenged the state en mass for radical change the state unleashed a genocide "disappearing" 200,000 people (Comisión par el Esclarecimiento Histórico, 1999). Today, efforts for positive change to combat the climate of fear and insecurity are much more subdued (Field Notes, 2010), and have developed a new measurement for victory, “sometimes success has less to do with a

specific outcome than with the act of participation itself” in which people construct dignity and agency through participation by feeling like they are helping to make history (Stewart, 2008, p. 234). Meanwhile, the state has found new labels to silence the people. By labeling activists ‘terrorists’ and using the military to end disputes the state has been able to stop the people from exercising their rights (Field Notes, 6/8/2009). Multinational corporations such as mining corps and fruit and sugar plantations pay the government to bury the peoples’ attempts at asserting their rights in endless bureaucratic paperwork. When the people become desperate enough to act, the government labels them terrorists and sends the military to ‘keep order’ (Field Notes, 6/8/2009). These actions emphasize the deeply intertwined connection between political and economic structural violence. Much of the political violence in Guatemala is a “direct expression of structural violence in the form of a brutal model of capitalist development combined with the profound ethnic inequality to prevent the development of an inclusive national project” (Grandin, 2000, p. 8; also see Menjívar, 2008, p. 131). Extreme inequality, poverty, unemployment and underemployment augment delinquency which has transitioned political to criminal violence rooted in social class (Menjívar, 2008, p. 131).

6.3 Economy

The economy acts as both a push and pull factor for human trafficking and commercial sexual exploitation in a number of ways. Economic conditions are commonly highlighted as the fundamental causes of human trafficking and “are related to major trends in the new global economy. Increased flows of goods, people, and capital have yielded net gains for entrepreneurs of all kinds—both legal and illegal—while desperation and vulnerability continues at the margins” (Moran-Taylor & Taylor, 2010, p. 203). The neoliberal era saw the acute deterioration of economic conditions and resulted in the restructuring of the Latin American classes thereby intensifying migratory flows (Moran-Taylor & Taylor, 2010, p.

203). These neoliberal structures have been examined as a new form of structural violence which empowers traffickers along with international free trade agreements like DR-CAFTA (Dominican Republic-Central American Free Trade Agreement). A lack of employment regulations also acts as a push factor in migration and human traffic (Field Notes 29/6/2010) while Guatemala's remittance based economy presents as a pull factor (Field Notes, 22/3/2010).

One factor which affects human traffic is the presence of a remittance-based economy, "whereby humans are becoming the primary export commodity" (Moran-Taylor, 2008, p. 112). Remittances act as a pull factor for human traffic. When others see the affluence of those families with someone abroad sending home remittances, they romanticize and idealize the journey (Field Notes, 16/4/10). Similar to other sending countries, economic remittances contribute enormously to the Guatemalan economy. In 2008, financial remittances reached almost four billion US dollars, although, in the wake of the global economic crisis a decline in employment and earnings for migrants in the US resulted in an eleven percent decline in 2009 (Banco de Guatemala, 2008-2009 cited in Moran-Taylor & Taylor, 2010, p. 204). The decline in income from remittances may lead to an increase in migration in order to fill the gap.

Neoliberal supremacy in economic structures has been classified as a new form of violence exacerbating inequality and leaving large numbers of the populations susceptible to destitution, exploitation, and thereby human trafficking and commercial sexual exploitation. This is especially apparent in Latin America where active marginalization embedded within neoliberal policies produces a particular kind of violence rooted in the structural (Burrell, 2010, p. 108). The term neoliberalism describes an array of economic reforms founded in structural adjustment as a practice, "a kind of tool kit, a set of

institutions, logics, and rationalities” used by people to understand inequalities and respond to them, both in at the government level and at the local street-level economics (O’Neill & Kedron, 2011, p. 1). Manz further points out that structural violence can be understood, not simply as an insufficient distribution of resources, but rather as,

...an ordering of the oppressive inequality, though the use of legislation which hides behind the mechanisms of the social distribution of wealth and establishes a coercive force obligating the people to respect them. The elite—who enjoy privilege, access to the resources of the society, and the protection of the state apparatus—seeks at all social costs to maintain the status quo and deny basic well-being and human dignity to the majority. (Manz, 2008, p. 161)

Along these lines, many argue that in Guatemala military coercion has been replaced by economic control loosely veiled behind a façade of democracy which appeases the international community (Benson, et al., 2008, pp. 51-52). Benson observed that while the structural violence of poverty and eroded social structures impact every level of society including political, economic, and social conditions, those conditions remain worse for the indigenous Maya than for Ladinos (2008, pp. 51-52). Using the structural violence approach, Benson “emphasizes deeply racial, geographic, and sociopolitical patterning of violence in Guatemala and the continuity in this respect between the past and the postwar period” (Benson, et al., 2008, pp. 51-52). My research builds on Benson’s assertion by revealing that the structural-violence approach also exposes profound gendered patterns of violence reflected in the economic system. My research revealed that women are systematically excluded from the work force except in such cases as they can be exploited into receiving less pay than men, among other problems.

Unemployment and underemployment are often credited in the literature as a primary push factor for migration and trafficking (Aronowitz, 2001, p. 167; Chuang, 2006, p. 138). It is also cited by humanitarian workers and sex workers alike as the principal drive into sex work and by extension sex traffic (Field Notes, 2010). Without job opportunities, women lack alternatives and are driven into the sex trade. My research reveals, however, that the push factor seems more a lack of labour regulations upholding basic labour standards such as safety, minimum wage and equity of opportunity than a lack of jobs. Many of the interview respondents had held employment, most often in factories and/domestic service, before turning to sex work. The main problems with previous employment were gender inequality, aggressive sexual harassment, and exploitative hours and salaries. The jobs that were described as open to women were said to be only open because they are exploitative. Many of the women had stories about moving to the city to find work in a factory, but they all spoke of exploitation, low salaries and layoffs.

*...in a factory, they ask a lot, a lot, as it were, hard work. Sometimes that, they put a, they watched you, they did not pay. **Didn't pay you?** Yes, because sometimes they'd steal the sixth hours, sometimes, they'd fall behind three days without paying you, and sometimes what's more; they forced you to work more for the little that you could get, that's why.⁷⁰ (Felicia, 27 years, Guatemalan, Sex Worker, Capital, #111, 29/6/2010)*

⁷⁰ En una maquiladora, le piden mucho, muchos, como le quedaron, mucho trabajo, a veces de que, ponga que, que uno velaba, no le pagaban. **¿No le pagaban?** Sí, porque a veces les robaran a uno las horas sexta, a veces se atrasaban tres días sin pagarse a uno, y a veces entre más les forzaba a uno en trabajar más poquito sacaba a uno, por eso.

*In factories, they kill you with work you have to do take this here and put that there and for 1000 or 800Q and you're dead tired at the end... that's not to say sex work is easy, because sometimes they arrive drunk and treat us bad, it costs us to work in this work. But there is a saying that you have to have patience to bring your children forward, because if you don't work, it's better to work than to rob people.*⁷¹ (Vikki, 29 years, Honduran, Sex Worker, Tecúm Umán, #91, 16/6/2010)

Felicia and Vikki described those same neoliberal tactics of maximizing profits for shareholders by squeezing profitability from the workforce which is similarly described by Barbara Ehrenreich in her book Nickel and Dimed: On (Not) Getting By in America (2008). These strategies demand much, yet offer little, in order to press employees into labour-intensive, low-wage occupations. In this respect “structural violence also appears in the form of a global sweatshop economy that exacerbates gendered vulnerabilities” and includes a psychological violence on workers self-esteem reportedly creating the belief those women are to blame for their lack of education and thereby precarious situation (Menjívar, 2008, p. 115; Menjívar, 2011, p. 31). Indeed respondents described being offered only menial positions in comparison to better paid machine operating posts which were solely held by men (Field Notes, 2010). Women explained that they were only hired over men when it was acceptable to pay a woman less than a man. As a woman and single

⁷¹ En las fábricas, te matan con el trabajo que tiene que hacer tomar esto aquí y poner allí y que para 1000 o 800Q y estás muerto de cansancio al final ... eso no quiere decir que el trabajo sexual es fácil, porque a veces llegan borrachos y nos tratan mal, nos cuesta a trabajar en esta obra. Pero hay un dicho que dice que hay que tener paciencia para sacar sus hijos adelante, porque si no trabaja, es mejor trabajar que robar a la gente.

parent head of household, one could not support a family on these exploitative wages (Field Notes, 15/6/2010). This structural push factor has less to do with poverty and more to do with social exclusion from the labour force and the exploitative neoliberal labour conditions (Field Notes, 15/6/2010).

Girls, as previously mentioned, are seen in Guatemalan society as the less intelligent sex and are excluded from education and so are later excluded from higher paying work in a self-fulfilling social expectation (Field Notes, 2010). Similarly, the ideas of social self-fulfilling prophecies have been well researched in education with regards to race and gender in the United States (Martinez & Dukes, 1987; Croizet, et al., 2001). Many of these factories are Western multinational corporations, using neoliberal strategies to take advantage of an uneducated and unorganized workforce (Field Notes, 15/6/2010). Progress and development are often accompanied by inequality, suffering and violence, while the “benefits of globalization touted by proponents of free trade have been accompanied by the intensification of insecurity in vulnerable communities worldwide” (Benson, et al., 2008, p. 38). Thus, ironically the western world “reacts with moral horror at certain manifestations of exploitation [sex trade and trafficking in particular] whilst tacitly condoning the equally exploitative labour conditions that many of these women were fleeing from” (Hamilton-Smith, 2012).

Similar forms of labour exploitation can be found in domestic employment, the other commonly mentioned work experience prior to entering the sex industry. Sex workers recounted some kind of negative experience which forced them out of domestic employment (Field Notes, 2010). Again, the most commonly held problem was that the nature of domestic service seemed exploitative. The exploitation and sexual harassment in domestic labour, especially with migrants, has been widely observed worldwide

(Ehrenreich & Hochschild, 2004; Afsar, 2009; Jureidini, 2009). This was similarly found by a Guatemalan health organization, ASI, in a focus groups study of women domestic servants, “the conditions didn’t vary from one group to another, they are victims of labor exploitation” which they argue is rooted in the fatalistic cultural perception of the necessity to endure suffering (ASI, 2008, p. 43). Since domestic workers usually receive room and board from the home of their employers, then salaries are miniscule (Field Notes, 27/4/2010). Moreover, domestic work is considered women’s work and therefore undervalued (Ehrenreich & Hochschild, 2004). That the work is undervalued is one reason for employers to demand long hours for little pay. In the case of single mothers, women complained that long hours keep them from raising their children and miniscule pay was described as impossible to save money, not to mention support a family (Field Notes, 19/3/2010). This is one of the reasons women have asserted that they leave domestic service and find themselves in the sex industry, either by choice or lack of other options. They claimed that the sex industry offered more income for fewer working hours which allowed for single mothers to take financial care of their children as well as spend more time raising them.

Another reason women profess to have left domestic service, was that they were sexually and/or physically assaulted by their employers. Women described situations in which during employment they were sexually abused and sometimes assaulted by the male head of household. Sometimes they recounted how they escaped from one situation only to find themselves facing the same problem of sexual abuse in subsequent households of employment.

*I came to Guatemala City when I was 12 years old. **How did you come?** I came because I was brought by the owner of a farm. [...to work as carer for a child...] I worked for this man that brought me, and from there, already no, I*

left from there, already I didn't want to continue working there, because, he, he, sometimes he wanted to touch me, so that I left from there, I went to work in another house. **Another house? Yes. What happened at the other house?** I went to work at another house where again, I went to work doing the house cleaning, washing dishes, clothes, because I still could not cook. **And how long in this house?** In that house, like, like eight months. [...in this case the employer was a woman and needed an employee who could cook which Paula could not...] then I came back, back again where my parents, my home. And spent a year at home and from there I went out to work again. **To the city again?** (Yeah), no, I didn't come over here, no I, I went there, close to my town. I also, equally, I went to work at a soup kitchen, washing dishes, doing cleaning. And there two years later as working, and from there I left also, because the man, also, the husband of the lady, also wanted to have sex with me, and I was small then, I was, already it seemed then that I was, like at fifteen years, and I left again from there because the man wanted to use for me, (um) so I went to another house, again caring for another child. There I revealed, like a year, again, I was driven out from there again, because of the same, the man travelled, and when he was not at home, the lady asked me that I am, that I remain the room where her in her bed to keep her company and the little girl too, and one day he return from a trip, he..., I don't really know if he was so drunk, but he arrived drunk, and came to bed where I was, he wants to touch me also. (Um) because the lady was out doing her exercises early, she went out running, she was not there, she would do the exercises and when the man arrived and he wanted to abuse me, and then I told the lady what had happened, I told her what has happened, and the lady told me she would talk to

him, and she talked with, with the husband about, about what had happened, the husband said he was drunk, that he had not seen, that he thought she was the one that was there, and from there, he (um),... I got out of there, that house; no longer could I continue working there. So for another time, I went home, back home again. (Paula, 33 years, indigenous, former sex worker, Capital, #20, 19/3/2010)⁷²

⁷² Yo vine a la ciudad de Guate cuando tenía 12 anos. **¿Y cómo viniste?** Yo vine porque me trajo un dueño de una finca, (...) Trabajé un año con este señor que me trajo, y de allí, ya no, me fui de allí, ya no quise seguir allí trabajando, porque, él, el, a veces él quería tocarme, entonces yo me fui de allí, me fui a trabajar a otra casa. **¿otra casa?** Sí, **¿qué pasó a otra casa?** me fui a trabajar a otra casa donde también, me fui a trabajar haciendo limpieza en la casa, lavando las trastes, la ropa, porque todavía no podía cocinar. **¿Y cuanto tiempo en esta casa?** En esa casa como los, como ocho meses. entonces, me volvía, regresar otra vez donde mis papas, a mi casa. Y pase como un ano en la casa y de allí volví a salir otra vez a trabajar. **¿A la ciudad otra vez?** (Yeah), no me vine por acá, no me, me fui allí cerca al pueblo. También igualmente me fui a trabajar a un comedor, lavando los trastes, haciendo limpieza. Y allí tarde como dos años trabajando, y allí me salí también, porque el señor, también, el esposo de la señora, también quería tener sexo conmigo, y yo estaba pequeña pues, tenía, ya perezcos entonces que tenía, como quince anos, y me salió otra vez de allí porque el señor quería usar de me, (um) me fui para otra casa también cuidando otra niña. Allí delaté, como un ano, también allí me volvía salir porque el señor también igualmente, él viajaba, y cuando él no estaba en su casa, la señora me pedí a mi de que yo me, me quedaran al cuarto donde ella dormir para hacerle compañía y a la niña también, y un día que él regreso del viaje, él, no sé si verdad no, no estaba tan ebrio, pero llego ebrio, y llego a la cama donde yo estaba, quiere me tocar también. (um) porque la señora se iba temprano hacer su ejercicios, salía correr, ella no estaba, ella se iba hacer sus ejercicios y cuando señor llego y quiso abusar de me, y entonces yo le dije a la señora, lo que había pasado, le conté a ella que ha pasado, y la señora me dijo que iba hablar con él, y hablo con, con el esposo que, que había pasado, el esposo le dijo

Traditional masculine ideas of women as objects and ownership of women is the subject of much feminist literature (Klein & Kress, 1976; Pateman, 1989; Hester, 1992). These attitudes toward women, especially intense in Guatemala, meant that sexual abuse of domestic servants was a common addition to respondents' stories. Those women who were not "owned" in the marital sense were then subject to repeated claims of ownership in various other contexts (Sacks, 1974; MacKinnon, 1983; Johnson, 1995). The frequency of occurrences of sexual harassment in domestic service speaks the normality of the misconduct. Young women can be vulnerable in that they lack the ability to assert themselves and their rights (Asper & Martiny, 2004, p. 1184; Rushing & Watts, 2005). Moreover, the societal practice of victim blaming (discussed in Chapter 8) lead female heads of household to hold the domestic servant responsible for the husband's advances. In these cases, often former domestic servants reported abuse at the hands of the female head of household in the form of beatings, verbal assaults and finally expulsion from the home, situations which were similarly observed in with housemaids in Bahrain (Strobl, 2009, p. 170). ASI found that domestic servants "are subjected to conditions of maltreatment, abuse, discrimination, inconsideration on the part of their patrons and their families, many of them exposed to accosting and /or sexual abuse; they have extended hours of work from 12 to 16 hours a day, wages are well below the minimum and they lack legal protection" (ASI, 2008, p. 44). Laws regulating treatment of domestic servants do not exist in Guatemala nor are employers accountable to uphold the workers' rights (ASI, 2008, p. 44). This situation of vulnerability and exploitation can be seen as analogous with those women in the context of prostitution who cannot rely on social security.

que él estaba tomado, que no había visto, que pensó que ella era que estaba allí, y de allí, él (um), me salí de allí, de esa casa, ya no seguir trabajando allí, me fui otra vez para la casa, regrese otra vez.

In both cases of employment commonly described by respondents, factory and/or domestic work, situations were too exploitative for single mothers in which case women were pushed into the alternative of the sex industry for a better ratio of profits to service hours. This decision allowed more women to subsist and care for their families. Similarly, ASI found that prior to joining the sex industry women were predisposed to “accept and tolerate exploitative work conditions and cruelty that violates their workers’ rights and finally, additionally their human rights.” (ASI, 2008, p. 42). In many countries like France, government regulation and enforcement of those regulations have reduced exploitation in domestic service (McBride, 1974; Windebank, 2007). In the case of gendered and racial social exclusion, government regulation in the form of Affirmative Action of the United States has reduced areas of inequality (Abraham, 1986; Belz, 1994; Bacchi, 1996, p. 101). These forms of social exclusion could potentially be addressed by a Guatemalan government branch dedicated to producing labour standards and regulations as well as standards of equality. This branch accompanied by an inspection and enforcement body, insulated from corruption, could drastically reduce social exclusion and exploitation in the work place. Similarly, the American Civil Rights Act 1964 and UK Equal Pay Act 1963 could serve as models of legislation and enforcement. Nationally enforced labour and equality standards could reduce the exclusion which acts as a societal push factor of young woman and girls into sex work and traffic.

Seen through the lens of structural violence, the lack of legal protections for workers’ rights is intrinsically connected with the furthering of neoliberal economics through international treaties such as DR-CAFTA (Dominican Republic-Central American Free Trade Agreement) implemented in 2006, which according to the World Bank “has the potential to increase trade and foreign direct investment in Guatemala” (The World Bank, 2011). In Mexico, however, NAFTA (North American Free Trade Agreement) has already

had a significant impact on migration when increased corn imports from the United States resulted in a dramatic reduction in market price forcing many small farmers to migrate to cities or the US to find work (Ogren, 2007, p. 210). Yet there is political value in the deteriorated condition of large portions of the population because it creates a reserve army of unemployed (Benson, et al., 2008, pp. 51-52). In fact, as the Guatemalan state “courts foreign capital” it puts Guatemalan citizens at a competitive disadvantage (Benson, et al., 2008, p. 41). Competitive disadvantage and the struggle to provide for families contribute to decisions to migrate. The adoption of freer trade and structural adjustment may create a “‘migration hump,’ or a temporary increase in migration by workers displaced by the economic changes wrought by free trade” (Ogren, 2007, p. 210). DR-CAFTA and international competition coupled with a lack of labour standards and workers’ rights affect migration and trafficking flows and can be seen as wider expressions of structural violence. Furthermore, the creation of a state-controlled reserve army of unemployed creates conditions for ‘iron fist’ politics which are intertwined in neo-liberal international political economic intentions (Benson, et al., 2008, pp. 51-52). Snodgrass-Godoy (2006) argues that the extreme inequality in Guatemala may explain the post conflict violence, as the powerful use the political and legal systems to subvert justice and equality (p. 12).

This structural violence of oppression is exerted over anyone opposing the multinational corporations which are in bed with Guatemalan politicians. This point of economic and political tension is apparent in the pockets of protest for environmental rights. In the last decade, efforts at exercising environmental rights through popular protests have been strategically labelled as terrorism and subdued through military force. The government grants licences to multinational corporations then merely notifies local populations that mining operations were going to occur which creates a new battleground for highland Mayan communities fearing exposure to the toxins of strip mining (Eccariu-Kelly, 2007, p.

52; Benson, et al., 2008, p. 42). Repeatedly, indigenous communities attempt to assert their rights through political and legal channels while their efforts are thwarted in bureaucracy and claims about threats to survival go unheard couched only in economic terms (Burrell, 2010, p. 95). At a Mayan Cultural Conference in the capital, the indigenous group of San Miguel Ixtahuacán struggling against the multi-national mining corporation GoldCorp gave a presentation begging for assistance from the academic community to stop the arsenic poisoning of their water supplies (Warden, Conference Notes, 6/8/2009). They described how their efforts for environmental protections through legal and political channels had been ignored, and that they were forced to resort to damaging machinery in the night so as not to risk human confrontation or possible accidents (Warden, Conference Notes, 6/8/2009). They explained how the Guatemalan government alongside GoldCorp had labelled the protesting communities “terrorists” (Warden, Conference Notes, 6/8/2009) and were seeking aid from the United States to stop protests by joining the “War on Terror” rhetoric (Rojecki, 2008). Those Mayans, for whom the mountains and soil hold religious significance which cannot be measured in economic terms, have deemed the economic policies of the state as environmental terrorism (Eccariu-Kelly, 2007, p. 52 & 54). Meanwhile, the World Bank ignored these issues and released statements resolute that mining companies create local opportunities to escape poverty, demonstrating a patriarchal attitude toward indigenous communities by claiming Mayans would no longer need to disrupt family life and school during harvest season (Eccariu-Kelly, 2007, p. 57).

Similarly, in 2006, one thousand US soldiers were deployed to the Guatemalan highlands of San Marcos with the justification of building schools and health centres, yet another expression of imperial intervention masked as humanitarianism (Martinez-Salazar, 2008, p. 211). The Guatemalan oligarchy in collusion with Canadian, American and European corporations for mineral extraction criminalize indigenous communities as drug traffickers,

using state terror to create a culture of fear. This happened during the genocide. The state made itself out to be a neutral and harassed referee whilst profiting from the socioeconomic exploitation of highland communities (Martinez-Salazar, 2008, pp. 211-212). Globalization and free trade agreements such as DR-CAFTA seem unlikely to increase development, democracy and respect for human rights as some argue, rather they are likely to weaken local economies and further polarize society (Manz, 2008, p. 158). Furthermore, an important issue that emerged from the research data was the tendency toward the commodification of human beings as a mass reserve workforce may be accompanied by a greater capacity for dehumanization, or a decline in the belief of value of life or quality of that life. This commodification of peoples as a macro-structure in society may have a trickledown effect into microstructures in which those attitudes facilitate the detestable treatment of traffic victims as disposable commodities.

It is also important to note that migrants do not tend to come from poor, isolated communities unconnected with international markets, rather from areas of development and rapid growth due to their entrance into emerging global trade and production networks (Ogren, 2007, p. 210). Many organizations including the ILO have cautioned that the growth of poverty and unemployment from the global financial crisis will likely significantly increase trafficking worldwide (Ribando Seelke, 2010, p. 4). Particularly “women from disadvantaged backgrounds on account of ethnicity and/or social class, a decade after the peace accords were signed and during a time when they also must bear the brunt of neoliberal structural adjustment programs” (Menjívar, 2008, p. 132). Poverty has been credited as a common push factor, pushing vulnerable individuals to human traffickers. Poverty, however, is merely a symptom of extreme inequality and a selectivity of rights which means the academic and activist community may be focusing on the wrong causal factors. Unequal economic developments disenfranchise women’s work (Nordstrom

& Robben, 1995, p. 10). Exceptionally disadvantaged women are vulnerable to commercial sexual exploitation and trafficking.

Marginalized people increasingly express a sense of transience and selectivity of rights along with inaccessibility of legitimate livelihoods (Burrell, 2010, p. 95). With a lack of basic services gangs have flourished by filling the vacuum of unemployment with organized crime. Gang membership is high and sporadic rival neighbourhood gang fights often claim numerous victims including passers-by (Greta, 50s, English, NGO Worker, Antigua, #2, 25/8/2009). These gangs bring with them violence and a need for protection which can be offered by rival gangs filling the void left by an ineffectual corrupt police force (Greta, 50s, English, NGO Worker, Antigua, #2, 25/8/2009). Yet levels of violence and insecurity in Guatemala are increasingly costly to its economy. The World Bank estimated that violence and crime represent “staggering economic costs for the country, equivalent to 7.7 percent of its GDP” (The World Bank, 2011).

The stagnated economy during *La Violencia* lead to the creation of lasting ties persisting today (GHRC, 2007, pp. 6-7) in which the military and law enforcement agencies are tightly connected with drug, arms and human traffickers as well as other organized crime networks (Amnesty International, 2006; Benson, et al., 2008, p. 39). When the war officially ended in 1996, the new reliance on illegal activities did not disappear, it simply moved into the cities (Ricky, 34 years, Guatemalan, Teacher, Antigua, #1, 16/1/2010). So that now, “paramilitary groups and former members of the military are actively engaged in criminal activities, ranging from personal vendettas to settling scores to corruption, kidnappings, rapes, thefts, shootings, and drug trafficking” (Manz, 2008, p. 157). Homicide rates from 2001 to 2006 nearly doubled, making Guatemala the second-most-dangerous country in Latin America after El Salvador where on average two-hundred and

fifty people are murdered in the capital each month (Benson, et al., 2008, p. 39). The dysfunctional judicial system maintained by the military and the powerful means that they enjoy unprecedented levels of impunity which has held back the reconciliation of historical events and impeded the creation of a just, stable society (Manz, 2008, p. abstract). In this climate of impunity carried over from the war “only about 1 percent of violent crimes are successfully prosecuted” (Benson, et al., 2008, p. 39). Impunity encourages the continuation of violence without fear of retribution, and repercussions for crimes such as human traffic are rare.

6.4 Violence and Insecurity

Violence and insecurity act as another macro structure in Guatemala encouraging the traffic of drugs, arms and human beings. This is reflected in anti-trafficking literature in which experts agree that a nation’s trafficking levels are directly affected by recent political upheaval, armed conflict, economic crisis or natural disasters (Ribando Seelke, 2010, p. 3). Guatemala’s recent history exemplifies this agreement. Although the system of political, social, ethnic, and gendered violence was established long before *La Violencia*, the internal conflict has had a defining impact on macro structures in the post-war period.⁷³ The decentralization of the construction of violence from the military dominance representing the state to a wider scope including rural mobs, private security forces, and urban gangs means that the majority of murders carried out in Guatemala City now “are

⁷³ Over three decades of violence during the internal armed conflict flooded the nation with arms and had lasting impacts, in effect, re-socializing society (Benson, et al., 2008). Large numbers of people educated in *La Violencia*, while nascent underlying structures of violence were evolving to influence the value systems and behavioural patterns creating today’s nexus of violence, fear and blame.

not carried out by the thinly veiled heavy hand of the military or secret police” (Benson, et al., 2008, p. 50). Similarly to this research project, Menjívar (2011), also noted that common gang-related crime is post conflict Guatemala’s most immediate threat in the eyes of Guatemalans (p. 41). It is no longer easy to identify the enemy. Such tendency toward violence may be accompanied by an augmented capacity for dehumanization, or a diminution of the value of human life (Field Notes, 2010). This dehumanization could facilitate the abhorrent treatment of human traffic victims as disposable commodities and the prevalence of commercial sexual exploitation.

Another result of *La Violencia* was the mass displacement and migration away from the conflict.⁷⁴ As mentioned in Chapter Three, Section 3.5, this important Diaspora effect of *La Violencia* has created extended connections which influence current lines of migration and traffic. Guatemalan refugees fleeing to the United States during the 1980s and 1990s were preyed upon by established gangs and were forced to form their own gangs including 18th Street and MS-13 (Brands, 2011, p. 236). Crimes committed in the United States were swiftly followed by deportation which sent a gang culture back to Guatemala to thrive amidst a culture of impunity (Moran-Taylor, 2008, p. 119) and a lack of alternative options.⁷⁵

⁷⁴ Now over ten percent of Guatemala’s fourteen million inhabitants reside in the United States (Moran-Taylor & Taylor, 2010, p. 203).

⁷⁵ Many deportees spoke anglicized Spanish (or none at all), lacked economic opportunities in Guatemala, and had no skills to trade upon other than their gang connections. Consequently, the gang problem in Guatemala metastasized, with gang populations swelling and law enforcement agencies struggling to keep pace. (Brands, 2011, p. 236)

The mass migration coupled with gang formation amidst intermittent deportation has only reinforced links between gangs who live by strict codes within their hierarchy sometimes set by branches in the United States which are then followed by members in Guatemala (Greta, 50s, English, NGO Worker, Antigua, #2, 25/8/2009). Many of these gangs are heavily involved with trafficking of drugs, arms and people as well as violently enforcing commercial sexual exploitation.

The makeup of these criminal groups varies from highly sophisticated to basic small neighborhood street gangs. More complex, multi-tiered even international organizations include police and security forces, ex and active military personnel, established smugglers, human traffickers and also some Mexican and Colombian drug trafficking organizations all of whom facilitate their business by working with sectors of the government (In Sight, Organized Crime in the Americas, 2012). These violent gangs are evident in a multitude of levels of society.⁷⁶ Thus, in addition to the everydayness of the violence, Central America is in the grips of criminal insurgency, “drug cartels and well-armed paramilitary groups are

⁷⁶ “Gangs like MS-13 in Central America and the First Capital Command (PCC) in Brazil, as well as paramilitary groups like Los Zetas in Mexico, contain hundreds, thousands, or even tens of thousands of members organized into numerous cells and overseen by a centralized hierarchy. They employ individuals ranging from hit men to accountants and lawyers, and occupy key nodes in the illicit networks described earlier. With different divisions and sub-divisions responsible for intelligence, assassination, money laundering, drug trafficking, recruitment, and other activities, they resemble corporations rather than simple street gangs” (Brands, 2011, p. 230).

waging a war of attrition against the government and against one another, and the resulting ‘narco-insurgency’ has claimed over 15,000 lives” (Brands, 2011, p. 231). In 2007 the Vice President acknowledged that six of Guatemala’s twenty-two departments were controlled by criminal elements (Brands, 2011, p. 231). A consequence of the gang’s scopes of influence is that they “have become larger than life, a synecdoche for violence and insecurity writ large. This mythos reflects a shift in the way violence is imagined and talked about” (Benson, et al., 2008, p. 44). These social constructions of violence profoundly affect law enforcement (Field Notes, 2010).

Arguably the gangs pose a real danger to law enforcement (Field Notes, 2010). Some national estimates put gang membership higher than the national police force (Benson, et al., 2008, p. 44). Guatemala is estimated to have, “just over 31,000 army personnel, 20,000 police and 800 police investigators” however, when the intelligence apparatus was dismantled after *La Violencia* “many of its former members went to work with organized criminal gangs or formed their own criminal syndicates” (In Sight, Organized Crime in the Americas, 2012). Not only is there a question of numbers, but there is a deep seeded mistrust of state enforcement officials.⁷⁷ According to Brands (2011, p. 231), trafficking and organized crime countermeasures are undermined by corruption and weakness in state institutions which hinders the deployment of any multi-tiered effective response. Also, the hidden powers are widely believed to have directly infiltrated the Public Ministry, National Civil Police (PNC) and military intelligence resulting in rampant and transparent

⁷⁷ Historically, Latin American militaries have been turned against the citizenry resulting in a resistance to military interventions in domestic matters, even in cases when police are overwhelmed (Brands, 2011, p. 231).

corruption (Brands, 2011, pp. 234-235). Arguably, however, the most significant cause for the crisis of confidence is the combination of overt police corruptibility and obvious inaction or ineptitude in criminal investigations (Field Notes, 2010; also see Killer's Paradise, 2006). One interpretation could be that with such an overwhelming criminal threat it seems as though officers are simply not paid enough or empowered enough to risk their lives for the general population resulting in a get-through-this-shift mentality (Field Notes 1/2009). The scope of this research project, however, did not include police perspectives, but recognizes a need for further research given that security seems the most pressing issue. Law enforcement measures, including clandestine imprisonment, are implemented with questionable legality, yet are considered justifiable to achieve control (Burrell, 2010, p. 103). Thus creating a climate in which, "human rights are ephemeral: here today, gone tomorrow; available for some and not for others, workable in some spaces and not in others" (Burrell, 2010, p. 92). A subsequent result of antagonism toward law enforcement is the privatization of security forces leading to a fend-for-oneself way of thinking (Burrell, 2010, p. 105). The population's history of disappointment with the corruption and impunity with which law enforcement operates evolved into disillusionment with the criminal justice system (Field Notes, 2010).

Widespread impunity born from the weakness of the Guatemalan judicial system has both direct and indirect effects on trafficking and commercial sexual exploitation in the region. Furthermore, the lack of security for judges, prosecutors, or witnesses increases the difficulty in securing convictions of civilian or military members of organized crime networks (Ruhl, 2005, p. 78). Average criminal trials last over four years, while resulting in less than two percent of convictions which contributes to one of the lowest incarceration rates, twenty-eight per one-hundred thousand people (O'Neill & Kedron, 2011, p. 1). The weak justice system is another legacy of *La Violencia*, in which to avoid any prosecution

for war crimes the authoritarian government and military maintained the ineptitude of civilian authorities, which results a lack of capacity, resources and will to investigate and punish most crimes including contemporary common crime (Snodgrass-Godoy, 2002, p. 644). Such institutionalization of impunity means that victories are either international or hyper-local (Stewart, 2008, p. 232). Noted from this research projects field data (2010), as well as by other scholars such as Snodgrass-Godoy (2002) citizens remain distrustful and cynical of the criminal justice system deciding authorities to be at best, incompetent, at worst complicit in crimes (p. 644). This acute lack of confidence in the police has led to law enforcement devolution to communities and private security forces, the formation of community associates, and vigilantism including lynching (Snodgrass-Godoy, 2002, p. 659; O'Neill & Kedron, 2011, p. 2). It is a contention of my research that the hidden and entrenched nature of international trafficking networks, however, are unlikely to be addressed by ad hoc forms of criminal justice making Guatemala a haven for all forms of trafficking and comercial sexual exploitation.

As with other social problems, a deeper look into impunity reveals a gendered component which has direct and indirect effects on forms of trafficking which directly impact women. Carey and Torres⁷⁸ revealed a dramatic decrease in efforts to arrest perpetrators of gender-based violence since the early twentieth century to today when only eleven perpetrators were convicted for the five-thousand and twenty-seven femicides from 2000-2009 (2010, p. 161). Extreme levels of impunity surrounding crimes against women have roots in *La*

⁷⁸ Carey and Torres's "Precursors to Femicide, Guatemalan Women in a Vortex of Violence" is an important historical analysis of gender-based violence in Guatemala which reveals patterns of increasing impunity for crimes against women (2010).

Violencia. During the internal armed conflict normalization of impunity for violence against women, especially sexual crimes, was fostered through the encouragement of state-sponsored rape as a weapon of the state (Hastings, 2002, p. 1158). Such overt impunity for soldiers who committed state-sponsored rape has a profound effect on the social willingness to publicly denounce sexual violations (Hastings, 2002, p. 1158). According to MacKinnon (1983) objectivity with the courts is an illusion; rather courts simply reflect the sickness of society back to itself resolved (p. 655). Moreover, this research project found that impunity feeds the culture of silence and thereby the normalization of sexual violence against women which acts as a curtain for state complicity in these crimes. Women in Guatemala are constantly subject to these macro systems perpetuating gendered violence (Field Notes 2009-2010). Sex workers in particular are acutely exposed to these structures already being viewed by society as deviant from virtue and therefore outside protection of the law.

*If it's a sex worker that was killed, they shrug it off, it was just a whore, so the reason was either drugs or the client, that's why they were killed, but in reality this is a rejection of women, the rejection of women that is taking over this is the reality, the machismo has attacked, which the society has created. It's not that we exclude, it's that we are excluded by the people, society, we make denouncements, but they are, dead documents, we write them but they [police] don't care, they [legislators] make decisions without our consent.*⁷⁹(Jazmine,

⁷⁹ Si es una trabajadora sexual que fue asesinado, lo omiso, sólo era una puta, así que la razón era drogas o del cliente, es por eso que los mataron, pero en realidad se trata de un rechazo de las mujeres, el rechazo a la mujer que está apoderando esta es la realidad, el machismo ha atacado, lo que la sociedad ha creado. No es

42 years, Guatemalan, sex worker, trafficked victim, NGO worker, #18,
18/3/2010)

The profound lack of faith in the will and ability of the police to act was uncovered in this research project (Field Notes, 2009-2010) as well as others (Winton, 2007, p. 508). Respondents often felt that relying on authorities or the judicial system was tantamount to doing nothing (Burrell, 2010, p. 97). Sex workers who were interviewed typically expressed their apprehension with law enforcement.

*The police? They never pay attention, (...) they just say, 'I'm coming' and they never come.*⁸⁰ (Victoria, 26 years, Honduran, Sex Worker, #44, 16/4/2010)

In some cases, like above, the police were simply considered neglectful or useless, but in other cases, the police were not only ineffectual, but were themselves perpetrators of crimes,

In this work, have you received any type of mistreatment or violence? Yes, Like what? Like from the police when I was up there [points toward one end of the Line]. What happened? They pointed their gun at me and I wanted to stop.

que se excluye, es que son excluidos por la gente, la sociedad, nos ponen los denuncias, pero son documentos muertos, que los escriben, pero no importa, ellos hacen decisiones sin nuestro consentimiento.

⁸⁰ ¿La policía? nunca ponen atención, (...) solo dicen 'ya voy' y nunca ir.

*How many times? 1 time. Did you make a denouncement? No I didn't.*⁸¹

(Abby, 30 years, Guatemalan, Sex Worker, Capital, # 24, 25/3/2010)

Not only was Abby unable to access police protection, she was incapable of seeking redress because the perpetrator was the police. This research project found, similarly to Winton, that in some cases “the police were viewed as worse even than gangs” (2007, p. 508). Corruption and impunity have generated a type of lawlessness which preys on vulnerable sectors of society such as the sex worker community and migrants. The widespread belief that authorities are tightly connected to trafficking and organized crime along with the nearly one percent of violent crimes successfully prosecuted (Amnesty International, 2006) paints a grave picture for efforts to combat human traffic. This research project found that without trusted, effective law enforcement and legal protections women are severely vulnerable to violence, exploitation and trafficking. This research has demonstrated (Field Work, 6/6/2011) that the implications for returning traffic victims to this environment means that on the rare occasions, if ever, redress against traffickers went ahead, it would occur without any deterrent for or protection from severe bodily harm, murder, or re-trafficking which was also noted by other scholars, such as Alpes (2008, p. 41).

These macro-structures of a corrupt and inept criminal justice system were revealed by this research project to encourage trafficking and commercial sexual exploitation through the democratization of violence. Fear of crime and frustration with the criminal justice system

⁸¹ **¿En este trabajo, ha recibido algún tipo de maltrato o violencia?** Sí, **¿Cómo qué?** Como de la policía cuando estaba allá arriba. **¿Qué ha pasado?** Ponen su arma a mí y me quería parar. **¿Cuántas veces?** Una vez. **¿Hizo una denuncia?** No, no lo hizo.

have lead communities to conduct, “*justicia a mano propia*’ (literally, ‘justice by one’s own hand’)” in the form of public lynchings in which, “frequently, but not always, suspects are doused with gasoline and burned alive. Sometimes thousands of people are present, participating as witnesses or members of a ‘Popular Tribunal’ to determine the fate of the accused” (Snodgrass-Godoy, 2002, p. 644; Snodgrass-Godoy, 2006). This popularized idea of justice-by-one’s-own-hand can be found in the data I gathered in red-light districts in the capital. Gang members enforcing the “war tax” become judge, jury, and executioner carrying out community level debt-related justice (Field Notes, 22/2/2010 & 10/4/2010). Murder in the name of justice thereby rationalizes the murder for, not only the perpetrator, but also the surrounding population (See Chapter Seven, Examining Micro Structures). The democratization of violence along with evolving understandings of victims and criminals become blurred in new warped ideas of justice. At the psychological level corruption and impunity along with the normalization of gender-based violence cultivates a culture of silence among victims of trafficking and commercial exploitation. Meanwhile, legal structures are used, not only to provide redress for injustice, but also to cement unjust systems of inequality for the powerful (Snodgrass-Godoy, 2006, p. 11).

6.5 2009 Anti-Trafficking Legislation

Prior to 2009, Guatemala was the only country in the sub-region where commercial sexual exploitation and human traffic had not been established in criminal law, making it a haven for impunity (Javier, 2010). Decree 9-2009, Law Against Sexual Violence, Exploitation and Human Traffic,⁸² the anti-trafficking legislation implemented in Guatemala, was created in response to this problem. As the title suggests, the law codifies human

⁸² Ley Contra la Violencia Sexual, Explotación y Trata de Personas, Decreto 9-2009

trafficking, sexual violence and exploitation as crimes. It came into effect with dramatic force including a significant increase in raids on bars, night clubs, and closed houses⁸³ (Field Notes 5/6/2010). Its implementation, however, was not prefaced with the creation of facilities to carry out the law's intentions, nor was it accompanied by widespread informing of the public or state sectors about the intricacies of the law (Field Notes, 5/6/2010). Moreover, the momentum behind the law dwindled by the following year leaving unintended, harmful side effects and only few front line workers voicing the need for change (Field Notes, 2010).

It is important to note that wider international political pressure has influenced the creation of Decree 9-2009. This pressure comes in the form of a three tiered system. The United States determines whether to sanction states or provide funding for state anti-trafficking programs using the annual TIP (Trafficking in Persons) report (United States Department of State, 2012). In this report the anti-trafficking efforts of states are categorized as satisfactory or not using a three tiered system. Countries considered to have made the least effort against human traffic are listed on Tier 3 and the Tier 2 Watch List. Between the 2008 and 2009 fiscal year the U.S. government invested \$17.3 million in Latin America on anti-TIP supported projects primarily, either regionally, or directed at countries on the Tier 3 or 2 Watch-list in recent TIP reports (Ribando Seelke, 2010, p. 11). This system, however, has been criticized as a largely political tool used against states that are out of favour with the United States such as Cuba which has ranked as Tier 3 since the inception of the report (Ribando Seelke, 2010). Using this report, however, the United States creates pressure on states to act, or appear to act against human trafficking. This research project

⁸³ casas cerradas

found, however, that the desire for USA funding creates a catch-22; achieving Tier 1 status could mean the loss of US funding for anti-trafficking programs. Moreover, in nations where the murder of state officials is common, the actions required to reach Tier 1 status are accompanied by mortal risk. Conversely, if states ‘fail’ to fight traffickers they avoid the risk associated with fighting traffickers and they receive more funding from the USA. Nonetheless, it is highly likely that the creation of Decree 9-2009 was influenced by this pressure which could explain why institutional support was not developed. It could also explain the acute lack of awareness surrounding the new law (Field Notes, 2010).

The overall ignorance around Decree 9-2009 was an important factor uncovered during this investigation. Of the seventy-eight sex workers interviewed nationwide only two had heard about the law and only because of their affiliation with the NGOs in the capital. National awareness of the law seemed minimal. In Puerto Barrios, eastern Guatemala, two police officers were said to have been sent to the capital to learn about the law, but whether or not they passed on that information is unknown, and believed unlikely (Allison, 64 years, Guatemalan, Nurses Assistant, Puerto Barrios, #77, 5/6/2010). An interview with an educator in Escuintla, in southern Guatemala, revealed that although some efforts to create awareness were made, a lack of funding limited those efforts (Jose, 37 years, Guatemalan, Educator, Escuintla, #72, 3/5/2010). Jose confessed that the weakness of the awareness campaign meant that there are even lawyers in Escuintla who are entirely unaware of Decree 9-2009 (Jose, 37 years, Guatemalan, Educator, Escuintla, #72, 3/5/2010). The profound lack of awareness results in increased impunity for traffickers and a lack of safeguards for the human rights of victims. Specifically, Jose described the abusive manner in which the police treated sex workers claiming that even with awareness, the police

“don’t enforce the laws as they should be, but as they believe they should be”⁸⁴ (Jose, 37 years, Guatemalan, Educator, Escuintla, #72, 5/4/2010). Unfortunately, wide misunderstandings and misinterpretations of Decree 9-2009 have created unintended human rights violations.

This research project found that the ambiguous way the law was written in some respects facilitates misconception and even dangerous misinterpretations of the law’s intentions (Field Notes, 25/1/2010). Similar to Mexico (Shirk & Webber, 2004, p. 3) this ambiguity was included by design because efforts to combat human trafficking are informed by existing laws concerning the regulation of prostitution, sex work as moral corruption, public health threats, and the corruption of minors (Rose, 36 years, Guatemalan, Executive Director of NGO, Capital, #12, 25/1/2010). Sex work in Guatemala, however, remains effectively legal in that it is regulated by the state and is not prohibited by law (Field Notes, 25/1/2010). Many officials, nonetheless, maintain an abolitionist position towards sex work, holding that all sex work is act of enslavement and do not distinguish between voluntary migration into the sex industry and commercial sexual exploitation (O’Connell Davidson, 1995, p. 1; Alpes, 2008, p. 36). Specifically, during the creation of Decree 9-2009 moral and political groups were invited to participate, while NGOs and health organizations working within the sex workers population were not included (Rose, 36 years, Guatemalan, Executive Director of NGO, Capital, #12, 25/1/2010). This abolitionist agenda underlies the ambiguity which can be found in the law which has caused misconceptions leading to negative consequences from the practice of this law.

⁸⁴ “no les aplican como deben hacer, los aplican como crean que debe hacer”

Specifically, much of the misinterpretations have been caused by the difference in the title of an article and the body of that same article.

Chapter VI Crimes of Sexual Exploitation, Article 191 Promotion, Facilitation or Favouring of Prostitution. The exploitation of a person over age, by promoting, facilitating or favouring the prostitution shall be punished with imprisonment from five to ten years and a fine of Q 50,000.00 to Q 100,000.00.⁸⁵ (Congreso de La Republica de Guatemala, 2009)

The title of the article suggests a wide range of actions could be punishable under the new law, yet that body of the article explains only those who benefit from the exploitation of the women will be penalized. The misreading of the law has led to the persecution of sex workers. Bar and brothel owners, fearing extensive fines, have removed beds from rooms and have forbidden condoms within the establishment, while some have even refused to allow sex work to be conducted inside the business forcing the women onto the dangerous streets.⁸⁶ Rumours have spread that the law makes sex work illegal, that businesses will be closed, and that the law works against foreign women (Chloe, 18 years, Guatemalan, Sex Worker, Escuintla, #66, 5/3/2010). Another result of these rumours is that fewer sex

⁸⁵ Cap. VI Delitos de Explotación Sexual, Artículo 191, Promoción, facilitación o favorecimiento de prostitución. La explotación de una persona mayor de edad, a través de la promoción, facilitación o favorecimiento de su prostitución, será sancionada con prisión de cinco a diez años, y con multa de Q 50,000.00 a Q 100,000.00.

⁸⁶ (Tina, 29 years, Guatemalan, Sex Worker, Capital, #17, 17/3/2010); (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/10); (Jazmine, 42 years, Guatemala, Sex Worker and Trafficked Victim, Capital, #18, 18/3/2010)

workers are going to health centres for check-ups. According to Carolina, a health centre in the capital was accustomed to seeing fifty to sixty sex workers daily, but since the passing of Decree 9-2009 they may only see six sex workers in a day.⁸⁷ While the intentions of the Decree were to codify criminal behaviour, the consequences of the legislation has been exposing the already vulnerable population of sex workers to further danger and persecution.

Raids to find trafficked victims are conducted by the *Multisectorial*, which is a set of state entities including the national police, health department, government, and immigration which pursue criminals (Jazmine, 42 years, Guatemalan, NGO Worker, Sex Worker, Trafficked Victim, #18, 18/3/2010). According to a round table discussion held with the PDH⁸⁸, one of the main problems with the implementation of Decree 9-2009 is that operations are conducted by the *Multisectorial*, an investigative organization also responsible for combating drug trafficking. While networks of human traffic and drug traffic coexist and often follow the same routes of migration, the nuances for combating those social problems are very different. Drug trafficking involves the pursuit of criminals to the end of penalization while focusing on the confiscation and destruction of the product. In human trafficking, however, the product is a person with rights. The *Multisectorial* tends to round up masses of undocumented and foreign documented people, regardless of the circumstances or possible status as traffic victim. Evidence suggesting that the Multisectorial utilizes Decree 9-2009 was not found during this investigation;

⁸⁷ (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/10)

⁸⁸ 3 representativas de Procuraduría de Derechos Humanos, Defensoría del Desarraigado y Inmigrante (3 representatives of Human Rights Ombudsman, Office of the Uprooted and Immigrant)

instead raids are described as criminalizing the women with abusive attempts to exploit their vulnerability. Interviews revealed numerous human rights violations during raids as woman are carted to the capital. Some sex workers claim their cell phones were stolen, others were taken to the officer's residence (Allison, 64 years, Guatemalan, Nurses Assistant, Puerto Barrios, #77, 5/6/2010). Many are undocumented, but even with documentation the rights of the women are not respected as several claim the police destroyed their passports.⁸⁹ According to the Central American Free Trade Agreement, a passport allows for the relative free movement of people with a standard three month stay in any of the participating nation-states. Central Americans need only a passport to be in any Central American nation for up to three months. In order to work in one of the Central American states, however, requires permission to work which would need the support of the employer. Bar and brothel owners tend not support foreign petitions to work in order to maintain and exploit the vulnerability of the sex workers as foreigners (Allison, 64 years, Guatemalan, Nurses Assistant, Puerto Barrios, #77, 5/6/2010). Yet, as evidenced by the destruction of passports/documentation, the legality of a migrant's situation provides little safety in Guatemala. Some Guatemalan sex workers from the poorer municipalities may lack documentation as a result of illiteracy, language differences or the lack of government offices in the area. Law enforcement officials focusing on immigration issues are known to take advantage of the vulnerability of migrants according to interviewees. Moreover, the PDH exclaims that the operations conducted by the *Multisectorial* lack precision and are not well documented (PDH Roundtable discussion, Capital, #42, 13/4/2010) making

⁸⁹ (Teresa, 46 years, Guatemalan, Sex Worker, Incest Victim, Capital, #25, 25/3/2010); (Debbie, 26 years, Guatemalan, Daughter of Traffic Victim & NGO Worker, Capital, #56, 28/4/2010)

prosecution unlikely. As a result the ill-equipped Public Prosecutor⁹⁰ is required to interview all those apprehended to assess if they are in fact a traffic victim resulting in a lengthy investigations regarding the status of traffic victims.⁹¹ During this time, migrants are held in an immigration shelter.⁹² The shelter, however, has been described as worse than a prison.⁹³ It is a large concrete building in zone five of the capital. The building was never designed for long term stays which only has the capacity for thirty-five people, but at any given time it holds around a hundred men and women (PDH Roundtable discussion, Capital, #42, 13/4/2010). The bathroom facilities are shared by both sexes (ibid). Mixing traumatized women and sex trafficked victims with men in the intimacy of the bathroom setting is far from ideal. According to Sarah, a Nicaraguan sex worker who spent a week inside the shelter, the food is “really bad”⁹⁴. The shelter’s air conditioner has been broken for years and although there are many windows, all are sealed shut so the building is entirely lacking in ventilation which means during summer inmates endure oppressive

⁹⁰ Ministerio Público

⁹¹ (PDH Roundtable discussion, Capital, #42, 13/4/2010); (Edith, 34 years, Guatemalan, Sex Worker, Trafficked Victim, Capital, #104, 21/6/2010)

⁹² albergue de migración

⁹³ (PDH Roundtable discussion, Capital, #42, 13/4/2010); (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010); (Pellecer, et al., 2010)

⁹⁴ “muy mal” (Sara, 25 years, Nicaraguan, Sex Worker, Chimaltenango, #84, 15/6/2010)

heat.⁹⁵ They have a single television, but the extra heat the unit produces means that it is unused (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010).

Once the women are inside they cannot leave the building and movements are limited from the floor to the chair to the bed and back again since there is no garden to neither walk nor kick a football around in, and nothing to focus their attention on during incarceration.⁹⁶ Medical care inside the shelter is severely limited. The PDH explained that they were in the process of searching for a doctor to visit at least three of the women inside; one who was brought in pregnant and had been inside for five months and two other women who had babies inside had not yet seen specialist medical attention despite being believed to be suffering post-partum depression (PDH Roundtable discussion, Capital, #42, 13/4/2010). Unlike prisons, however, the shelter does not allow a visitors day (ibid). Access into the shelters is severely limited and strictly monitored and controlled. While the PDH was designed to oversee the conditions of the shelter, PDH employees described the extent of their intervention to be entirely at the discretion of the shelter's warden who only allows a forty-five minute presence every eleven days (ibid). The Comprehensive Health Association described similarly limited access every fifteen days (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010). Conditions within the shelter are tantamount to human rights violations and in the case of human traffic victims offer a climate which cultivates secondary victimization.

⁹⁵ (PDH Roundtable discussion, Capital, #42, 13/4/2010); (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010)

⁹⁶ (PDH Roundtable discussion, Capital, #42, 13/4/2010); (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010)

Further issues were revealed after an analysis of how Decree 9-2009 affects the length of incarceration in immigration shelters. The intended length of stay at the immigration shelter is between two and three days, but not more than six days before deportation.⁹⁷ After the implementation of the new law, Decree 9-2009, a new requirement was that upon arrival to the shelter detainees are obliged to declare themselves trafficked victims (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010) which requires an investigation (PDH Roundtable discussion, Capital, #42, 13/4/2010). For this reason Decree 9-2009 is said to “hinder the deportation process”⁹⁸ (PDH Roundtable discussion, Capital, #42, 13/4/2010) because the institutions are ill-equipped to determine victim status, do not provide benefits even if status is granted, and deportation is the end result whether or not the victim’s status is a trafficked victim. After implementation of Decree 9-2009 delays have been reported averaging from two to three months, and some cases have been reported of detention for more than ninety days and even up to seven months.⁹⁹ Moreover, according to Sarah, a Nicaraguan sex worker, the more times a person is captured the more time they must remain inside (Sarah, 25 years, Nicaraguan, Sex Worker, Chimaltenango, #84, 15/6/2010). Such practices seem more like a prison sentence for repeat offenders than a migration shelter for human traffic victims.

⁹⁷ (PDH Roundtable discussion, Capital, #42, 13/4/2010); (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010)

⁹⁸ “entorpecido el proceso de deportación”

⁹⁹ (PDH Roundtable discussion, Capital, #42, 13/4/2010); (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010) (Alvarado, 2010, p. 1)

Complicating factors found to be associated with these extreme lengths of time were extensive. Firstly, the majority of sex workers are single mothers. Long periods of detention result in the suspension of income from the sole earner of the family. More importantly, during this time children are often without safe child care options. A particularly illustrative case involved a Nicaraguan woman, who was forced to leave her children in the care of her physically abusive husband whom she had separated from, thus in addition to her detention, her trauma was augmented by the constant terror of worrying how her children were being treated (PDH Roundtable discussion, Capital, #42, 13/4/2010). In the case of Debbie, the daughter of a Salvadoran traffic victim who was detained prior to the implementation of Decree 9-2009, she described several frightening occasions in which her and her sister were forced to rely on a neighbour during their mother's deportations (Debbie, 26 years, Guatemalan, Daughter of Salvadoran Traffic Victim, NGO Worker, Capital, #56, 28/4/2010). Although Decree 9-2009¹⁰⁰ includes provisions for the consideration of family members, and dependents with direct and immediate relation to the victim, in practice little importance is given to the circumstances of the alleged traffic victims and their dependents. Moreover, as mentioned the shelter offers little distraction from the long hours of incarceration. Cases of depression have been reported as well as suicide attempts (PDH Roundtable discussion, Capital, #42, 13/4/2010). The latest anti-trafficking legislation, Decree 9-2009, has significantly augmented the

¹⁰⁰ Título III Prevención, Protección, y Atención de las Víctimas, Artículo 10. Víctima. Dice: "También se considera víctima a los familiares o a las personas a cargo que tengan relación inmediata con la víctima directa..." Title III Prevention, Protection and Care of Victims, Article 10. Victim. Which states: "Also considered victims are family members or dependents who have immediate relationship directly with the victim."

length of time detained yet, regardless of victim status the outcome is inevitable deportation. The question then becomes whether or not this piece of legislation causes more harm than good?

Does the Law facilitate justice in terms of the prosecution of traffickers? Decree 9-2009 outlines the option of prison sentences or monetary fines which intertwines an element of a business about the penalization of human traffic. According the PDH, state representatives are corruptly exploiting trafficking networks for monetary gains (PDH Roundtable discussion, Capital, #42, 13/4/2010). Yet the foremost barrier to justice is the corruption within state institutions whereby trafficking networks and brothels have access to insider information about when and where raids will take place. It is well known among sex workers that brothels are tipped off and able to hide minors, foreigners, pregnant women, or women with disabilities in abandoned adjacent buildings, hidden escape routes, or shuffling these women to different establishments.¹⁰¹ As such, Decree 9-2009's incorporation of a business model of penalization of traffickers while reinforcing the criminalization of sex workers and the lack of victim protection services seems more like an exercise in human rights violations than advancement in battle to combat human trafficking. Moreover, laws focused on immigration issues rather than human rights have led to the utter disregard of Guatemala's considerable internal human trafficking.

¹⁰¹ "Ellos las esconden por no se las lleven" (Beatriz, 31 years, Guatemalan, Doctor, Quetzaltenango, #102, 17/6/2010). Also mentioned by (Kara, 18 years, Guatemalan, Sex Worker, Chimaltenango, #83, 15/6/2010); (Vikki, 29 years, Honduran, Sex Worker, Tecúm Umán, #91, 16/6/2010); (Kelsey, 32 years, Guatemalan, Sex Worker, Tecúm Umán, #92, 16/6/2010); (Edith, 34 years, Guatemalan, Sex Worker, Capital, #104, 21/6/2010).

6.6 Internal Traffic

Human traffic across international borders generally flows from the majority to the minority world while internal human traffic tends to flow from rural to urban or tourist areas (Ribando Seelke, 2010, p. 3). When discussing human traffic, distance or political-geography is less a factor than in human smuggling which involves the illegal movement across national borders by non-nationals. While human traffic is most often recognized in the minority world for including this illegal movement of persons across borders, human traffic also encompasses internal traffic, or human traffic which occurs inside a nation-state. Why then is movement still an important factor when discussing internal traffic? It is important to note that in human traffic the *movement* is an important means to facilitate slavery or extreme exploitation. The isolation experienced by victims as a result of their movement creates a vulnerability to coercion from the trafficker. How can a victim be so isolated within her own nation? Internal traffic is particularly an issue for Guatemala. Eleven of the twenty traffic victims interviewed were internally trafficked in Guatemala.

In Guatemala, there are a number of indigenous populations which are linguistically and culturally distinct from the national Spanish speaking Ladino culture who participate in a Central American Identity. In a number of these Indigenous communities, the inhabitants don't speak the national language of Spanish (Ixb'ix, 70s years, Guatemalan, Indigenous Teacher, Aguas Calientes, #8, 7/6/2010), but speak one of twenty-nine different Mayan dialects (Fischer, 2004). As a result, a trafficker could move an indigenous Guatemalan national, a very short distance within Guatemala, yet outside of her language and cultural zone, and isolate her completely. Evidence for this can be found from the PDH which have heard of cases, like in Chimaltenango where few Ladinás conduct sex work, but on the main street lined with bars there are many indigenous women and the locals say many are captured from other departments Escuintla, Zacapa, Chiquimula and brought to

Chimaltenango to work in the sex industry (PDH Roundtable discussion, Capital, #42, 13/4/2010). Therefore, movement remains an important isolating factor in the control of the victim of human traffic; however, crossing international borders are not as significant a factor as they are in human smuggling. In the definition of human traffic, movement is an important factor as a means to obtain the control of a person. Unlike human smuggling wherein movement is an end in itself, human traffic is neither an end in itself, nor does not require an illegal border crossing. For these reasons it is important to consider internal human traffic when discussing the definitions and the criminalization of trafficking.

Data on the extent of indigenous women trafficked into the sex industry is yet to be sufficiently collected. The ethnic divide in Guatemala is not the only means to isolate a Guatemalan citizen within Guatemala. Jane, an indigenous woman trafficked internally into sex slavery, although illiterate, she spoke Spanish and had never learned her indigenous language. She was tricked into entering a brothel but was controlled for two years because the trafficker held her daughter under threat of physical harm and even death (Jane, 46 years, Guatemalan, Sex Worker, Internal Trafficked Victim, Capital, #22, 24/3/2010). When Jane finally escaped from her traffickers, it was some time before she was able to return with help to retrieve her daughter. Another form of internal traffic is that of children who “tend to be trafficked within their own countries, while young women may be trafficked internally or internationally, sometimes with the consent of their husbands or other family members” (Ribando Seelke, 2010, p. 6). Children are trafficked both internally and internationally for the sex industry, domestic service, agricultural and factory work (Ribando Seelke, 2010, p. 6). Xomara was internally trafficked at fourteen years old (Xomara, 53 years, Guatemala, Indigenous, Sex Worker, Internal Trafficked Victim, Capital, #28, 26/3/2010). Catherine was trafficked at fifteen years old into the sex industry (Catherine, 20 years, Guatemalan, Sex Worker, Internal Trafficked Victim,

Escuintla, #68, 3/5/2010). Stephanie was internally trafficked at fourteen years old into domestic servitude for two years until she was sixteen and then she was trafficked into the sex industry (Stephanie, 24 years, Guatemala, Indigenous, Sex worker, Internal Trafficked Victim, #38, 12/10/2010). Women are not only trafficked into the sex industry but also into domestic servitude.

Officials at the United States State Department estimate a million children work as domestic servants in Latin America, “many of whom are vulnerable to verbal, physical, and sexual abuse” (Ribando Seelke, 2010, p. 6). Young indigenous Guatemalan women often migrate “to work as maids or domestics for middle and upper class families” (Ogren, 2007, p. 206). Hundreds of indigenous women in traditional dress can be observed on Sundays in the parks of the capital which is the only day off for most domestic servants (Field Notes, 6/26/2010). Such evidence suggests that thousands of indigenous young women work in the capital and elsewhere as domestic servants. Internal migration, like external, is accompanied by a vulnerability to deception, abuse and risk to fall into forced labour or labour exploitation (ASI, 2008, p. 44). As such, the majority of internal traffic of indigenous people is into domestic servitude, with a little more than sixty percent of these women from Huehuetenango and San Marcos (PDH Roundtable discussion, Capital, #42, 13/4/2010).

Domestic service is considered a very exploitative environment because women are not seen as human beings, for that reason patrons do not consider the consequences of extremely long work days, exhaustion, physical erosion and an inability to conceal the affect on their health (ASI, 2008, pp. 42-43). Children as young as twelve years old are exploited as victims of traffic, kept all day under lock and key, unable even to step out onto the street unless accompanied by patrons (PDH Roundtable discussion, Capital, #42,

13/4/2010). The majority interviewed by a local NGO, did not have a day off or had only a single day and described working hours from five in the morning until eleven at night or one a.m. the next day, or until decided by the patron, (Rose, 36 years, Guatemalan, Executive Director of NGO, Capital, #12, 25/1/2010). Grace who was trafficked into domestic service at seventeen years old after her mother died was forced to sleep on the floor with the dirty, flea-infested dog; and was later re-trafficked again for domestic servitude but this time to Mexico where she recounted regular beatings (Grace, 59 years, Guatemalan, Sex Worker, Trafficked Victim, Capital, #13, 3/5/2010). Often domestic slaves are not trafficked exclusively for domestic labour, some are sexually abused by patrons or forced to prostitute themselves for patrons, as in a case in 2009 where the victim was beaten, burned and forced to both conduct domestic service and sell sexual services for her traffickers, who were never prosecuted for a “lack of evidence”¹⁰² (PDH Roundtable discussion, Capital, #42, 13/4/2010). The key point is that internal human traffic is a grave problem in Guatemala. Yet internal traffic is not exclusive to Guatemala, in Mexico an estimated ten thousand women from central and southern Mexico are trafficked into the sex industry at Mexico’s northern border annually (Ribando Seelke, 2010, p. 6; Kumar Acharya, 2009).

6.7 Education & Health

Low social indicators can contribute to the vulnerability of populations which can also act as factors which drive trafficking. Many anti-trafficking policies often ignore the motivations that push people into migration and cause them to fall victim to trafficking (Haynes, 2007, p. 353). This section recognizes the importance of contributing factors in

¹⁰² falta de pruebas

the cycle of exploitation by analysing education and health indicators in Guatemala. Guatemala's rank in the Human Development Index fell from one-hundred and sixteen in 2010 to one-hundred and thirty-one in 2012 among the one-hundred and sixty-nine nations ranked (The World Bank, 2011; UNDP, 2012). With one of the most unequal income distributions in the world, economic inequality in Guatemala is intricately intertwined with health and education disparities, yielding the lowest life expectancy, and highest maternal mortality and infant mortality rates in Central America (Benson, et al., 2008, p. 50; The World Bank, 2011). Guatemala has also long been experiencing a food crisis. Food prices have risen dramatically on staples of wheat and corn which negatively impact infant nutrition and vulnerable populations (The World Bank, 2011) which may incite increased migration to counter deprivation.

This research project found social exclusion tactics utilized in many public health centers. Discrimination and mistreatment towards sex workers and homosexuals exists in cities (Carolina, 41 years, Guatemalan, NGO Worker, Captial, #50, 27/4/2010), but is more severe in rural communities (Brooke, 29 years, Guatemalan, NGO President, Chimaltenango, #85, 15/6/2010). These discriminatory practices related to health further marginalize already vulnerable populations. Ideally, health centers are safe havens for victims, particularly of commercial sexual exploitation and human trafficking, to seek help, however, in places where their social status is regarded as deficient, aid is unlikely to be sought much less found.

According to the World Bank country profile, Guatemala's social indicators tend to fall below those of other countries with lower per-capita income, such as the average schooling for adults being 5.4 years in the Ladino population and 1.9 years in the indigenous population (2011). The level of that education can be questioned when the "typical rural

teacher has the equivalent of a high-school diploma, with little or no post-secondary training in education.” (Sanders, 2005, p. 185). Education levels especially in impoverished rural communities, some still isolated after decades of internal conflict (Sanders, 2005, p. 185), cultivate the root causes of internal trafficking (Field Notes, 15/6/2010). The lack of education compounded by isolated language and culture zones generates vulnerability to trafficking within Guatemala (Field Notes, 15/6/2010). A key contention of this research project is that a trafficker can move an indigenous girl or young woman a short distance, within Guatemala, but outside her language and culture zone and isolate her completely. It was further revealed in this research that internal trafficking, because of the lack of recognition from Guatemala and the international community, may be the largest form of trafficking in humans in Guatemala yet the most invisible. Knowledge about human rights, “has often been a key component of civic education and of capacity building, advanced through workshops, radio, television campaigns, newspapers, and popular forms such as comic books” (Burrell, 2010, p. 92). Yet progress is incremental and slow and in the majority of the populations, especially in marginalized or rural communities, there remains much to be done (Brooke, 29 years, Guatemalan, NGO President, Chimaltenango, #85, 15/6/2010).

Other researchers have found the obstacles to learning in Guatemala are more than the material limitation of schools, but also the “antiquated, authoritarian pedagogy, based on rote memorization and obedient recall” (Sanders, 2005, p. 185; McAdams, 2012). This is consistent with my findings while teaching English to sex workers, who seemed at first to be terrified to participate in classes for fear of appearing or being called stupid (Field Notes, 17/2/2010). McAdams reports the Ministry of Education’s decision “to advance students without teaching them the material, has failed to prepare students and set a dangerous precedent” (McAdams, 2012). The public education system produces “the

hemisphere's highest illiteracy rate after Haiti's" (Benson, et al., 2008, p. 50). Also, education remains deeply unequal, not only by race and place, but also gender (Menjívar, 2008, p. 126). Education in Guatemala is a luxury for the privileged so that less access for poor women is a means by which illiteracy becomes a symptom of structural violence, using exclusionary tactics to marginalize peoples (Menjívar, 2008, p. 116). Of the seventy-eight sex workers interviewed, only fifteen said that they had had access to any amount of highschool education (most only until the first or second year), while the majority of respondents had varying levels of primary school education (most never having completed). Many respondents cited their reasons for the lack of education to be themselves, or their parents, others cited accompanying fees such as school uniforms and supplies (Greta, 50s, English, NGO Worker, Antigua, #2, 25/8/2009) along with the family's immediate need for productive and income earning members (McAdams, 2012). Social exclusion in education stagnates levels of poverty; in addition, a large youth demographic contributes to conditions which make crime and gang membership enticing (Brands, 2011, p. 231). The most problematic of consequences revealed by this research project, is that marginalized communities, such as the sex worker populations, are more vulnerable to commercial sexual exploitation without an education, especially one that focuses on citizen and human rights.

6.8 Summary

This chapter has traced causality of trafficking from macro political, criminal justice and economic structures, social indicators, and the lasting effects of *La Violencia*. This research project found that these macro structures act as a 'backdrop' that intensifies local experiences of inequality, poverty, gender roles, and migration and social exclusion. In order to understand the wider push/pull factors of trafficking and commercial sexual exploitation, it is important to map how macro structures intersect to encourage these

problems. This chapter revealed, through an analysis of Guatemala's geo-political significance, that in the corridor for people moving north towards the United States a bottle-neck effect has emerged making Guatemala, arguably, the most important country for anti-human traffic efforts in the region. A closer look at the intense international pressure from the United States to create anti-trafficking initiatives uncovered a sort of "Catch 22"; because incentives for developing anti-trafficking efforts are largely financial, in order to ensure continued funding and avoid sanctions, governments need to focus on remaining a Tier 2 state (showing an effort) rather than exacting actual anti-trafficking. In light of this catch-22, the latest anti-trafficking legislation in Guatemala, Decree 9-2009, was accompanied with a vast lack of awareness.

This research project found that a destabilized, weakened Guatemalan state emphasizes security issues while ignoring decayed social programs, treating both issues as mutually exclusive thereby contributing the vulnerability of the wider population. The government's use of state terror and violence to maintain legitimacy contributes to the wider social propensity for violence experienced at the local level. Universal exclusion and neo-liberal tactics are structured to maintain a mass reserve labor force contributing to the creation of a disposable class. A key assertion which emerged from the research is that widespread understandings of a disposable class is exemplified at the local level in the dehumanization of human traffic victims, especially concerning women as victims of commercial sexual exploitation. Not only does the state contribute to a wider social atmosphere of dehumanization and violence, but this research found that government officials are directly involved in trafficking networks. An analysis of the economy as structural violence, specifically with regards to international free-trade agreements, revealed how neo-liberal policies further disadvantage Guatemalan citizens and marginalized groups creating a vulnerability to human traffic and commercial sexual exploitation. Meanwhile, the large

remittance-based economy provides a pull factor enticing migration. Importantly, this research project found that contrary to commonly held ideas that unemployment is a primary push factor to human trafficking, rather the lack of labour standards and protections against exploitative wages acted more as a push factor than a lack of employment opportunities. Another crucial contribution of this research project is that wider social understandings of people as labour commodities promote micro-structures in human trafficking which are the buying and selling of people.

An analysis of the criminal justice system from *La Violencia* to the continuum of violence today revealed how dramatic levels of impunity amidst soaring violent crime rates have led some to refer to Guatemala as undergoing a human rights melt-down (Amnesty International, 2006; Manz, 2008, p. 159). This research project found that impunity, especially related to crimes against women, has facilitated the dehumanization of women promoting the current climate of femicide, encouraging commercial sexual exploitation and human trafficking. Moreover, the data revealed that impunity has fostered a culture of silence among victims, especially victims of sexual crimes. Corrupt and inept law enforcement are being increasingly bypassed by the privatization of security forces, an increase in vigilante justice and the democratization of violence. My investigation found that evolving ideas around justice have increased debt-related violence, specifically in red-light districts where extortion is enforced by murder and is widely viewed as justice in local victim blaming micro structures. In order for any anti-trafficking effort to be successful it must include a more complex multi-tiered approach combining security initiatives with social reform and institution building aimed at remedying the conditions allowing exploitation to thrive (Brands, 2011, p. 231). Examining macro structures reveals how international and national factors shape social understandings in ways which encourage trafficking.

Further scrutiny of the latest anti-traffic legislation showed that ambiguously written articles have encouraged a climate of human rights abuses exposing an already vulnerable population of sex workers to further injury and exploitation. In theory the law is a considerable step in the efforts to reduce trafficking, however, “in practice counter-‘trafficking’ policies and programs are mostly implemented in a way that still takes prostitution itself, rather than exploitation in prostitution to define “human trafficking”” (Alpes, 2008, p. 35). This research project found facilities to handle the new legislation are greatly inadequate, the shelter has been described as worse than a prison, and the length of incarceration has increased exponentially since the implementation of the Decree 9-2009, while prosecution and justice has remained stagnant. Efforts to prosecute traffickers and assist victims in Central America are limited and poorly documented (Field Notes, 13/4/2010). Finally, and perhaps most importantly, my investigation revealed that an emphasis on international human trafficking has led to the grave problem of internal human traffic and commercial sexual exploitation being almost entirely overlooked. While this chapter has made visible a number of factors affecting human trafficking and commercial sexual exploitation in Guatemala, there is a vast need for more information, analysis and education; especially, “law enforcement agencies, legal advocates, and nongovernmental organizations on the front lines need specialized training and assistance to identify and rescue victims, convict their traffickers, and assist victims re-entering society” (Shirk & Webber, 2004, p. 3). In order to effectively address human trafficking, the basic human rights of migrants and citizens alike must become guaranteed (Alpes, 2008).

7 Examining Micro-Structures within Commercial Sexual Exploitation and Human Trafficking

“Coming out of my cage and I’ve been doing just fine, gotta, gotta be down because I want it all. It started out with a kiss, how it ended up like this, it was only a kiss; it was only a kiss....” (Flowers & Keuning, 2004)

This chapter maps the underlying social and cultural structures at the local level which reinforce vulnerability to the human traffic and exploitation that specifically targets women, such as sex traffic, commercial sexual exploitation, forced prostitution, and domestic servitude. The investigation of perceptions, roles and lived experiences of sex workers provided the basis for the analysis of how individuals are constrained by, manoeuvre through, and demonstrate agency within these underlying structures. By examining those lived experiences, which at times are as chaotic as the quote above seeking explanations of how experiences lead to desperation, this chapter draws meaning and functionality from interview testimony to understand the root causes of trafficking. Certain cases of agency will be specifically exhibited in that they seem to aid in social reproductions of norms that underpin the proliferation of sex traffic in Guatemala and the wider Central American region. This chapter addresses the research question, whether social exclusion effects trafficking and how?

- What (if any) are the dominant social patterns that facilitate social exclusion?
- What (if any) types of exclusion are there? What (if any) groups are excluded?
- Does stigma, discrimination, or exclusion influence human trafficking and commercial sexual exploitation?

- What does social exclusion mean in tangible examples of the vulnerability to traffic and commercial sexual exploitation?
- Identify (if any) connections between social exclusion, ethnic identity, and trafficking into commercial sexual exploitation?

On the one hand, some factors presented such as patriarchy, are neither new nor unknown, yet their significance in the “precarious socioeconomic conditions of the majority of the female Guatemalan population,” (ASI, 2008, p. 41) are fundamental in bolstering vulnerability to human traffic and commercial sexual exploitation. Similarly well known factors such as entrenched racism affecting political and economic exclusion, spatial segregation, plus enduring and extreme exploitation (Manz, 2008, p. 155) are examined in a new depth, in the light of their contribution to the trafficking of indigenous populations. On the other hand, aspects newly presented, such as nexus of social coping strategies which sustain and perpetuate extreme levels of violence and impunity reveal links to trafficking and commercial sexual exploitation. Presenting these structures as risk factors reveals how different social structures affect different manifestations of trafficking and commercial sexual exploitation as well as providing a window into possibilities of new approaches to human trafficking prevention. Building on chapter two’s conceptualization of identity and its relation to social exclusion this chapter examines the importance and use of that identity to negotiate agency in a rigidly structured hierarchical society. Patriarchal tactics of social exclusion including stigma and discrimination are examined in relation to their influence on the push and pull factors of human traffic and commercial sexual exploitation. This chapter also uncovers how structures of racism and exclusion affect indigenous populations in Guatemala with regards to trafficking and commercial sexual exploitation. Finally, this chapter explores the overarching crisis of violence and insecurity

to reveal how local coping strategies which have created a nexus of fear, fatalism, and victim blaming that perpetuate the same violence it was created to cope with.

7.1 Exploring Gender Roles in Guatemalan Patriarchy

Gender relations data in Guatemala were collected from a number of sources including, interview data, local empowerment workshops given by both governmental and non-governmental organizations, and first-hand experience of being a woman in Guatemala, among others. This research took me into the homes and shops of women who, through casual conversations, taught me about the gender politics in Guatemalan society which has historically been rooted in patriarchal structures (Martinez-Salazar, 2008; Carey & Torres, 2010). The inclusion of patriarchy in this investigation did reveal a previously unknown normalization of incest in Guatemalan society which further exposes people to trafficking commercial sexual exploitation. It is important to note that the internalization of these structures means that women are complicit in, even reinforcing these, unequal power relations. Patriarchal social systems and machismo mentioned in chapter two provide the established social norms of gender roles which define ideas of sexuality in Guatemalan culture and exclude women from systems of power and privilege in society. Evidence of this male privileged system can be found in local reactions to the birth of a baby girl in Guatemalan society,

When I was born and I was cleaned and turned over, my mother saw that I was a girl, she said how unfortunate to have a spoon (...), but when a boy is born, "se gano la gallina" "you got the goose!" says the family. When a girl is born, they eat tortillas and beans with cheese that's there, but for the machismo, patriarchy, that we grow up with, they say in the departments, in the communities, the girls stay at home cooking and cleaning, and the boys go to

study, when they're bigger, to the man they give the chicken breast to the mother and children, the spare parts, the neck, the guts...and so if it's us that have to change the world, we have to learn, but it's that so many carry around so much baggage it's difficult, to understand it, and to get rid of it, because it's baggage full of guilt, blame, feelings, feelings found because as children how am I going to denounce my mother? or my father who raped me? or my partner who started me in sex work? Thanks to him I have a home, thanks to him I have a house, but that's the problem in the heads of women, we think without a man we are nothing. When we're married, we take the last name of the man, we don't belong to anyone, we belong to ourselves, but I have as much value as him, and Me [Jazmine] I have the same rights even if I am married, and so there is a lot of work to do among our own women, a lot of work.¹⁰³ (Jazmine,

¹⁰³ Cuando yo nací y me fue limpiado y entregado, mi madre se dio cuenta de que yo era una niña, ella dijo que lo desafortunado de tener una cuchara (...), pero cuando nace un niño, "sí gano la gallina", que dice la familia. Cuando nace una niña, que comen tortillas y frijoles con queso que está ahí, pero por el machismo, el patriarcado, que crecemos con, dicen en los departamentos, en las comunidades, las chicas quedan en la cocina cocinando y haciendo la limpieza, y la los niños van a estudiar, cuando están más grande, al hombre, le dan a la pechuga de pollo, a la madre y los niños, las piezas de repuesto, el cuello, las tripas ... y por lo que si somos nosotros que tenemos que cambiar el mundo, tenemos que aprender, pero es que llevan a tantas personas en todo el equipaje tanto que es difícil, para entenderlo, y para deshacerse de él, ya que el equipaje lleno de culpa, culpa, sentimientos, sentimientos encontrados porque como los niños, ¿cómo voy a denunciar a mi madre? ¿o mi padre que me violó? ¿o mi pareja, que me inició en el trabajo sexual? gracias a él tengo un hogar, gracias a él tengo una casa, pero ese es el problema en las cabezas de las mujeres, creemos que sin un hombre que no son nada, cuando nos casemos, nos tomamos el apellido del hombre, que no pertenece a nadie, nos pertenecemos a nosotros mismos, pero tienen un valor tanto como él, y yo [Jazmine] tengo los

42 years, Guatemalan, Sex Worker, Trafficked Victim, NGO worker, Capital,
#18 18/3/2010)

The respondent illustrates strong patriarchal structures evident in Guatemalan society at many different stages of life-course, from the disappointment of female birth to the gendered-division of labour and also a gendered-division of food distribution in the family. Moreover, Jazmine points to strong feelings of blame and guilt which she refers to as baggage, but which indicates an internalization of social structures in the patriarchal system. This internalization of humiliations which legitimize inequality and hierarchy are known as symbolic violence (Menjívar, 2011, p. 43). An interview with the president of a Guatemalan grassroots NGO also highlighted the number one obstacle to activism as the culture of pressure on women to comport themselves submissively with men always being the priority (Brooke, 29 years, Guatemalan, NGO President, Chimaltenango, #85, 15/6/2010). Such data reveals the web of oppression built around patriarchal social structures which will be shown to generate a dehumanization of women that reinforces vulnerability to exploitation, trafficking, commercial sexual exploitation and femicide.

Social structures surrounding women's gender roles in Guatemala are also linked to traditional ideas of virginity and motherhood which stem from religious conservatism. Moral guidance in Guatemala tends to be sought in the church (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010) which includes the dominant religions

mismos derechos incluso si estoy casado, y por lo tanto hay mucho trabajo por hacer entre nuestras mujeres, un montón de trabajo.

of Catholicism and Evangelism. Of the forty-six interviewees who were asked about their religion, thirty-two indicated either a Christian religious affiliation or a belief in God.

Table 7-1 Respondents' Religions

| Religion | Number of Respondents |
|---|------------------------------|
| Evangelical | 13 |
| Catholic | 11 |
| Christian | 6 |
| Belief in God without practicing | 2 |
| Agnostic | 1 |
| None (respondent identified as being atheist, did not answer or were not asked ¹⁰⁴) | 13 |

Emphasis, for women in these religions, is placed on the virgin birth of Christ as abstinence remains the Catholic solution to teen pregnancy and STIs throughout Latin America (Espey, 2012). As such, virginity plays an important role in the perceived social value of women,

I was raped at 6 years old, so what more had I to lose? Supposedly, I had lost everything, because my mother always told me that a woman's only value was

¹⁰⁴ In some circumstances time or risk factors interfered with the ability to collect complete data sets. In these cases some questions were not included in the interview.

*her virginity, and since I knew that I no longer had it, well...*¹⁰⁵ (Jazmine, 42 years, Guatemalan, Sex Worker, Trafficked Victim, NGO Worker, #18 18/3/2010)

*It's important to be virgin, until your first relation, to value more, a boy will pressure, it's important the concept your partner has of you, I see so many things in my job, these women [sex workers] don't value themselves, because they sleep with many man, so for self esteem virginity is important, until you marry a good man.*¹⁰⁶ (Aileen, 44 years, Guatemalan, Doctor, Huehuetenango, #51, 27/4/2010)

As demonstrated above, a woman's moral integrity resides in her sexuality. This cultural understanding of moral integrity as synonymous with sexuality is reinforced in the strong Christian values of virginity. This creates cultural structures whereby some women find themselves unworthy to assert their rights or exercise their religion,

¹⁰⁵ Fui violada a los 6 años, así que ¿qué más tenía que perder? Supuestamente que lo había perdido todo, porque mi madre siempre me dijo que, solo valor de una mujer era su virginidad, y como yo sabía que ya no lo tenía, y bien...

¹⁰⁶ Es importante ser virgen, hasta que su primera relación, a valorar más, un muchacho va a presionar, es importante el concepto de su pareja tiene de ustedes, veo tantas cosas en mi trabajo, estas mujeres no se valoran, ya que acostar con muchos hombres, por lo que la virginidad es importante la autoestima, hasta que se case con un hombre bueno.

*No, because I can't be [practicing religion], because here I am [in a red-light district] and if you're guilty you can't go.*¹⁰⁷ (Cathleen, 33 years, Guatemalan, Sex Worker, Capital, #113, 6/7/2010)

This quote signifies the strength of internalized religious cultural structures, regardless of attendance in religious organizations. Because of a social, cultural, and religious view of sex as *sucio* “dirty” (Teresa, 46 years, Guatemalan, Sex Worker, Capital, #25, 25/3/2010), sex workers have experienced intense cultural exclusion. Not only does the influence of religious values hinder the assertion of rights, but it also contributes to the silencing of victims of sexual violence,

*In Guatemala we live with rape as a taboo, right? It's better not say anything so that no-one judges me, (...) Better not say anything because virginity is first and family honour, no matter what she has experienced, yeah? This is the manner in which people live here, the situation, it's a violation of rights, of sexuality, and we stay silent.*¹⁰⁸ (Betty, 36 years, Guatemalan, Programs Coordinator, Capital, #30, 6/4/2010)

Similarly, as indicated in Betty's response, Adams identified the cultural idea that “the social standing of a family is rooted in the mother/wife's *verguenza* (...) ‘shame’ in the

¹⁰⁷ No, porque no puedo estar, porque aquí estoy y si usted es culpable, usted no puede ir.

¹⁰⁸ En Guatemala vivimos violaciones como un tabú, verdad? Mejor no decimos nada para que no me juzgan. Mejor no decimos nada porque vamos a (...24.min...) Mejor no decimos nada porque la virginidad esta primero y el honor de la familia no importa lo que ha vivido, va? Eso es la forma que la gente viven aquí, la situación, es una violación de derechos, y mantenemos en silencio.

sense of a person's innate moral capacity and potential for education¹⁰⁹, (1999, p. 124). That these religious and cultural principles perpetuate the silence of victims of sexual assault has implications for the social structures surrounding sex traffic and commercial sexual exploitation. These victims are less likely to speak out about their experiences fearing cultural structures of shame placed upon that family. Silence prompted by religious and cultural structures makes recovery problematic and prosecution almost impossible. Furthermore, the perspicacity that virginity relates to a woman's worth has a multitude of possible negative outcomes, including that rape becomes a direct method of diminishing a woman's value. According to a survivor of a seven member gang rape,

*Those who are virgins, [men] only want to hurt them, take their virginity so that they don't value anything.*¹¹⁰ (Debbie, 26 years, Guatemalan, Daughter of Traffic Victim, NGO Worker, Capital, #56, 28/4/2010).

Debbie indicates that she felt her worth was being attacked. As such women can become targets of sexual violence because their value and morality are linked to their sexual experience. There is evidence, however, that these religious cultural structures surrounding virginity are under strain given an escalation of teen pregnancy as young as thirteen and fourteen years old (Rachel, 29 years, Guatemalan, Sex Worker, Quetzaltenango, #100, 17/6/2010). For now, however, the stigma associated with the loss of virginity and thereby moral integrity and thus value as a person has created a type of second class woman. This category is designated to sex workers who are discriminated against and dehumanized

¹⁰⁹ Educado: to be civilized (Adams, 1999, p. 124).

¹¹⁰ aquellos que son vírgenes, ellos sólo quieren hacer daño a ellas, tomar su virginidad para que ellas no valoren nada.

because of their participation in sexual services for monetary gain. Such a category of dehumanization likely contributes to the continuation of extreme commercial sexual exploitation and sex traffic. In this way religious cultural structures surrounding virginity and the lack of virginity encourage sexual exploitation and sex trafficking.

Feminine morality intertwined in sexuality is also reflected in Guatemalan courting rituals, during which a woman is expected to be reserved while being pursued and should not appear eager at the first attempts of courtship or she risks appearing to lack moral integrity (Field Notes, 31/12/2009). Therefore, male advancement is marked by increasing persistence to succeed in the courtship rituals (Field Notes, 31/12/2009). This can turn into a game of cat and mouse in which men are anticipated to be increasingly aggressive in order to demonstrate the sincerity of their intentions and 'win' a woman. Women who acquiesce too soon risk being seen as deviating from established ideas of virginity and virtue. This intensifying male sexual aggression at times runs contrary to the willingness of the women. MacKinnon (1989) similarly discusses the permissible ways a woman can be treated depend on the ruling norms of sexual attraction and expression fused with gender identity, thus (male) dominance and (female) submission (p. 319). Both Hastings (2002) and Menjívar (2008) also note that in Guatemala premarital sexual aggression such as kidnapping and rape (*robadas*), are often systematically excluded from consideration in ideology of sexual assault, rather it is considered a natural way for couples to be formed as long as marriage follows (Hastings, 2002, p. 1161; Menjívar, 2008, p. 127). In such cases, conditions for determining rape "depends not on the consent of the woman but on the intent of the man. As a conventionalized form of courtship, sexual aggression is excluded from the category of communal crime worthy of sanction" (Hastings, 2002, p. 1161).

Indeed, until recent legislation in the form of 2008, Decree 22, Law Against Femicide and Other Forms of Violence Against Women¹¹¹, it was legal for a rapist to avoid sentencing if he married his victim (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010). Also, similar to those findings of Hastings (2002, p. 1162), this investigation revealed that rape scripts are further complicated through implications that victims could have done something to avoid their fate,

I told my daughter not to wear short skirts because you'll be raped, you have to watch how you are dressed, long pants, long shirts, don't be a flirt.¹¹² (Morag, 42 years, Guatemalan, Sex Worker, Capital, #55. 28/4/2010)

This search for blame will be explored later in this chapter. It is important to note, that courtship rituals are often expressions of wider social ideas associated with gendered perceptions of sexuality. In this case of courtship rituals, underlying social structures were found to encourage male aggression toward women specifically in sexual contexts. Indeed, ideas surrounding men's sexual aggressiveness toward women were further revealed upon additional examination of perceptions of sex work,

What I'm doing has saved many women so that they are not taken by force, they're not raped, woman, girlfriends, or family members, this work prostitution saves many woman that there exists a place [red-light district]. There would be a lot of rapes for women and girls, if this place didn't exist,

¹¹¹ Ley contra el Femicidio y Otras Formas de Violencia contra la Mujer, Decreto 22-2008.

¹¹² Le dije a mi hija que no usar faldas cortitas porque vas a ser violada, tiene que mirar cómo está vestido, pantalones largos, camisas largas, no seas coscolina.

*how many girls and women would be raped?*¹¹³ (Jane, 46 years, Guatemalan, Sex Worker, Internal Trafficked Victim, #22, 24/3/2010)

In Guatemalan society, there is a belief that the sexual appetites of men are insatiable needs that must be met and cannot be controlled. Sex workers in Guatemala consider their jobs a noble profession, “if not for sex workers, some young girl would be raped” (Field Notes, 2009). Interestingly, Hastings also found, in her research on rape scripts in wartime, “beliefs about the inherent sexual desires of men” influenced the interpretation of “rape by soldiers as the isolated acts of libidinous men rather than strategic acts of political persecution” (2002, p. 1172). Another allusion to these social conventions is a common saying, “A man needs a wife in the kitchen and a whore in the bedroom”¹¹⁴ (Ricky, 34 years, Guatemalan, Teacher, Antigua, #1, 16/1/2010). This dichotic expression of women creates a first and second class grouping of women mutually exclusive from one another. Even though the wife is considered respectable and the “whore” disreputable, both categories of women in this axiom are tools to be utilized rather than dynamic human beings with rights. MacKinnon (1983), similarly describes the dichotomy as women falling into “parallel provinces: good girls, like children, are unconsenting, virginal, rapable; bad girls, like wives, are consenting, whores, unrapable” (p. 648). Again, this research project

¹¹³ Lo que estoy haciendo ha salvado a muchas mujeres para que no se toman por la fuerza, no son violadas, mujeres, novias, o miembros de la familia, la prostitución este trabajo guarda muchas mujeres que no existe un lugar donde... habría una gran cantidad de violaciones de mujeres y niñas, si este lugar no existía, ¿cuántas niñas y las mujeres serían violadas?...

¹¹⁴ uno necesita una mujer en la cocina y una puta en la cama

found social structures encouraging the dehumanization of women are evident in interviews.

Moreover, the “wife in the kitchen and a prostitute in the bedroom” creates a degree of separation which serves to distance a man’s moral home life where he is a family man, a religious man, from his sexuality where his is a social man, a man’s man. In these social structures defining gender roles can be found the function of brothels. Patriarchy not only places expectations on women, but also on men. Menjívar (2011), points out that as men live in these same social structures, their views and actions are shaped by those same structures “and they too internalize power inequalities, systems of domination, and dispositions that sustain violent structures” (p. 227). Women, often excluded from the workforce, are the carers of the home; men’s roles are as heads of households with responsibility for the financial well-being of the home. Single income households can become increasingly disadvantaged as the number of family members increase. With high rates of unemployment (The World Bank Group, 2012), men find it difficult to succeed at their gendered financial expectation, in some cases, possibly feeling unfulfilled in their masculinity, like a failure (Field Notes, 28/4/2010). In these cases, brothels serve a function to provide a brief escape from these expectations, where men go to be masculine, where other men congregate and often the liquor and the sex are cheap. Sex workers flatter male clients so that men feel, for a short time, fulfilled in their masculinity. Guatemala City has thousands of brothels (Field Notes, 28/4/2010).

Another cultural manifestation of these gendered beliefs for which brothels are a function is the practice of male youth indoctrination into sexuality and thereby manhood. A common practice for young men around the age of fourteen is for his older brothers and cousins to come together to take the young relative for his first sexual experience with a

sex worker (Ricky, 34 years, Guatemalan, Teacher, Antigua, #1, 16/1/2010). The sexuality of the man becomes a symbol of his entrance into manhood, his masculinity, and his social connection with other men. This activity has become perverted into the normalization of gang rape. In order to be inducted in the Eights gang, a woman can choose to be beaten by, or raped by eight gang members (Greta, 50s, English, NGO Worker, Antigua, #2, 25/8/2009). These acts again reinforce men's sexuality as an aspect of masculine power. Social structures regarding masculinity and sexuality influence the actions of members of that society. These social structures are likely to have historical roots in colonial myths which, according to Martinez-Salazar (2008, p. 205), tie into the construction of modern state terror, the myths of

...the savage promiscuity of Indigenous women who graciously opened their bodies to the god-like conqueror (Martínez Pelaez 1982), and the invention of Indigenous men as emasculated primitive males. European colonizing males imagined themselves as the necessary patriarchal aggressor over women and over emasculated men in need of domination, in addition to their domination of others' lands. Both sub-myths were articulated in new ways during the modern state terror, with the additional element of paranoid anti-communism... (2008, p. 205)

Similar to data collected during this investigation, historical colonial myths seem to link aggressive male sexuality with the creation of the dehumanized sexual women as tools. To maintain social norms which compartmentalized sexuality for men and women, the myth of separate types of women must be created. First, is the moral, sexually-reserved woman, the homemaker and mother. Second is the prostitute, the sexually promiscuous thereby morally lacking women who exists to fulfil the sexual desires of men. Consequently, these

women also lack humanity and become unworthy of respect. Subsequent analysis into the Madonna/whore dichotomy (Kong, 2006, p. 428; Gillis, et al., 2007, p. 267) in Guatemalan culture revealed how this social structure constrained the sexual agency of women in Guatemala.

A corrosive extension of the dichotic sexuality in women has been the gradual process of criminalizing agency (Martinez-Salazar, 2008, p. 213). Women who assert their sexual agency have faced accusations of infidelity; in which husbands demand “where did you learn that?”¹¹⁵ (Brooke, 29 years, Guatemalan, NGO President, Chimaltenango, #85, 15/6/2010) implying that sexual agency was taught through extramarital relations. Consequences of these accusations can include verbal and physical forms of violence. Similarly, both Julie A. Hastings (2002) and Tracy Bachrach Ehlers (2000) found in their research into Guatemalan highland community rape-reporting behaviour, that common attitudes surrounding marital sexual obligation, were that the woman’s role was to lie still while her husband fulfilled his sexual release (2002, p. 1161; 2000, p. 171). My investigation revealed fear to be a reason for wives to remain motionlessness during marital sexual relations,

If the man isn't macho, he accepts that it's his wife and will be pleased, but if the man is macho and has very little education, he'll ask her “where did you learn that? who taught you that?” wanting to know who she slept with and did

¹¹⁵ ¿dónde aprendiste eso?

*he teach this to her.*¹¹⁶ (Rachel, 29 years, Sex worker, Guatemalan, Xela, 17/6/10).

Inaction prompted by a fear of appearing as the second category of “whore” demonstrates how this structure influences the actions of women (Katrina, 36 years, Guatemalan, Projects Coordinator for NGO, Capital, #30, 6/4/2010). Women are fearful of expressing sexual agency in their own homes with their spouses that they might be accused of being amoral or overly sexualized into seeking extramarital sex. This fear may be founded in social perceptions that a woman whose sexuality has been compromised is no longer considered a necessary recipient of sexual respect. Similar observations were uncovered by Hastings in which,

Previously married women, those abandoned by husbands or widowed, are often considered to be sexually available, both because of their previous sexual experience and because of the lack of the protective presence of a husband. This availability is reflected in the Kanjobal language wherein the word xek'ix refers to both widows and prostitutes. (Hastings, 2002, p. 1161)

Such linguistic and cultural examples demonstrate that in Guatemala women’s morality is defined by virginity and virtue prior to marriage, then submission and obedience after her wedding. In neither of these circumstances is a woman permitted to be the sexual aggressor. Hence, sexual confidence is considered incompatible with ideas of a ‘good’

¹¹⁶ Bueno, si un hombre no es machista, pues, acepta que es su esposa y que es complaciente y hasta allí no mas verdad, pero si es un hombre es machista, con poco educación, te va a decir, "donde lo aprendiste? quien lo enseño?" de plano saber con quién te acostaste, y el te enseñaste.

woman, but is associated with ideas of ‘bad’ women. In order to map local ideas about acceptable and deviant behaviours associated with gender roles, respondents were often asked to describe their ideas of a ‘good’ women. The results were typical across the interview sample including being “a good mother, good wife, a good human being”¹¹⁷ (Erica, 38 years, Nicaraguan, Migrant Sex Worker, Huehuetenango, #53, 27/4/2010). That Central American respondents echoed similar answers to Guatemalan respondents indicates that these understandings can likely be characterized regionally rather than nationally. Furthermore, the order in which the roles were relayed; first mother, then wife, then general person, is indicative of a wider observed importance placed on the first then subsequent roles. Evidence suggested that religious cultural structures also aid in defining the proper roles of women. Specifically, emphasis on the Virgin Mother has helped to encourage the role of motherhood as an appropriate course for women. The majority of respondents considered the role of the mother paramount to other roles and motherhood appeared to become the *raison d’être* for the majority of respondents,

*We all suffer, endure, all quietly, and we have to shut up for no violence, so it's better not to talk, and all women suffer, all I see it in the homes, not just with us sex workers, housewives also suffer poverty, endure violence, it's like my mom says, a woman endures everything from a man for their children.*¹¹⁸

(Alisa, 36 years, Guatemalan, Sex Worker, Capital, #109, 29/6/2010)

¹¹⁷ una buena madre, buena esposa, una buena ser humano

¹¹⁸ Todos sufrimos, sufrimos, todos en silencio, y tenemos que callar por no violencia, porque lo es mejor no hablar, y sufren todas las mujeres, todo lo que veo en los hogares, no sólo para nosotros trabajadores del

As indicated by the quote, more than a reason for being, motherhood also becomes a rationale for enduring anguish, perpetuating silence and tolerating unequal gendered power relations. Moreover, observed in responses was a spacial segregation which accompanies gendered norms. A good woman was always “in the house”¹¹⁹ (Mandy, 28 years, Guatemalan, Sex Worker, Trafficked Victim, Escuintla, #67, 5/3/2010). Conversely, bad women, “don’t look after their children, and hang out in the streets”¹²⁰ (Kelly, 30 years, Guatemalan, Sex Worker, Escuintla, #65, 5/3/2010). These perceptions of proper roles, together with ideas of proper space, form the cornerstones of the victim blaming uncovered during this investigation and discussed further later in this chapter. Women are thought to be responsible for the violence which befalls them because women are considered bad if they are on the streets, “drugged or drunk instead of with their children”¹²¹ (Mandy, 28 years, Guatemalan, Sex Worker, Trafficked Victim, Escuintla, #67, 5/3/2010). Women asserting agency in Guatemala are condemned, even criminalized, as having a “strong character” or disparaged as “aggressive” and “unconcerned for consequences” which results in “everything falling bad”¹²² (Helen, 55 years, Guatemalan, Sex Worker, Capital, #58, 29/4/2010). What was uncovered to consist of a bad character was an agency Westerners often take for granted, such as, being in public spaces, walking with confidence, responding to sexual harassment or dressing provocatively.

sexo, que sufren la pobreza, frente a la violencia, como dice mi mamá, una mujer sufre de todo desde un hombre para sus hijos.

¹¹⁹ Que están en su casa.

¹²⁰ No cuidan sus hijos o andan en la calle.

¹²¹ Drogado o tomado en lugar de estar con sus hijos.

¹²² carácter fuerte, todo le cae mal, no respeta, es agresiva

Similarly, Martinez-Salazar describes a related phenomenon, a “process whose main purpose is to teach those who refuse passivity that their just demands will be punished...” (2008, p. 213). She was referring to social and political activism in legal situations, yet, the same social education can be observed at the local level in gendered relations of power. The criminalization of women’s agency in Guatemala is not limited to her sexuality, but can be applied to many forms of expressions of independence. Carry and Torres (2010) described a case in which a thirty-two year old Ladino farmer hit his domestic partner “for a bad response that she gave” revealing a depth of disregard for women’s self-determination that justified violence against women who fail to conform to men’s wishes (p. 146). The gender roles defined around subjugation are enforced by criminalization of agency which has led to an internalization of gender violence. Gender based violence in Guatemala is manifested in quotidian events,

...and it is precisely such everyday forms that contribute to their normalization. Gender ideologies create spheres of social action that not only contribute to normalize these manifestations of violence but also justify punishments for deviations from normative gender role expectations. This is manifested in imposed demarcations between public and private spaces and in the resultant restriction of women’s movement, as well as in practices that are more directly physically violent. (Menjívar, 2008, p. 127)

Guatemalan women draw on established roles of motherhood as justification for perpetuating the idea that women who do not conform to constrained, subservient gender roles are subject to punishment and victimization. Similar to Menjívar (2008), I found that women often spoke of their perceived inadequacies of being unequal to men, and that women needed to learn “their place” which seemed so naturalized that it was the most

insidious form of symbolic violence (p. 125). Forms of discrimination and social exclusion tactics to pressure women to conform to socially approved gender roles are evident in Guatemalan history in which,

... 'extremism' [was] understood as antifemale behavior (during the first part of the twentieth century), communism (during La Violencia), or gang involvement (today) became a justification for social cleansing with impunity. By accepting the public violation of women who transgress gender norms, society condoned the violations of any transgressing citizen. (Carey & Torres, 2010, p. 156)

These complex set of social structures speak to the wider systems of exploitation that encourage sex trafficking and sex work. Sex workers are often considered transgressing citizens. Similar issues surrounding gendered norms and sex workers have been observed in Scotland, in which “public discourses in relation to female safety that consider those women who do not follow the rules of responsibility are either ‘asking for it’ or are outside the realms of public protection.” (Stanko, 1996, p. 51 cited in Sanders, 2004, p. 559). Sex workers are thought to possess the “strength of character” to seek employment or income outside of the exploitative environments of factories or domestic employment. Sex workers subsist in public spaces, on the “streets” rather than in the home and are considered an affront to social norms surrounding virginity and sexuality. These social norms propagate ideas of justifiable abuse and exploitation, which facilitates dehumanization and thereby human trafficking.

Maintaining separate categories of women defined by their sexuality is a social process requiring the discrimination of one group, thereby its social exclusion, for the purpose of sexual exploitation. Sex workers fill this category and consequently are treated as some of the lowest forms of society devoid of a moral centre and religion (Field Notes,

25/01/2010). When asked about the discrimination received by sex workers in Guatemalan, a psychologist replied,

Yes, from society, a lot, they say don't talk to her she's a 'sex worker' but they don't call them sex workers, they call them prostitutes, or a whore, vulgar, she's an ordinary woman, a woman of the street is a bad woman, also foolish is the man who goes with her, or she's a woman infected with HIV, although in reality she is the woman that cares most for herself, right?¹²³ (Samantha, 28 years, Guatemalan, Psychologist, Quetzaltenango, #101, 17/6/2010)

The respondent identified various forms of discrimination against sex workers, calling them bad, whores or diseased. Moreover, social exclusion tactics are evident in the form of avoiding social contact and instructing others to avoid sex workers as well. The various levels of disgust described by the respondent were also alluded to by a number of sex workers, including non-verbal forms of displaying repugnance including facial expressions and body language (Alice, 37 years, Guatemalan, Sex Worker, Capital, #31, 6/4/2010). At the Vigil in honor of the Day of No Violence Against Women, a guest speaker who had lost her daughter to femicide, was angry that it took longer to identify her daughter's body because the daughter's piercings meant that the cadaver was discarded, which is common treatment for a dead prostitute (Warden, Field Notes, 25/11/2009). The mother was outraged that her high society daughter was mistaken for a prostitute. The mother was not

¹²³ Sí, de la sociedad, mucho, que dicen no hables con ella, ella es una "trabajadora sexual", pero no los llaman los trabajadoras sexuales, los llaman prostitutas, o una puta, vulgar, es una mujer cualquiera, es una mujer de la calle, es una mala mujer, tan tonto el hombre que andan con ella, o es una mujer infectada de VIH, aun que en la realidad pues es la mujer las que más se cuida verdad.

outraged at the blatant discrimination against this group of women by the police, but that her daughter would be mistaken for this lower form of society. Victim blaming is another form of maintaining this social exclusion of sex workers as well as dehumanization. This exclusion is not monetary, or based on economic factors, as there are sex workers who earn more money than some maids. The exclusionary tactics used to exclude this group from society are founded in social factors which serve to maintain cultural beliefs and societal norms about the sexuality of men and women. For these reasons, this research project focuses on non-economic pushes and pulls factors of human trafficking and commercial sexual exploitation.

These social norms affect the women's agency in that they create what they call "double lives"¹²⁴ in which their inner social circle of family, neighbours and friends are unaware of their income earning methods, and in some cases their personality changes from one life to another (Tina, 29 years, Guatemalan, Sex Worker, Capital, # 19, 18/3/2010). As sex workers, women described a sense of agency, being funny, loud and sexy which they did not feel they could project in other socially accepted roles, which as mentioned are complicit and subservient. At the empowerment organization there is an emphasis on codifying the legality of sex work in order to better ensure the rights of sex workers, but also to use political power of inclusion to humanize sex workers. In casual conversations with the women sex workers, however, much expressed guilt originates from religious ideals revealing that sex workers do not necessarily want sex work legalized (Emily, 26 years, Guatemalan, NGO Founder, Capital, #34, 4/7/2010). While sex workers seem to agree that more rights are necessary, they do not always believe legalizing sex work is the

¹²⁴ Doble vida

best approach often fearing others will discover that sex work is how they earn money; rather they tend to see sex work as a temporary circumstance which will allow them to one day start their own business and disassociate with their previous work in sexual service (Emily, 26 years, Guatemalan, NGO Founder, Capital, #34, 4/7/2010). This continued form of rejection of one's own livelihood reveals that sexism and violence against women has become a feature of the social fabric in the form of civic exclusion, public denigration, and physical abuse of women which is socially and legally excused (Carey & Torres, 2010, p. 144).

It is also important to note that identity is not always chosen; rather sometimes it is unintended or even forced upon people. In Latin America and the Caribbean, the marginalized groups of trafficked victims, irregular migrants and sex workers experience a multifaceted web of discrimination, poverty, exploitation, lack of education and legal protections and limited access to health care which put them at high risk of contracting HIV/AIDS (Ribando Seelke, 2010, pp. 8-9). Once contracted, people living with HIV/AIDS experience an augmentation of those same marginalizing factors. According to interviews from the Comprehensive Health Association in the capital city, when the positive status of a person is discovered family members have been known to “ignore them, discriminate against them, and make them invisible”¹²⁵ (Carolina, NGO Worker, Capital, #50, 27/4/2010). Other sex workers have suggested more sinister consequences to public knowledge of positive status, “if you are exposed to the contact of HIV, they kill you, there are clients that, they think all women are the same, here there are women dead,

¹²⁵“Las familias de ellas ignóralas, las discriminan, las hacen invisibles.”

strangled, yes it's dangerous”¹²⁶ (Felicia, 27 years, Guatemalan, Sex Worker, Capital, #111, 29/6/2010). While Decree 27-2000 codifies the right of confidentiality in HIV/AIDS status¹²⁷, evidence from this investigation suggests that those rights are actively disregarded by representatives of the state including the National Civil Police and *Multisectorial*¹²⁸ (Jazmine, 42 years, Guatemalan, sex worker, trafficked victim, NGO worker, #18 18/3/2010). In the 1980s, as part of a STIs¹²⁹ prevention campaign the government required sex workers to receive regular health checks which were to be documented in a small yellow booklet to be with sex workers while working (Emily, 26 years, Guatemalan, NGO Worker, Capital, #34, 4/7/2010). When police conduct raids on sex work establishments they request this along with immigration documentation (Jazmine, 42 years, Guatemalan, sex worker, trafficked victim, NGO worker, #18 18/3/2010). That authorities can and frequently do demand to see the health documentation of sex workers is a violation of confidentiality, not to mention, a discriminatory practice since clients are not required to provide the same health documentation. Interviewees have described

¹²⁶ “Si usted está expuesto al contacto de VIH, te matan, hay clientes que piensan que todas las mujeres son iguales, aquí hay mujeres muertas, estrangulados, sí que es peligroso.”

¹²⁷ Decreto Numero 27-2000-06-26. Capítulo IV, Del Diagnostico, Artículo 19. De la confidencialidad y voluntariedad de pruebas. La realización de toda prueba para el diagnostico de la infección por el VIH y sus resultados deberán respetar la confidencialidad de las personas, deberá realizar con el debido respeto de la persona solicitante, con la asesoría y orientación antes y después de la prueba, salvo las excepciones previstas en la presente ley.

<http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_132630.pdf>

¹²⁸ a set of state entities including the national police, health department, government, and immigration that pursue criminals

¹²⁹ Sexually Transmitted Infections

harassment from officials in the form of demanding money or free sexual services for the return of paperwork (Teresa, 46 years, Guatemalan, Sex Worker, Capital, #25, 25/3/2010).

A subsequent effect of authorities' blatant disregard for confidentiality is that some institutions provide HIV/AIDS testing in the establishments where sex workers conduct services which flouts the rights of confidentiality and privacy (Allison, Nurse's Assistant, Guatemalan, Puerto Barrios, #77, 5/6/2010). A humanitarian worker recounted her experience seeking to collect discount AIDS medication for redistribution, when the pharmacist in the back yells over a crowded waiting room, "Let them pass they have to get their AIDS medicine!"¹³⁰ consequently everyone in the waiting room believed she and her colleagues were living with AIDS and were suddenly afraid of them (Guadalupe, 60 years, Guatemalan, STI Prevention Educator, Capital, #29, 4/6/2010). People living with HIV/AIDS face extreme levels of discrimination, abuse, and social exclusion if their conditions are known publicly. That NGOs' HIV/AIDS prevention and education efforts are almost exclusively funded by foreigners demonstrates the local government disregard for "sex workers, gays, transvestites, and transgender"¹³¹ populations (Guadalupe, 60 years, Guatemalan, STI Prevention Educator, Capital, #29, 4/6/2010). Such circumstances can result in migration to areas where status is not yet known. While the data relating to the vulnerability of people living with HIV/AIDS to trafficking was not gathered for this investigation, it is therefore recommended that further research into the question of whether compelled migration coupled with extreme vulnerability resulting from HIV positive status could indicate increased risk to trafficking.

¹³⁰ "Deja les pasar, tienen que obtener sus medicamentos de SIDA"

¹³¹ "trabajadores sexuales, homosexuales, travestis, transexuales"

Additionally, there is an issue with HIV/AIDs education in relation to indigenous populations. Cultural Barriers include attitudes toward religion, fatalism and disease.

*There in Coban, we met someone and told them they had HIV, we told her how to take care, with doctors and medicine, and she said, "No, because for me, Ma Ximon will protect me." And I couldn't do anything, I never saw her again, I don't know what happened to her, and I couldn't help her because she wouldn't believe me, I think she is dead.*¹³² (Guadalupe, 60 years, Guatemalan, STI Prevention Educator, Capital, #29, 4/6/10).

Many indigenous people believe that *San Simón, Ma Ximon*, or *San Mon de Quaquin* will cure their illness and nothing, but ritual ancestor worship will help (Guadalupe, 60 years, Guatemalan, STI Prevention Educator, Capital, #29, 4/6/2010). Specifically for sex workers, Ma Ximon is thought to be their protector because he is the overseer of vices, including drinking, smoking and womanizing (Xarxöj, 31 years, Guatemalan, Indigenous Teacher, Lawyer, Panajachel, #10, 20/7/2009).

The indigenous sex worker community can be described as a population within a population. Access to this population has been rare because, as hypothesized, the history of racism and state institutions being turned against indigenous communities during *La Violencia*, a majority are mistrustful of organizations. Furthermore, research by Martinez-

¹³² Allí, en Cobán, nos encontramos con alguien y les dijo que tenían el VIH, le dijimos cómo cuidar, con médicos y medicinas, y ella dijo: "No, porque para mí, Ma Ximon me protegerá". Y yo no podía hacer nada, nunca la volví a ver, yo no sé lo que le pasó a ella, y yo no podía ayudarla porque ella no me lo creo, yo creo que ella está muerta.

Salazar, describes indigenous distrust, particularly of the wealthy and the military, but also a sort of internalized subconscious “self-blame and guilt at being Maya” which “can indeed coexist with a sense of worth from being Maya (...) with a long history of production of knowledge and resistance” (Martinez-Salazar, 2008, p. 207). Such factors present significant barriers to access the target research population. Difficulty to enter the world of indigenous sex workers which is almost wholly separate from the ladino sex workers reveals a depth of exclusion relating to existing racist social norms. Important disparities by ethnicity are said to “further complicate gender inequality, as indigenous women fare worse than do non indigenous women in human development indicators” (Menjívar, 2008, p. 126). What can be concluded from this difficulty of access is that indigenous sex workers, almost wholly segregated, are in a more severe state of vulnerability to exploitation and trafficking. Thus, this project suggests further research into the indigenous sex worker community.

Some data on indigenous sex workers, however, was collected. While all women in Guatemala face inequality, ethnicity is still a key characteristic in social exclusion. Urban Guatemalan culture promotes an “othering” of indigenous women in many contexts, such as on public buses, women in traditional dress are taunted or made fun of for their indigenous accent or way of speaking influenced from their native Mayan dialect in which speech patterns differ from Ladino Spanish speakers (Debbie, 26 years, Guatemalan, Half Indigenous, Daughter of Traffic Victim, NGO Worker, Capital, #56, 28/4/2010). In the capital, racism is particularly acute, as Menjívar’s research also illustrated that Ladinos often stare at Mayans, speak roughly, “*ragañan*” scold, or call Mayans *india*, a derogatory term which is synonymous with ignorant/stupid (2008, pp. 124-125). In other cases, such as state institutions or situations when it is required to provide a full name, Indigenous women have described being mocked or ridiculed when asked how the name is to be

written (Lea, 45 years, Guatemalan, Indigenous Sex Worker, Capital, #43, 16/4/2010). Indigenous sex workers are described by local activists as “triply discriminated”¹³³ for being Mayan, a women, and sex workers, which means they are a disappointment to their origin communities (Katrina, 36 years, Guatemalan, Projects Coordinator for NGO, Capital, #30, 6/4/2010). Both Mayan and Ladino women confront sexism, but Mayan women also confront racist ideas of good vs. bad indigenous women which were further solidified during *La Violencia*, but all of these images were popularized idealizations of women rather than an accurate portrayal of women were trying to survive during conflict (Martinez-Salazar, 2008, p. 209).

Similarly, places and spaces within sex work are also racialized and segregated. Evidence of this is Seventeenth Street¹³⁴, zone one of the capital which is an indigenous area renowned for commercial sex whereas *La Linea* in zone one of the capital is primarily populated with Ladina sex workers (Field notes, 23/6/2010). Why is there is segregation in the Guatemalan sex industry which causes indigenous women to congregate in certain areas and Ladino women in other areas? This is partly a result of a perceived safety in numbers, but also a social and cultural cause of being with others who speak the same language (Field Notes, 28/1/2010).

A curious phenomenon emerged during field work, in that some of these same exclusionary, racist norms, however, can at the same time create a demand for indigenous sex workers which is evident from this advertisement in the classified section of a local paper,

¹³³ triplemente discriminadas

¹³⁴ Calle 17

*Wanted indigenous girls - Prestigious Escort Service Company, Ladies will be hiring 18 to 35 years for gentlemen service company, send your details and photos in underwear and with native costume, at least 6 photos! Monthly basic salary ... good hips, legs, breasts, etc. .. Your sensuality and attraction, very helpful! Wendy's mail, send your best photos. Indigenous girls are sought, service company for gentlemen! Send data to the mail! – Antigua, Guatemala, Quetzaltenango.*¹³⁵ (Wendy, 2011)

Demand has led to a rise in the number of indigenous women in the sex industry. Indigenous women, in traditional dress as discussed in the chapter three, are a visible presence in sex work and face discrimination, yet on the client level they are at times the most solicited (Katrina, 36 years, Guatemalan, Projects Coordinator for NGO, Capital, #30, 6/4/10). Traditional dress or *traje*, for Mayan women is a restrictive woven wrap-around skirt held very tightly by a cinched belt, and colourfully woven blouse which act as very visual representation of gender and ethnicity, whereas Ladina women tend to wear western clothing including blue jeans (Field Notes, 15/7/2009). While local activists explain the phenomenon of high demand for indigenous sex workers as Ladino interest in an idea of a hidden unknown sparked by the traditional clothing along with an embodiment of contrasts to the local stereotype that indigenous women never become sex workers, so there must be something enticing to discover (Katrina, 36 years, Guatemalan, Projects

¹³⁵ Se buscan chicas indígenas - Prestigiosa Empresa de Servicio de Acompañantes, estará contratando damas de 18 a 35 años para servicio de compañía a caballeros, envía tus datos y fotos, en ropa interior y con traje indígena, mínimo 6 fotos!! sueldo base mensual ... buenas caderas, piernas, pechos, etc.. tu sensualidad y atracción ayuda mucho!! al correo de Wendy, envía sus mejores fotos. Se buscan chicas Indígenas, servicio compañía para caballeros!! enviar datos al correo!! – Antigua, Guatemala, Quetzaltenango.

Coordinator for NGO, Capital, #30, 6/4/10). This research project, however, argues that the phenomenon is less a perception of mystery resulting from the dress and more what the dress represents which links into historical beliefs and attitudes about Mayan women in indigenous culture. Indigenous women tend to be characterized with obedience, an inability to speak up or say no (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010). Clients who look for these subservient qualities in commercial sex would seek out these areas segregated for indigenous sex workers. This has led to reports that some ladino women are dressing up in indigenous traditional dress in order to access this market (Katrina, 36 years, Guatemalan, Projects Coordinator for NGO, Capital, #30, 6/4/2010). Such evidence that cultural perceptions of subservience create demand for an ethnicity reveals a vulnerability to sexual exploitation and trafficking. These dangerous social push/pull factors indicate that anti-trafficking efforts need to focus on more than economic aspects of trafficking.

Not only do racial beliefs facilitate trafficking and commercial sexual exploitation, but also cultural attitudes toward women within indigenous communities may hinder victims' ability to confront traffickers and exploiters thereby perpetuating impunity. Indigenous culture can be extremely oppressive to women including a normalization of domestic violence and a culture of control that makes leaving one's husband monumentally difficult in rural indigenous areas (Emily, 26 years, Guatemalan, NGO Worker, Capital, #34, 7/4/2010). Indigenous expectations of women similar to Ladina expectations involve obedience, yet indigenous communities have been documented as stricter, more conservative traditional notions of womanhood. Indigenous highland customary law condoned gender-based violence and judges' tolerance,

...expanded the parameters of gender-based violence by approaching women as 'outlets for male aggression' (Socolow 1980,57). To be sure, judges' rulings

reflected a broader acceptance that dated back to the colonial era of using sexual and gender-based violence to uphold patriarchy (Few 2002; Socolow 1980). That neither customary nor state law effectively discouraged domestic violence points to the ways communities and authorities alike socially supported and perpetuated violence against women. (Carey & Torres, 2010, p. 146)

In many indigenous communities, domestic violence is not an offence, rather simply an interaction between husband and wife. Moreover, marital rape is a new idea, yet “foreign to the indigenous Guatemalan community” (Hastings, 2002, p. 1161). Racial stereotypes of subservience and the native woman as home maker and care taker, along with the social dehumanization of the other creates an environment where Mayan women are easily exploitable. There is substantial evidence to suggest that indigenous sex workers who have been victimized avoid even all forms of state and non-state institutions to seek aid, and even strictly indigenous organizations for fear of shame (Ix'aq, 37 years, Guatemalan, Indigenous NGO Worker, Capital, #48, 21/4/2010). If indigenous sex workers are not going to even indigenous human rights organization, where are they going? This question requires further investigation. Ethnicity is an important factor of exclusion in Guatemala. In the case of indigenous Mayans, and Mayan women in particular, their identity is an excuse for social, political, and economic exclusion. Indigenous identity is not the only identity excluded for the purposes of exploitation, there are foundations in ethnocentrism and the devaluation of people of various specific cultures, ethnicities and religions. Local sayings exemplify these exclusionary practices, “those Ecuadorians eat a lot of rice, they always request rice; She’s indigenous, she’s a domestic, it’s what she’s born for; It’s

because she's El Salvadoran that she's a whore."¹³⁶ (Field Notes, *PDH y Pastoral Movilidad Conferencia*, 19/4/2010). This 'othering' of different groups leads to the exclusion which increases vulnerability to internal and external human trafficking and commercial sexual exploitation.

This section identifies structural patterns within Guatemala connecting gendered social exclusion to human trafficking and commercial sexual exploitation. It highlights how ideas which normalize dehumanization make structures of violence invisible (Menjívar, 2008, p. 133). These ideas place the value of a woman on her virginity or motherhood. Evidence suggests these beliefs are how Guatemalan society values woman and how they value themselves. Deviations from those social norms are subject to redress in the form of violence. It should also be noted, however, that transsexual and homosexual men as transgressors of gender roles, are disproportionately targeted for violence (Field Notes, 6/4/2010). Gendered norms enforcing ideas of femininity through violence have translated into extreme violence for men who deviate from expectations of masculinity. Conflicting social conventions such as aggressive courtship rituals and beliefs surrounding innate desires of men were most likely the reasons women interviewees commonly described men as treacherous or traitors (unfaithful), liars, deceivers, or aggressive.¹³⁷ Perceptions and construction of gendered identity are enforced through multiple forms of violence. In light of the significance of gendered social structures, it follows that class and poverty are not the most pressing factors in influencing violence. Lower class or lower income women do

¹³⁶ "Los Ecuatorianos comen grandes cantidades de arroz, siempre piden arroz; Sea indígena, ella es domestica, esa se nació; Es que las Salvadoreñas son putas."

¹³⁷ traicioneros, mentirosos, engañadores, agresivas

not have a monopoly on victimization. Higher class or higher income earning women are not above the violence. For these reasons, my research is important because it focuses on non-economic social and cultural factors, such as, perceptions and identities and how those enforce and reinforce various manifestations of violence and exploitation. The social norms that govern perceptions in Guatemala reveal a social explanation for the dehumanization of women and the pervasiveness of human traffic and commercial sexual exploitation.

7.2 Family Structure & History

Other non-economic factors encouraging human traffic and commercial sexual exploitation highlighted as gaps in the literature are families, intergenerational relations, mother/fatherhoods, childhoods, homelessness, drug use and histories of physical or sexual abuse (Moran-Taylor & Taylor, 2010, p. 200). My data revealed that home life can be a risk factor to trafficking and commercial sexual exploitation. The majority of sex workers and most likely traffic victims come from “disintegrated homes”¹³⁸ (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010). As mentioned, a woman’s role in Guatemalan society is to care for the home, while men are expected to leave the home to provide an income; as such, it is not uncommon for men to abandon women/girls with children. More than ninety percent of sex workers in Guatemala are single mothers (ASI, 2008, p. 41), signifying dominant gender roles particularly in terms of childcare, in addition to the extreme exclusion faced by women in the labour force. Women tend to be excluded from employment outside the home resulting from social norms of gendered place. The data revealed family history to be a key risk factor of sex traffic suggests

¹³⁸ “casas desintegradas” (Carolina, 41 years, Guatemalan, NGO Worker, Capital, #50, 27/4/2010).

additional non-economic social structures that push women into the sex trade. Research on “child prostitutes in El Salvador found that 57% of those interviewed lived **with** their parents or other close relatives”¹³⁹ (Gonzales de Innocenti cited in Ribando Seelke, 2010, p. 5). The majority of interviews I conducted with sex workers and former traffic victims contained family histories which included either the normalization of abuse and/or disintegrated home. This risk factor was confirmed with local health organization aid workers. They described the prevalence of disintegrated homes among sex workers usually including a component of physical or sexual abuse, and sometimes homelessness or drug use.

The majority of rural families in Guatemala tend to be indigenous and to live by subsistence farming. Lack of access to family planning methods as well as stigma related to birth control normally leads to large families (Brooke, 29 years, Guatemalan, NGO President, Chimaltenango, #85, 15/6/2010). Poverty accompanying these conditions forces families to migrate for work on larger farms and plantations to supplement family income. Lack of access to education in rural areas cultivates vulnerability. In Guatemala, as in other parts of Latin America, household labour is distributed according to generation, gender, age, birth order and sibling composition (Punch, 2001, p. 804). The first several children in a large family are often given the responsibility, at a very young age, for the well-being of the family. Elder daughters are often accountable for younger siblings and household chores. The birth order of the respondents also seemed to be a risk factor of trafficking. The closer women are to the first born, there is more pressure to leave home, marry, work,

¹³⁹ Zoila Gonzalez de Innocenti, *Explotación Sexual Comercial de Niñas y Adolescentes: Una Evaluación Rápida*, ILO/IPEC, 2002

ext... (Schiefelbein, 1997). The first few children in the family either contribute to family finances or leave the family to reduce the burden on family finances. This way the last few children can study. Poverty and stress led to a pushing or forcing out of the children in order from oldest to youngest.

Leaving home usually entailed being given to a relative, getting married, and/or migration for work.¹⁴⁰ In some cases, elder daughters described various levels of abuse and neglect¹⁴¹, others described family pressure resulting in increased abuse, designed to force the young woman from the home.¹⁴² Some described a pressure to marry young to alleviate financial costs in the home; many described unending workloads and felt that they had to leave the home in order to gain autonomy.¹⁴³ For those who married young, the marriage tended to last less than five years, but produced a number of children after which the husband abandoned the family and the woman turned to sex work to care for the children.¹⁴⁴ My research data also illustrated that domestic violence was a key factor in the

¹⁴⁰ This responsibility can be accepted voluntarily, i.e. a case was described in which the eldest son went so far as to fill paperwork to assume legal responsibility for his three younger siblings who treat him as their father, describing her nephew's situation (Beth, 36 years, Guatemalan, Sex worker, Guatemala City 22/4/2010).

¹⁴¹ (Morag, 42 years, Guatemalan, Sex Worker, Trafficker, Capital, #55, 28/4/2010)

¹⁴² (Lily, 18 years, Guatemalan, Trafficked Victim, Florida, #114, 6/6/2011)

¹⁴³ (Clarissa, 23 years, Honduran, Sex Worker, Trafficked Victim, Capital, #103, 21/6/2010)

¹⁴⁴ (Tina, 29 years, Guatemalan, Sex Worker, Capital, # 19, 18/3/2010); (Natalie, 28 years, Guatemalan, Sex Worker, Capital, #23, 25/3/2010); (Abby, 30 years, Guatemalan, Sex Worker, Capital, #24, 25/3/2010); (Guadalupe, 59 years, Guatemalan, NGO Worker, Capital, #29, 3/4/2010); (Hazel, 36 years, Guatemalan, Sex Worker, Capital, #57, 29/4/2010)

expulsion of children and young people from the home to alleviate financial demands on the family unit.

Common to numerous life histories collected was the normalization of domestic violence. The majority of women described having experienced some form of violence and/or neglect either in the birth family or afterwards in the marital family. Carey, et al. found, in her research on domestic violence in Guatemala, that historically most men convicted of domestic violence could afford to pay fines and avoid incarceration which produced “communities where men lashed out if they felt insulted, rejected, or jealous, or simply considered their wives gossips, women’s diminished social status contributed to their vulnerability” (2010, p. 149). Often women became scapegoats for hardships experienced by the family. One former traffic victim described increasing abuse as she grew older. Her mother was constantly angry and complaining that she did not make enough money, and when she turned thirteen she was beaten with raising frequency, punched, and whipped with a rope or with tree branches. Her mother would tell her that she needed to get married so they would not have to feed her anymore. She was eventually forbidden to eat with the family (Lily, 18 years, Guatemalan, Trafficked Victim, Florida, #114, 6/6/2011). Like many children, Lily became a scapegoat for the financial hardships of the family which in turn became justification for abuse. Indigenous families tend to have strong family bonds and exclusion from family meals was a shaming tactic. Lily who was embarrassed to eat alone would avoid eating for days until she became dizzy. In similar cases, being pushed out from the relative protection of the family resulted in vulnerability and exposure to human traffic and/or other forms of exploitation.

Traffickers can often be acquaintances or distant relatives of the victim’s family (The Institute for International Research on Criminal Policy, 2010, p. 45). Traffickers offer to

take a child and provide school or work whereby they can not only relieve the financial strain on the family, but help to diminish it. In this way traffickers initiate debt-bondage with the family, but promise that the victim will be able to send home remittances through legitimate work as domestic servants or waitresses. Once the victim has left the family unit, she is vulnerable to the expectations of the trafficker which results in coercion, control and extreme exploitation. Lily was forced from her home and pushed into traffic through domestic abuse and neglect. She was told to contact a cousin living in Florida who would provide her with employment consisting of easy domestic labour and child care for a family at a high wage. Her cousin had her borrow 1000Q (128.38\$USD) to make the journey which he promised she would be able to pay back with interest when she arrived in the United States. On the journey she was moved by several traffickers including an aunt living in Mexico who took some of her money and arranged her guide across the border or *coyote*. Upon arrival, she discovered that her supposed “employer” was a single man who had no intention of paying her (Lily, 18 years, Guatemalan, Trafficked Victim, Florida, #114, 6/6/2011). In this case she was abused by her family, exploited by her cousin and aunt and sold to a third party. This demonstrates the importance of familial risk factors in human trafficking. This was specifically the case when the domestic violence took the form of sexual abuse or incest.

Sexual abuse and exploitation is another indicator of human traffic yet its prevalence in Latin America has been sparsely researched. Sexual abuse pushes children out of the home by creating an insufferable situation in the family unit. Children leave home to escape the sexual abuse and increase their risk to traffic and exploitation. Evidence for this can be found in an interview with Beth, who was the third of nine children. When Beth’s father died of cancer, she was given to her aunt who could not have children, in order to relieve financial strain on the family;

*I didn't live with my family, since I was very little girl, I was with my aunt, when I turned 12 my aunt's husband raped me [she inhales profoundly as tears well in her eyes, speaking becomes increasingly apologetic] then I with, and he told me, if I said anything to my aunt, he would kill my mom, so I... they could not have children, but he got me and he put a rag in my mouth and raped me three times, (...) I married when I was 15, when I first met the father of my children and I wanted to get out of the house, I was starting work for my aunt and I got married to get myself out of there, that house, so I married the father of ..., what I wanted was to escape because I could no longer continue being raped by her husband. **what did your aunt say?** She, she loves him and I don't know if she realized, I told no one, not even my family, no one knows that. **no?** no, it makes me too ashamed [she says as she cries] and I know my aunt loves him a lot and maybe I'd just destroy her home, they live together and what she gave me in her life, not mine, how can I say it, he is a pastor of a church. And when I see him and he says, "Welcome My Niece!" (...) it makes me blush, but I don't know how to say to my aunt because I love my aunt, so, it burns me a lot of things, I love her a lot, and I was raised by her, she couldn't have children, then they adopted a baby and I loved that baby so much, he loves me as his sister, my aunt's baby that she adopted, **and he doesn't have that problem?** What? **with the husband of your aunt?** No because he's a boy child. **Yes, but ... I don't know, I don't ask because for me, it makes me ashamed. But it's not your fault.** Yes, I was 12, I had not developed yet, I.... don't know, I felt very*

*bad, I feel very bad ... but this is why I married very young, to escape that house.*¹⁴⁵ (Beth, 36 years, Guatemalan, Sex Worker, Capital, #49, 22/4/2010)

This interview illustrates the intersecting of a number of risk factors: a large family, her mother's sudden single parenthood, early placement in birth order, leaving birth home for the home of a relative and sexual abuse. These risk factors combined created an intense vulnerability to further exploitation. In some cases this involves the initiation into human traffic and/or commercial sexual exploitation. Children are the most vulnerable to human traffic into sexual exploitation, especially street kids (PDH Roundtable discussion, #42, 13/4/2010). In other cases, such as Beth, she escaped her uncle's home by getting married

¹⁴⁵ yo no viví con mi familia, muy de que pequeña, yo me fui con una mi tía, cuando yo cumplí 12 años el esposo de mi tía me violó entonces yo con, y él me decía, si se decía a mi tía iba a matar a mi mama, entonces yo, ellos no pudieron tener hijos pero él se me metía y me ponía una trapo en la boca y me violó tres veces, (...) yo me casé cuando me cumplí 15 años yo acaba de conocer el papa de mis hijos y yo lo que quería era salirme de la casa, yo estaba comencía trabajar para mi tía y yo me casé por ir de ahí, esta casa, por eso me casé con el papa de..., lo que quería era escaparme para que ya no me siguiera violando el esposo de ella. ¿qué dijo su tía? Ella, ella lo quiere mucho y no sé si ella sí dio cuenta, yo no a nadie le dicho, ni mi familia, nadie sabe eso. ¿no? No, el da mucho vergüenza y yo sé que de mi tía lo quiere mucho y tal vez solo le voy a destruir su hogar, ellos viven juntos y digo yo, ya pasó que yo dio en su vida y yo vivo, no mía, como decirlo, el es un pastor de un iglesia. Y cuando yo lo visto y él dice, "Bienvenida Mi Sobrina!" él dice, va, a mi me dan ganas de parrarme decir que me digo no porque me, me da coloras, me da colora, pero no sé lo digo a mi tía porque yo quiero mucho a mi tía, pues, arde muchas cosas, yo la quiero mucho, y yo me crecía con ella, ella no pudo tener hijos, entonces adopto un bebe y yo querría mucho al nene, el me quiere como si fuera su hermana, el nene de mi tía que ella adoptó, ¿y el no tiene esa problema? ¿de qué? ¿de el esposo de su tía? No porque es un niño. Sí, pero... No sé, yo no pregunto porque a mí, me da vergüenza. pero no es tu culpa. Sí yo tenía 12 años, yo no había desarrollado todavía, yo.....no sé, me sentí muy mal, me sentía muy mal...pero cuales me casé muy joven, para escapar a la casa.

at sixteen years old, yet, given Beth's level of vulnerability, her marriage did not provide her an escape from abuse. The experience of sexual abuse during childhood acts as a push factor, pushing children out of the home and into a new vulnerability to exploitation and trafficking, especially in the case of incest.

Several respondents expressed having experienced sexual abuse in the form of incest. Perpetrators were said to include, grandfathers, uncles, cousins, in-laws, step-fathers, and fathers. Incest was described by activist and aid workers interviewed as a prevalent taboo, something that was rarely discussed yet surprisingly common. Incest was an unsuspected risk factor that emerged frequently in Guatemala and Central America. It is difficult to suggest exact numbers of incest victims in Latin America, but my research suggests pervasiveness. Incest like other forms of sexual abuse force youth from the home, leaving them vulnerable to traffickers as happened to Jenifer who was trafficked from El Salvador to Guatemala:

What is your story? Why did you come here to Guatemala and not to Honduras, Mexico? Well, because there you touched on something that hurt me a lot, you know? That I never like to remember, I don't... I left home very young, on the age of 13, 13 to 14 years, because my father, my mother, it was very hard in our life, my dad committed on us incest, incest is sexual abuse fathers do over their daughters, right then, he try to rape me at the age of 7 years, and my other sisters also, right, he abused them, but thank God, the attempt was so hard, physically traumatic for me, he hurt me, and then I did retire from the house leaving my studies, I left when I was very little from my house to work in a pupusería [Salvadoran traditional snack shop for stuffed fried pancake], and as time went on I worked in the pupusería, I [found] a girl

who asked me if I wanted to work in Guatemala. (...) I found that lady, unaware that she person that was selling ladies right, and she asked me if I was a child or not, because she said one would earn here in Guatemala 2000Q, you are going to earn 2000Q that I will get every 15 days, and there was more than 7 girls and we came, locked up, to a place called *The Twist*, it was like a night club[upscale brothel]. At that time I was 14, and they kept us locked up, I was there for a time locked up, we were not paid, the owners went first for us, then they sold us to the misters [clients] and all right, and so I was a long time like that, but many of the fellow girls we cried we wouldn't meet [clients] to do it, but because in the end I had to get used to it because I said 'what I'm going to do?' if I'm going home I'd get a beating from my mother, from my father who would want to abuse me again, you know, already I wouldn't want that, I directly, already to return, for me the place was a hell, a hell where you had parents who made you fall into prostitution, imagine that then, that's what I took with me, really, to investigate another country, deceived, right, like human traffic, because I was trafficked, they brought me and trafficked me into a sex worker, working girl in sex, they also used us, the traffickers. **How long were you locked?** I was locked up like 2 or 3 years, it was 2 to 3, I was locked up. **How did you escape?** Look, with the father of my son, with a man I would escape, and he took me out of there, I lived with him, but there the same, he became unfaithful, although it was not a life, he hit me, he treated me badly, and so from there I continued studying, already with my son alone, I worked sex work, working in a night, by night, in closed houses [non-social

brothels].¹⁴⁶ (Jenifer, 35 years, Salvadoran, Sex Worker, Trafficked Victim, Incest Victim, Capital, #81, 14/6/2010)

¹⁴⁶ ¿Cuál es su historia? ¿Por qué viene aquí a Guatemala y no a Honduras, México? Bueno, Porque ahí tocaste algo que, que me dolió mucho ósea, nunca me gusta recordarlo, yo no, Salí de mi casa desde muy pequeño, de le edad de 13 años, 13 a 14 años, porque mi padre, mi madre fue muy dura en nuestra vida va, mi papa hizo un incesto sobre nosotros, el incesto es un abuso sexual que hace sobre sus hijas, verdad, entonces intento violarme a la edad de 7 años, y a mis otra hermanas verdad que también abusó de ellas, pero gracias a Dios, el intento fue tan duro traumático para mí que físicamente me hizo daño e hizo retirarme de la casa dejar mis estudios, me fui de muy pequeña a mi casa a trabajar a una pupusaría, y conforme el tiempo trabaje en el pupusaría contré [encontré] una muchacha me dijo que yo si quería trabajar en Guatemala. (...) encontré esa Señora que, sin saber que, ella era persona que vendían verdad a señoritas, y me preguntó que si yo era niña o no, porque me dijo que iba ganar aquí en Guatemala 2000Q vas a ganar 2000Q te voy a traer 15 días, y era más como 7 niñas y nos vino a encerrara un lugar que se llama El Twist, era como un Night club. Yo en ese tiempo tenía 14 años, y nos encerraron, estuve tiempo ahí encerrada, no nos pagaban, los dueños pasaron primero por nosotros, después ellos nos vendían a los señores y todo verdad, y así estuve mucho tiempo pero muchas compañeras llorábamos que no hallábamos que hacer, pero a raíz del tiempo me tuve que acostumbrar, porque dije yo que voy a hacer, si yo me voy a mi casa voy a recibir golpe de mi madre de mi padre que vuelva querer abusar de me, ósea ya no querría yo directamente ya regresar para mí el lugar era un infierno, un infierno donde tuvimos padres hacen que tú te caigas a la prostitución, fíjate entonces, eso lo que llevo a mí, verdad, a indagar a otro país, engañada verdad, como la trata de personas, porque me trata, me trajeron, y me trata a una trabajadora sexual, una chica que trabajaba sexo, también ellas utilizaba por los proxenetas. ¿Cuánto tiempo estuve encerrada? Estuve encerrada como 2 anos o 3, estuvo dos a tres, estuve encerrada, ¿Cómo escapo? Fíjate con el papa de mi hijo, con hombre pues ir va escapé, y me saco de allí, viví con él, pero allí lo mismo callo infiel, aun no la vida, porque me golpeaba, me trataba mal, y pues allí de seguir estudiando tu, ya con mi hijo sola, yo trabajaba sexo, trabajaba en un lugar nocturno de noche, en casas cerradas. (Jenifer,35years, Guatemalan, Former Sex Worker, Former Trafficked Victim, Former Incest Victim, Capital, #81, 14/6/2010.)

Throughout this research project, incest was encountered with unexpected frequency. When other local NGO workers and activists were asked about the prevalence of the phenomenon they responded in hushed tones about how common and widespread the problem is, but confirmed that incest, still being a social taboo, would be a difficult subject to find hard evidence. Despite the relayed difficulty, similar to a fellow NGO worker,

*I found, even in workshops not just with sex workers, but with indigenous women's groups from elsewhere, almost all of them have been sexually abused by a family member, it's very, very common yeah, (...) I think it goes back to power relationships between men and women, I felt that growing up [in Guatemala] it's not common for young girls to be told to let someone know if anything happens to them and I've come across cases where they can't let anyone else know because of a threat from the abuser or the family doesn't want it to get out, so she can't tell anyone or confront the person, it spans over years, it's not a single occurrence.*¹⁴⁷ (Emily, 26 years, Guatemalan, NGO Worker, Capital, #34, 7/4/2010)

Like, Emily, in the numerous workshops and conferences attended, incest was noted regularly and was not limited to the sex worker community. Moreover, throughout the year, I earned the trust of seventy-nine sex workers who participated in this project, of those, at least eighteen admitted to having had experienced sexual abuse as a minor. Some of these were victims of incest by blood relations while others were victims of incestuous abuse from non-blood relation step-family. Such common reoccurrence of evidence led to

¹⁴⁷ Interview conducted in English.

more questions: which social norms were behind the prevalence of such a strict taboo? It seems as though perceptions about ownership of women and girls coupled with their devaluation, their objectivity particularly in their sexuality are linked to ideas about the insatiable sexual needs of men has enabled widespread breaking of the incest taboo. The idea of power and control in terms of the patriarchal ownership of daughters was illustrated by Clarissa,

Yes, a lot of domestic violence, abuse and incest, the exact reasons is that the majority of the fathers of daughters believe that they have rights to their daughters, right? The dads believe that, since he is the dad, he can be with her. Or sometimes the same ignorance let's say about the daughters that, in saying he is my dad and I have to do what he says, and they don't realize that they are suffering from incest. It's very frequent here there'll be incest.¹⁴⁸ (Clarissa, 23 years, Honduran, Sex Worker, Trafficked Victim, Capital, #103, 21/6/2010)

That father's own daughters, is one expression of patriarchal ideas of ownership within the family that aid the pervasiveness of incest. Yet, this explanation does not fully explain all types of incest, such as sexual abuse from cousins, siblings, and uncles. Another explanation could involve power relations in terms of vulnerability. There is a taboo in Guatemala about discussing sex,

¹⁴⁸ Sí, hay mucho violencia domestica, abuso, incesto, los razones exactos son que la mayoría de los papas se crean con, porque la mayoría de los papas hacia las hijas, los papas se crean con derechos sobre las hijas, verdad, de que como es el papa, puede estar con ella. O a veces la misma ignorancia digamos de las hijas, en decir es mi papa y tengo que hacerlo que el di, y no se dan cuenta de que están sufriendo de incesto. Es muy frecuente que aquí sean incesto, normalización de incesto.

*At times because people want to experiment things, and since it's a very taboo theme, they don't know, and when children ask parents, they get smacked in the mouth, that's what happened to me, I asked about sex and my aunt smacked me and told me, shut up, to get out of here, because I asked.*¹⁴⁹ (Beth, 36 years, Guatemalan, Sex Worker, Capital, #49, 22/4/2010)

What Beth suggests, in her explanation of the sex taboo, is that the social structures prevent an open, healthy discussion of sexuality (Brock & Jennings, 1993, p. 61; Blythe & Rosenthal, 2000) while simultaneously underpinning ownership over the bodies of women and girls (Edith, 34 years, Guatemalan, Sex Worker, Trafficked Victim, Capital, #104, 21/6/2010). This has produced an environment where incestuous sexual abuse of minors becomes a means for the aggressor to explore sexuality. This exploration comes at the expense of the vulnerability of the child. These environments form push factors by forcing the child from an insufferable home-life and into the streets where they are vulnerable to exploitation and trafficking. Furthermore, those same attitudes that perpetuate sexual abuse of minors, ownership of women and girls, and women and girls as sexual objects for experimentation, also reinforce ideas of dehumanization of women and girls in human trafficking. The vulnerability this produces, however, does not always result in trafficking or commercial sexual exploitation. Some young women use marriage to escape the sexual abuse of their childhood home and fall into a new form of domestic violence and abuse.

¹⁴⁹ A veces porque la gente quiere experimentar las cosas, y puesto que es un tema muy tabú, que no sé, y cuando los niños piden a los padres, que se golpeó en la boca, eso es lo que me pasó a mí, le pregunté sobre el sexo y golpeó mi tía y me dijo, cállate, que salir de aquí, porque me preguntó.

A majority of respondents have conveyed experiencing abuse in the marital family. As mentioned, the Guatemalan socio-cultural system is patriarchal which includes a significant element of *machismo*. This tends to be expressed in the relative ownership or control of women. This control is often enforced through physical violence. Beth's lived experience of abuse continued after she escaped the rape of her uncle by marrying her first boyfriend:

Do you have children? 2 Boys? 2 boys, 17 and 19 years old. You were young when you had them? Yes, I got married, at 16 years, he was my first boyfriend, and I married him. [She giggles] (...) Do you maintain your children? Me? I had the custody of them when they were littler, but I'd never worked. I got the custody of them and their father tells me many ugly things, to live with another man and all, and I came to see them but, like him, when he hit me a lot, right, your husband? Yes. He beat me a lot and told me that I was good for nothing, that my father never loved me, and on the day I left [he said that] I would die of hunger because I was a kept woman, all the while he had kept me and that I would die of hunger if I left, he told me that I had to endure all that he said, because, I was good for nothing and he laughed at me, he hit me, he beat me against the wall would not let me do anything, I... I started out to study my primary [qualifications], when I already had my children. Take my primary [qualifications], my basics [secondary qualifications], my courses for mature peoples. And he hit me when I was like 5 minutes late from study he beat me, but I told him, "I will not leave study, I'm not going to stop studying." Once he, the father of my children, raped me and he left me very bad [crying, she takes a deep breath]. He made me that, he had the desire to claw me by force, and he'd wanted to do it and until he did.... He threatened me that I was going to have a

*beating on the street when I was at the bus stop, he woke me, "You're going to die" and with that he laughed, "I will run you over with the car and like that you will die" and the last time he hit me and sent me to the hospital, I could not, I wasn't able to see, he hit me so much. Because, since he had threatened me, I left, and already my children had gone to a camp put on by the school, and he had threatened me so much that I went, and I just couldn't stay home I was afraid that night he'd kill me. So then I said that he'd given me permission to go with my friend, since he didn't say "no" (...), so I turned off the phone and I left with a lot of fear, because I said when tomorrow comes I'm going to bring my children from school because when it comes to them, with them he's not going to do anything.*¹⁵⁰ (Beth, 36 years, Guatemalan, Sex Worker, Capital, #49, 22/4/2010)

¹⁵⁰¿Y tiene hijos? 2 ¿Varones? 2 varones, de 17 años y 19. ¿Era joven cuando tenía..? Sí, me casé, hace 16 años, él fue mi primer novio, y con él me casé. [...] ¿Mantiene a sus hijos? ¿Yo? Yo tengo la custodia de ellos cuando ellos eran más pequeños, pero yo no había trabajado nunca. Me dieron el custodio de ellos y el papa le dice a muchos cosas feos de mi a que vivir con otra hombre y todo, y yo les llegaba a ver pero, como él, cuando, él me golpeaba mucho, va, ¿su esposo? Si. Él me golpeaba mucho y me decía que no servía para nada, que mi papa nunca había querido, y que el día que me fuera me iba morir del hambre porque yo era una mantenida, que todo el tiempo me habían mantenido y que me iba morir del hambre si yo me iba, me decía que tenía que aguantar de que lo que él dijera, porque, no servía para nada y se reía de me, me golpeaba, me pegaba contra la pared, no me dejaba hacer nada, yo...comencé a estudiar a saca mi primaria, cuando tenía mis hijos ya. Saca mis primarias, mis básicos, mi carrera por madures. Y me pegaba cuando llegaba como 5 minutos tarde de estudiar él me pegaba, pero yo le decía, "yo no voy a dejar estudiar, yo no voy a dejar estudiar." en una ocasión él me violó y él me dejó bien mal el papa de mis hijos. Él me hacía que tenía deseos de gárranme a la fuerza, y que quería hacerlo y hasta que lo hizo. Me amenazaba que me iban pasara en

Beth portrays the physical, verbal and physiological abuse involved in control. Her attempts to gain independence through education were met with increasing violence. Beth also demonstrates her resilience and resolve to gain independence and leave the abusive situation. Her escape of this abuse, however, left her vulnerable in other ways. Beth became a single mother, responsible to her children and resigned to live in her mother's house. Many of these incidents of control, however, are normalized in Guatemalan culture and are therefore often unrecognized as structures of control. At a workshop in Guatemala city, one of the instructors told the crowd of women, "when you're boyfriend calls you fifty times a day to see where you are, this is not romantic, this is control"¹⁵¹ (Field Notes, *La Alianza* Workshop, Capital, 29/3/2010). Numerous, non-economic social structures create vulnerability in Guatemala.

The intersection of multiple risk factors feeds the continuum of abuse. Many of these factors exposed research participants to the risk of human traffic and other forms of exploitation. For example, the cultural practice of scape-goating coupled with abuse

superando en la calle cuando estuviera a la parada, me amanecía, "te vas a morirme" así se hice a reír, "te va a tirarte el caro y así te vas a morir" y la última vez que él me golpeó me mando al hospital y yo no podía, yo ya no miraba, él me golpeó mucho. Porque como me había amenazado yo me fui, mis hijos se fueron a un campamento por parte del colegio, y él me había amenazado tanto de que yo me fui, y ya no me quede en la casa que tenía miedo que esa noche él me matara. Tonce [Guatemalan slang for 'entonces', shortened to 'tonce'] le dije que me dijera permiso para irme con a mi amiga, como no me dijo "no" (...) apagó por el teléfono y me fui con mucho miedo, porque yo dije cuando llegue mañana voy a ir traer mis hijos al colegio por a que cuando llega con ellos, con ellos no me va a hacer nada.150

¹⁵¹ cuando tu novio te llama cincuenta veces al día para ver de dónde se encuentre, este no es romántico, este es el control.

created push factors into trafficking and commercial sexual exploitation which demonstrates the family as a crucial area where risk can be determined, especially, when traffickers are usually acquaintances or distant relatives of the victim's family. Gender roles which do not share the same expectations in the home environment create a climate where it is not uncommon for men to abandon women with children. Men, more likely to find opportunity elsewhere, are not obliged to care for the offspring, whereas stereotypes limit opportunities which anchor women to the home. Many abandoned women interviewed turned to sex work as a means of providing for the children. More than 90% of sex workers in Guatemala are single mothers (ASI, 2008, p. 41), signifying dominant gender roles particularly in terms of childcare, in addition to the extreme exclusion faced by women in the labour force. Social structures beginning in the childhood home indicate wider cycles of exclusion which makes women and girls vulnerable to trafficking, commercial sexual exploitation and violence.

7.3 Violence against Women & Femicide

This project found the structures of violence to be paramount in research conducted in Guatemala. As with other research in Guatemala, violence, while not included in the original aims of the research project, ultimately became an overwhelming factor in the field (Winton, 2007, p. 498). This revealed methodological risks of not *setting out* to research violence, since the main themes of the research were in fact well-being and exclusion among sex workers and former traffic victims, and the consequences of these social structures on human traffic. It is important to realize that “violence is not simply an event, a palpable outcome that can be observed, reported, and measured (...) violence is a process, one that is embedded in the everyday lives of those who experience it.” (Menjívar, 2008, p. 112). The process of violence involves more than the physicality, force, assaults or infliction of pain, but also includes assaults on person-hood, dignity, sense of worth and

value of the victim (Scheper-Hughes and Bourgois, 2004, p. 1 cited in Manz, 2008, p. 154). Menjívar's (2011), research on violence in eastern Guatemalan women's lives, highlights a number of "...different manifestations—physical, psychosomatic, and social—of violence on women's bodies. (...) As the women related their lives, visible forms of suffering—couched in a language of fear, pain, and distress and arising from multiple forms of violence—structural, symbolic, everyday, gender, and gendered—could be discerned." (p. 96). It is also important to note that, "as the Guatemalan sociologist Edelberto Torres-Rivas (1998, p. 48) observes, not all societies recognize the same things as violent, either in their origins or in their effects" (Menjívar, 2008, p. 112). The process of comprehending violence is highly subjective, "engaging with issues such as rapport, the researcher's own biography and how well the interviewee presents his/her rational" (Hume, 2009, p. 91). Moreover, Hume (2009, p. 91) argues that researchers should engage with the process of 'judging' violence by challenging their own emotions and feelings during the research process rather than situate themselves outside judgment.

This research project examines the cultural and social dimensions of violence as the source of violence's power and meaning (Scheper-Hughes and Bourgois, 2004, p. 1 cited in Manz, 2008, p. 154). Understanding Guatemala's post-conflict violence, not as the chaos of media accounts, but more usefully and accurately as the result of societal and cultural conditions (Benson, et al., 2008). Violence is therefore considered, not as an independent variable, but as a function of numerous entrenched factors. Although violence and insecurity are presented separately as push factors of trafficking and commercial sexual exploitation, this project recognizes that treating violence as an independent variable persistent through history "risks naturalizing its enduring presence as a static psychological character and neglects the intimate ways in which violence is embedded in the shifting nexus of macro and micro processes" (Benson, et al., 2008, p. 51). Moreover, multiple

forms of violence never occur in isolation, even when one form appears more salient (Menjívar, 2011, p. 62). This research project examines the violence and insecurity in Guatemala by analysing the local coping strategies, reactions to and normalizations of the violence, because this normalization and misrecognition of violence facilitates if not directly creates the dehumanization (Menjívar, 2011, p. 62) which perpetuates human traffic and commercial sexual exploitation.

Guatemala has one of the highest homicide rates in the Americas averaging around seventeen murders a day (O'Neill & Kedron, 2011, p. 1). Much violent crime, however, is concentrated in the capital with one of the highest homicide rates in urban Latin America, one-hundred and nine murders per one hundred thousand inhabitants, which is nearly eleven times the rate labeled "crisis" by the World Health Organization (O'Neill & Kedron, 2011, p. 11). Central America is a region saturated by weapons with societies conditioned by violent conflict for decades. Most notably, in Guatemala, the proliferation of violence is a legacy of the internal armed conflict or *La Violencia*. Levels of violence today are as high as those during *La Violencia*, approximately, 4,166 people killed annually, and in 2005 the number of people murdered was 5,338 (Martinez-Salazar, 2008, p. 214). In Guatemala men are ten times more likely than women to be murdered, however, the numbers of victims of femicide has been escalating over the last decade, "from 213 in 2000 and 383 in 2003 to 665 in 2005 and 722 in 2008" (Carey & Torres, 2010, p. 143), to 727 in 2009 (Warden, Vigil Field Notes, 24/11/2009), then a small decline to 651 in 2011"¹⁵² (Toc, 2011). More than a question of numbers, the brutality and evidence of sexual violence, which in most cases amounts to torture, create a unique context for the

¹⁵² Recuerdan en vigilia a 651 mujeres asesinadas en lo que va del 2011

murder of women (Menjívar, 2008, p. 130). This section highlights the continuation of post-war violence and femicide as a push factor for human traffic and commercial sexual exploitation.

The term ‘femicide’ was coined in the late 1970s by feminist sociologist Diana Russell who reconceptualised the term in the late 1980s to “denote the gendered terror practices that culminate in socially tolerated murder” (Caputi and Russel, 1992 cited in Carey & Torres, 2010, p. 143). The term builds on the word genocide, which describes the killing of a specific group with the goal of extermination and/or destruction so as to dominate through oppression (Caissie, 2010). The term makes it possible to understand the increasing homicide rates of women, as a type of genocide with the aim of destroying women as a social group in society (Carey & Torres, 2010, p. 143). Femicide¹⁵³ is the murder of a woman because she is a woman, (GGM, 2008; GGM, 2006; URNG, 2004). Evidence of gender-based motives include rape, sexual torture, mutilation of the sexual organs, murder and bodies are often left in very public places (Vigil Field Notes, 24/11/2009). The brutality of crimes is evident in the torture scripts of bodies, for example,

María Isabel was an adolescent of fifteen years, tall, thin, white skinned and long brown hair. She had just finished the third grade of her secondary education...(…)...Her mother remembers: “I can’t forget how they disfigured

¹⁵³ See for more information on Femicide: “Femicidio! Las Mujeres de Juárez Exigen Justicia” Chicana/Latina Studies: The Journal of Mujeres Activas en Letras Y cambio Social. Volume 4 Issue I Fall 2004; Congreso de la República Bancada de la Unidad Revolucionaria Nacional Guatemalteca (URNG) Femicidio en Guatemala: crímenes contra la humanidad. Investigación Preliminar Noviembre 2005. Guatemala.

*her eyes, they broke her leg and injured her head, her left leg cut with a machete, her brain injured with a pickaxe, her hands and feet tied with barbed wire.*¹⁵⁴ (GGM, 2006, p. 3)

Such signs of torture may have roots in *La Violencia*, in which “most of the dead had their hands and feet bound, signs of cruel torture, and many women’s bodies presented signs of rape and the ‘thank-you shot’ [*tiro de gracia*]” (Morales, 2006 cited in Martinez-Salazar, 2008, p. 214). The “thank-you shot” denotes a bullet shot into the back of the victim’s head upon completion of the rape (Martinez-Salazar, 2008, p. 214). Such brutality of the killings and signs of sexual violence on women’s mutilated bodies carry the features of atrocities committed during *La Violencia*, again, blurring the perceptibility between conflict and post conflict Guatemala (Menjívar, 2008, p. 130). Targeting of women as a social group is largely evident in the public nature of the crimes. An analysis of femicide by Carey and Torres found that

*...the assassins attempted to obscure the victim’s identity but ensured that the act of violation and its effect on her body would become public by placing the cadaver near the University of San Carlos during the morning rush hour (...)
Her body was placed for commuters to see in a middle-class residential area as they travelled to and from the university. (...) The publication of the account*

¹⁵⁴ “María Isabel era una adolescente de quince años, alta, delgada, tez blanca y pelo largo castaño. Acababa de terminar el tercer grado de educación básica...(…)...La mamá recuerda: “no puedo olvidar cómo le desfiguraron sus ojos, le quebraron una pierna y le hirieron la cabeza....la pierna izquierda cortada con machete, el cerebro herido con una piocha, las manos y los pies amarrados con alambre de púas...” (GGM, 2006, p. 3)

completes the exercise of power that was begun on the victim's body and make the body, not the perpetrators of the crime the focus of attention. (2010, p. 158)

That victims' bodies are not hidden, but displayed, shows the use of fear as a weapon of control. The presence of naked or semi-naked bodies litter public spaces, city streets, urban ravines, while images of murdered woman and girls are ever-present in the imagination of the media, with each death adding a number to illustrate the rising death toll statistics (Manz, 2008, p. 152; Martinez-Salazar, 2008, p. 214; Menjívar, 2008, p. 130; Carey & Torres, 2010, p. 142). In the case of femicide, gender is the key factor rather than class or ethnicity, which means that all women are potential victims of violence and subjected to every-day levels of fear. Murders of women include both Mayan and Ladina, and have included, "students, housewives, professionals, domestic employees, unskilled workers, members or former members of street youth gangs, and sex workers in both urban and rural areas" (Menjívar, 2008, p. 130). The defining characteristic of femicide is that male dominance renders "all women chronically and profoundly unsafe" (Russell, 2001, p. 177 cited in Carey & Torres, 2010, p. 143).

An overwhelming majority of cases remain uninvestigated (Menjívar, 2008, p. 130). Complicity in gender-based violence in the legal system in Guatemala has been traced to the early twentieth century. Although judges, did not explicitly affirm notions of gender-based violence as a form of redress to deviance from gendered norms, "by not contradicting them or not doling out stiff sentences, they contributed to the conditions whereby gender-based violence propagated" (Carey & Torres, 2010, p. 160). While impunity dominates, less than one percent of violent crimes are addressed by the state (Benson, et al., 2008, p. 39).

*Someone can be totally killed, or it could be that the man killed her, for example and he stays in impunity, because no one discovers it or seeks justice in the case.*¹⁵⁵ (Rachel, 29 years, Sex Worker, Guatemalan, Xela, #100, 17/6/2010)

Impunity is often accepted as the norm as indicated by Rachel. Guatemalans, especially in Guatemala City, live under an oppressive fog of fear. In Guatemala City alone, 701 homicides were reported between the 1st of January, and the 13th of November in 2012 (Méndez Arriaza, 2012). The extraordinarily high numbers of homicide which remain unsolved demonstrates not only impunity for perpetrators but also that “state’s tolerance of gender-based violence” (Costantino, 2006 cited in Carey & Torres, 2010, p. 143). Social structures are reinforced by legal leniency which effectively provides impunity (Carey & Torres, 2010, p. 160).

Femicide is a product of “culturally accepted practices that promote gendered violence, including the socially tolerated forms of sexual abuse, physical and emotional battery, and sexual harassment” (Russell, 2001, p. 3 cited in Carey & Torres, 2010, p. 143). Woman experience an ‘othering’ and dehumanization in Guatemalan society, so much so that they have almost become a separate social category. Research into highland communities revealed perceptions surrounding women’s vulnerability to rape was considered a natural consequence of the condition in which men have power over women (Hastings, 2002, p. 1175). This gendered-social category is accompanied by a normalization of violence and abuse,

¹⁵⁵ Alguien puede ser totalmente matado, o podría ser que el hombre la mató, por ejemplo y él se queda en la impunidad, porque nadie lo descubre o busca la justicia en el caso.

April 13th, Erika (sex worker, student of English) called to explain that she had been unable to attend my class because she had been badly beaten by a client on the Line. April 14th, Marlina's (a sex worker) eighteen year old son has been murdered by the gangs for refusing to pay extortion for his moped taxi. April 15th, on my usual route home the taxi driver asks us to lock our doors because we are passing "a very dangerous zone".¹⁵⁶ April 16th, in class today I noticed that Kristy's (sex worker, student of English) split cheek is healing and her eye is less blackened. April 19th, the news reported a woman has been murdered by a tattooed thirteen year old boy for 100Q, roughly 13\$USD and there is heightened fear among the women that the value of a woman's life is so little. (Extracts from Field Notes, 2010)

Sex workers, considered transgressors of social norms surrounding gender and virtue, are particularly exposed to the violence, and are often considered outside the protection of the law, even disposable. Restrictive social constructions of gendered subordination, set up through customary and state law established in the early twentieth century, normalize violence against women who failed to live up to social expectations of them as diligent, docile producers and reproducers (Carey & Torres, 2010, p. 160). Two research participants were murdered during this investigation. On February 22nd 2010, Sandra was strangled to death with a power cord in her room on the Line. On March 10th 2010, Doña Sessi was shot five times as she was closing the door to her room to leave the Line for the night. She bled to death in the dirt. One sex worker interviewee, however, was a rare survivor of an attempted femicide. While working in the street she described thinking she

¹⁵⁶ "una zona muy peligroso"

was going to be robbed as she was captured by various men who transported her to a car park on the way out of the city;

They threw me out, tied my hands behind my back to a column, naked, raped, my face, they broke my nose, and I have a scar across my forehead from one of their rings, I couldn't talk, because they strangled me, and damaged my vocal cords, the doctors had to reconstruct this for me, and they had to take two discs from my spine, that's why when the weather is cold or when I yell I hurt in my cords, my vocal cords are not as good as they were before.¹⁵⁷ (Xomara, 53 years, Guatemala, Sex Worker, Indigenous, Traffic Victim, Attempted Femicide Survivor, #28, 26/3/2010)

Xomara was left for dead by her attackers, when a passing truck driver saw her broken body and brought her to the hospital. There are few survivors of attempted femicide, and Xomara's account illustrates the level of brutality that was treated as a social masculine event by her attackers. As a sex worker, she was targeted. Her sexuality was the focus of her dehumanization. Femicide, as a demonstration of power and control, further augments unequal gender relations, while sending a message to women that those who deviate from established social norms will be punished. It is little wonder that violence became a key aspect of this research. Documenting the patterned or systematic dimensions of the post-

¹⁵⁷ ellos me tiraron a mí, mis manos atadas detrás de mi espalda a una columna, desnuda, violada, mi cara, ellos rompieron mi nariz, y tengo una cicatriz en la frente de uno de sus anillos, yo no podía hablar, porque ellos me estrangularon, y me dañaron mis cuerdas vocales, los doctores tuvieron que reconstruir este para mí, y ellos tuvieron que tomar dos discos de mi espina, por eso cuando el tiempo es frío o cuando grito dolí en mis cuerdas, mis cuerdas vocales no están tan bien como ellos eran antes,

conflict violence (Benson, et al., 2008, p. 51), aids in understanding the precarious position of vulnerability women confront in Guatemalan society. Such non-economic structures of normalized violent dehumanization of women also bolster structures of sexual exploitation and sex traffic. Yet, by focusing on the savagery of the crimes today, and historically during the armed conflict, there is a danger of missing the ways in which fear “infuses not only people but the social space between them—their institutions, customs, and ways of relating to one another (...) replicating itself in new settings and circumstances” (Snodgrass-Godoy, 2002, p. 661). Consequently, how research participants cope in these environments became another focus of this investigation.

7.4 Nexus of Fear, Fatalism, & Victim Blaming

Given the extreme levels of violence a new related focus emerged from this project; how research participants contend with the experience of violence, powerlessness, corruption, and other forces that undermine community life (Benson, et al., 2008, p. 39). Examples of social and cultural structures which reinforce violence against women can be found in the way in which participants cope with the violence. Of the two murdered research participants, Sandra and Doña Sessi, both cases did not incite any kind of police investigation. While on the Line, my colleagues and I asked about the murders, but the common response was that no-one had seen or heard anything (Field Notes, 1/2/2010 & 3/16/2010). The Line is a very public space, transient and bustling with activity, therefore, it is highly unlikely that no-one heard or saw anything; rather these responses are indicative of fear. The locals will not speak out against the gangs, because it is simply too dangerous. So I began asking the women how they felt about this femicide, which particularly targeted them? How could they continue working when they knew no-one was coming to their aid? What I found was the women were searching to make sense of their own world and that fear was an ever-present obstacle to negotiate.

Fear in Guatemala is pervasive, in my field notes I describe it as a “thick, oppressive fog that seems to weigh on everyone and affect everything” (Field Notes, 20/2/2010). I found fear a penetrating social structure influencing the decisions of Guatemalans in nearly every aspect of social, political, and economic life. This fear was not unique to the extraordinarily violent capital. Burrell’s (2010) research in to highland communities revealed that daily life was impossible to negotiate without substantial fear. Guatemala’s post-conflict fear and insecurity has been described as a cause of continuous distress which, “takes a big toll on a population to live with heightened anxiety and constant surveillance of their surroundings” (Manz, 2008, pp. 156-157). Menjívar describes the fear as a hyper-awareness (Menjívar, 2008, p. 132). The source of this terror is often referred to as *la delinuencia* (delinquency) or common crime (Manz, 2008, p. 157).

It is also important to note that fear is a gendered aspect of social life. Winton’s research into Guatemala’s urban youth described men as having more to fear than women (2007, p. 505), however, during this investigation women, not only fear violence and death but also the ‘overkill’ mentioned previously, including extreme forms of sexualized torture and rape which is sensationalized by the media illustrated by the experience of attempted femicide survivor, Xomara¹⁵⁸. Furthermore, an interview with Alma revealed an intense fear of her own children; her son, a drug addict, alcoholic, gang member who had taken over her home, demands money from her sex work and has threatened her life, as well as her daughter who blames her for their father’s abandonment and is dating a gang member who has also threatened to kill her,

¹⁵⁸ (Xomara, 53 years, Guatemala, Sex Worker, Indigenous, Traffic Victim, Attempted Femicide Survivor, #28, 26/3/2010)

both my kids threaten to kill me, I am afraid they will kill me, because they murder over there [in her neighbourhood] as much as they do over here [on the Line] I have no money, I can't go near my house where I used to live¹⁵⁹ [she sobs until she is unable to finish speaking]. (Alma, 38 years, Guatemalan, Sex Worker, Capital, #35, 12/4/2010)

Alma's interview revealed evidence that fear is not reserved for strangers or those outside intimate social circles, but pervades even family life. Moreover, Alma describes an inability to return to her own home which embodies another coping strategy observed during this investigation, avoidance. Avoidance perpetuates the cycle of violence by not acknowledging or addressing it by seeking help thereby making it invisible. Similarly to Winton, this research project found that the way in which public space was used, including the movement in and around communities, was strongly influenced by "feared/expected gang activity" which caused a withdrawal from public life (2007, p. 507). Withdrawal can be considered a form of avoidance and can be a highly isolating experience, "I've had to do a lot more hiding here than I would have liked" (Email to Supervisors, 3/6/2010). Women were almost always seen walking in pairs during the day. After dark, most women remain indoors (Menjívar, 2008, p. 127). In effect, confining oneself indoors could be considered the internalization of trauma and fear which involve often invisible psychological structures of exclusion. Such coping strategies feed into the myth that the violence is avoidable as long as one adheres to strict ideas of social codes and stays in the home.

¹⁵⁹ "los dos de mis niños amenazan a matarme, yo tengo miedo que me matarán, porque asesinan allí tanto como hacen aquí [en la Línea] yo no tengo dinero, yo no puedo ir cerca de mi casa donde vivía"

Another form avoidance strategies took was that while fear was pervasive in the lives of research participants, they were not always willing to express it. Martinez-Salazar, describes Mayan responses to the violence as seemingly detached which has resulted in the myth that “because many marginalized men and women are strong and stoic they have not been devastated and traumatized” (Martinez-Salazar, 2008, p. 206). Some of these coping strategies included denial, avoidance and even comparative bravery. The often invisible scars of fear manifest in a discourse of denial which serves as an ‘othering’ tactic. That others are afraid, gives rise to a perception of comparative bravery. Menjívar described a similar situation in which, ironically, locals seem accustomed to the violence so as to appear unafraid, and laughed when she, the foreigner or *gringa* was frightened by armed men running in the street, but in different contexts the discourse changes dramatically, and fear is evident (Menjívar, 2008, p. 127). These “self-deluding mentalities” are employed as coping mechanisms, yet serve to justify the violence and fuel a wider culture of insecurity (Davies, 2006, p. 187 cited in Manz, 2008, p. 157).

Different demonstrations of fear and bravery in different contexts were observed throughout this investigation. Particularly in public it seemed inappropriate to express fear. An example occurred during a talk I organized for my NGO at a café in the tourist town of Antigua to describe the conditions of sex work and the dangers posed by the gangs. Afterwards one of the tourists asked my colleagues if they were afraid to go to red-light districts, and to my surprise all three of my colleagues responded that they were not afraid, because the organization is well known on the Line and well liked by the sex worker community, who look out for NGO workers (Field Notes, 8/6/2010). During the course of the research, however, and after the deaths of research participants, it was clear that the women who worked on the Line were unable to protect themselves let alone a few NGO workers. There was a constant awareness that regardless of how well liked we were, not a

single person would have taken a bullet for us. So why would my colleagues' responses be denial when in private they had confessed fear to me? On one specific occasion, in private, a colleague confessed to me, that she is terrified of the Line because six years ago she was captured and gang raped by seven men not a few blocks away (Field Notes, 16/12/2009). In this contrast, I realized that fear is a very private experience in Guatemala, and that normalization and avoidance help to perpetuate this structure.

The socialization of fear exclusively into the private sphere becomes a form of censorship or silencing which is an underlying social structure that promulgates violence and insecurity. Silence and the denial of violence have roots in the fear of retaliation as well as culturally enforced structures of shame associated with sexual violence. Internalized ideologies, community social pressure, and extensions of local cultural values and taboos also reinforce the silence of rape survivors (Carey & Torres, 2010, pp. 1157-1158). The "ideal victim," described by Hastings as those who fit a culturally approved "rape script" that is developed from a community's gender and sexual ideologies (2002, p. 1158). Thus, cultural ideologies are not the only pressure acting on victims' silence. Hastings found roots to silencing survivors of the armed conflict by highlighting that state terror included the criminalization of victims by claiming that those killed by the military were guerrillas and guerrilla supporters (CEH, 1999; Falla, 1994; REMHI, 1999 cited in Hastings, 2002, p. 1159). Criminalization of victims has become an extension of cultural silencing techniques. Criminalising victims using local cultural ideologies of 'rape scripts' and 'ideal victims' creates an intense web of social structures which pressure victims to remain silent. Another way in which social structures of silence originated out of the armed conflict was that reporting on crime in Guatemala often focused on victims' bodies rather than on criminals or prosecution,

Building on the violence, shame, and secrecy commonly associated with rape, the designers of Guatemala's counterinsurgency policies, (...using...) impunity begun earlier in the century, military and paramilitary forces incorporated rape as a weapon of governance during La Violencia. The display of tortured women suggests their frequency (99 per cent) as the prime victims of sexual crimes and rape (Ball et al. 1999). (...) Although such accounts are exceptional during La Violencia, they bear striking similarities to the femicide accounts that have littered newspapers since 2000. The increased frequency with which evidence of overkill appears on female cadavers today speaks to the extent to which the display of post war violence has surpassed that of La Violencia. (Carey & Torres, 2010, p. 159)

Sexual violence and specifically rape, during the armed conflict was conducted publicly to denigrate victims and to serve as symbolic subservience to the state. The use of rape as a tool of shame has outlasted the armed conflict and contributes to the silencing of victims. Today, the sense of insecurity experienced from exposure to tortured bodies still reinforces the silences commonly associated with rape (Carey & Torres, 2010, p. 159). Yet, establishing a historical precedent of gender-based violence reveals what statistics obscure, “the historical development and the social and judicial acceptance of impunity and gender inequality as well as the normalization of violence as a social and political relationship” (Carey & Torres, 2010, p. 161). This social system of silence entwined with violence against women reinforces structures of trafficking and commercial sexual exploitation by creating a social environment in which victims of trafficking and sexual exploitation are less likely to speak out about their experience, ask for help, or stand against their traffickers in court. The culture of silence fortifies structures of impunity and thereby the cycle of violence and exploitation. Yet, silencing structures in Guatemala are not limited to

crimes involving sexual violence, but are also tactics used to politically discredit social activism, as mentioned in chapter six. Political tactics of labelling community activism as terrorism is a silencing practice at the macro level. Labeling techniques which feed structures of silence also occur on a micro level. These labels are associated with other harmful reinforcing structures of blame.

When participants were asked their thoughts on the prevalence of violence against women and femicide in Guatemala what emerged was the nexus of violence-fear-victim blaming. That people could really see them, participants, as less than human or expendable was overwhelming when sex work was necessary for survival. Subsequently, participants felt that there had to be a reason for femicide. In part, this seemed to be a projection of the self on the situation: if I would not, so others would not murder without reason. This assumes that others place the same value on life as you do. Some respondents suggested that, “perhaps they kill them so that, so that they’d fall silent, so they don’t say anything”¹⁶⁰ (Theresa, 28 years, Nicaraguan, Sex worker, Incest Victim, Traffic Victim, Capital, #62, 4/30/2010). With each death seemed to follow a need to justify or blame someone. Women cope with violence in various ways including acceptance and interpretation, “often pointing to those close to them as culpable” (Menjívar, 2008, p. 132). The propensity for blame emerged as a pressing feature in this study which was observed as in many aspects of Guatemalan society (Field Notes, 2009). Research by Benson et al. into highland communities explicates that a key existential feature of *La Violencia* was profound insecurity which evolved during the lack of clarity of the peace process into a climate of assured accusation and directed blame;

¹⁶⁰ “Por ser mujer? Tal vez les matan para, para caer el silencio, porque no digan nada.”

Some people blame the globalization of Western popular culture for bringing images of gangs and delinquency to the highlands. Others blame the breakdown in moral structure, the erosion of families, and a declining work ethic. Blame is an ironic partner of reconciliation in postwar times (Benson, 2004 cited in Benson, et al., 2008, p. 44).

Yet, during this investigation, fear of retaliation kept many participants from attributing blame to the gangs or perpetrators. Thus, in crimes involving victims and perpetrators, when blaming the perpetrator seemed too dangerous, the only person left to blame was the victim. An idea materialized, that was similar to blame in domestic violence (Bryant & Spencer, 2003; Henning, et al., 2005), that the victim had a flaw such as a strong character (*carácter fuerte*)¹⁶¹ and so she invited the violence; she was somehow to blame for her own death (Field Notes, 24/07/2009). Respondents frequently blamed victims for their victimization. When asked what was meant by a strong character, the respondents listed things like wearing jeans, walking in public after dark without an escort, going to parties, speaking their mind loudly.¹⁶² In these cases, the transgressions of women serve as social justification for their murder (Carey & Torres, 2010, p. 161). Bad women are described as aggressive, egotistical or jealous, perceptions which are not limited to Guatemala, but may be regional within Central America.¹⁶³ Murders are often explained away as common

¹⁶¹ (Ixaq'a, 32 years, Guatemalan, Indigenous Teacher, Antigua, 24/07/2009)

¹⁶² (Lucy, 22 years, Guatemalan, Sex worker, Capital, #15, 12/03/2010); (Emily, 26 years, Guatemalan, NGO Worker, Capital, #34, 7/4/2010); (Helen, 55 years, Guatemalan, Sex Worker, Capital, #58, 29/4/2010)

¹⁶³ (Rosalee, 33 years, Honduran, Sex Worker, Trafficked Victim, Capital, #19, 18/3/2010); (Amanda, 30 years, Nicaraguan, Migrant Sex Worker, Capital, #40, 12/4/2010)

crime, a jealous partner, or debt (Field Notes, 25/3/2010). Thousands of murdered women represented as “loose,” involved in crime, or victims of passion have been described by Martinez-Salazar as “chilling public teaching strategies” (2008, p. 214). This victim blaming served both to justify murder but also to distinguish the respondent from the possibility of the same fate. Another more significant reason for this victim blaming was that the women seemed to need to distance themselves from the victims in order to continue existing in such a violent world.

*What do you think about Femicide, when they murder women for being women? Because they are women, that, as I'm going to repeat, she does not care for herself, she doesn't pay what she owes, or she goes with people not nice, how can I say, gang members, like drug dealers, like, like a murderer, they are people who don't touch love, and for this is why they kill, (these girls) They do not think, because they don't take the advice of other women, (advice) that we give, and because you say, 'pay what you owe, pay what you owe' and they say 'no, no (...) I'll pay when I want,' (...), they kill you, (...) there are women who don't think! Positively.*¹⁶⁴ (Victoria, 30 years, Nicaraguan, Sex Worker, Trafficked Victim, #108, 28/06/2010)

¹⁶⁴ Porque son mujeres que, como lo voy a repetir, no le importa de ella misma, no pagan lo que deben, o andan con gente no agradable, como puedo decir, mareros, como narcos, como, como un sicario, son persona no tocan el ama, y por eso es que las matan, va? Ellas no piensan, porque ellas no hagan al consejo de las demás mujeres que se los damos, y porque uno dicen, ‘paga lo que debes, paga lo que debes’ y ellas dicen ‘no, no,... lo voy a pagar cuando yo quiere, si son mujeres que le verle, que no se quieren a sí misma, verdad,

Blame acts as a distancing factor, by blaming the victim for not paying their debts, not listening to advice, for simply “not thinking” helped to establish the victim as ‘other’. Consequently, respondents distanced themselves from victims by embodying the opposite of those traits. Traits such as a reserved nature, conservative dress, and social isolation were traits considered less likely to get a woman killed. Ironically, the sex worker research participants, who are almost universally thought of as culpable for the violence that befalls them, subscribed to wider social ideas of blame. Instead of pointing to the exploitation or gang violence, the women were able to distinguish themselves from the violence by blaming the victim and then embodying the opposite of her.

When research participants were asked what they were afraid of, they often focused on things they could control such as STIs, which they cope with by using condoms.¹⁶⁵ When asked if they ever had any experience with the gangs they almost always said no, they did not consider themselves to have any connection with the gangs who patrol the line, even though they all pay the daily war tax. Their exploitation is so institutionalized and the violence so normalized that they dealt with their fear and asserted their agency though

porque si yo se que van a ... dan si yo me quiero yo misma, voy a pagar lo...y aparte de eso, porque uno piensan en mujeres que aman, las matan va,(...) hay mujeres que no piensan, positivamente.

¹⁶⁵ (Cassidy, 26 years, Honduran, Sex worker, Trafficked Victim, Capital, #44, 16/4/2010); (Quinn, 40 years, Salvadoran, Migrant Sex Worker, Incest Victim, Huehuetenango, #54, 27/7/2010); (Xenia, 50 years, Guatemalan, Indigenous Sex Worker, Capital, #63, 30/4/2010); (Summer, 35 years, Guatemala, Sex Worker, Escuintla, #69, 3/5/2010); (Sara, 25 years, Nicaraguan, Sex Worker, Chimaltenango, #84, 15/6/2010); (Eloise, 23 years, Honduran, Sex Worker, Tecúm Umán, #93, 16/6/2010); (Tarin, 18 years, Guatemalan, Sex Worker, Tecúm Umán, #95, 16/6/2010); (Zelda, 32 years, Guatemalan, Indigenous Sex Worker, Capital, #105, 23/6/2010); (Harely, 28 years, Guatemalan, Indigenous Sex Worker, Capital, #106, 23/6/2010)

disassociation with victims by victim blaming. What does this mean for the future? NGO's have begun to use the word "survivor"¹⁶⁶ to describe victims of domestic violence in the hopes of disassociating with the victim blaming and build connections with those women who share experiences of exploitation.

Appreciating the moral and cultural meaning of blame in contemporary Guatemala while taking into account the weight of history in shaping present forms of and responses to violence allows for a theoretical explanation that accounts of the complexities and contradictions of the experience of violence in communities and its strategic management by state actors. (Benson, et al., 2008, p. 51)

Another identified non-economic underlying cultural structure which reinforces sex traffic is the nexus of fear-fatalism-victim blaming. Exploitation and violence has become institutionalized and normalized that coping strategies for fear involved disassociation with victims through victim blaming. This disassociation helped make crimes invisible and impede justice thereby reinforcing the cycle of violence.

Another consequence of blame is the labeling of groups within society and the discrimination of those groups. Similarly, a study conducted by ASI¹⁶⁷ revealed discrimination against sex workers, often in the form of abuse and humiliation, apparent across testimonies (2008, p. 42). This discrimination is both the result of perceived deviation from sexual norms of virginity and virtue, and also the empowerment of women

¹⁶⁶ sobreviviente

¹⁶⁷ ASI, Asociación de Salud Integral [Comprehensive Health Association]

who chose sex work over domestic servitude which pays a pittance. Discrimination exposes women sex workers to increased levels of exploitation, abuse, and violence. These factors not only leave women vulnerable to subjugation, but discrimination also contributes to the perception of the 'other' making possible the dehumanization of a group. As discussed by Burrell, in the context of *La Violencia*, when names become things, things can become targets (2010, p. 101). Discrimination uses labels to reduce a person or group's complexity and humanity into a few repellent traits. Intolerance and prejudice has left sex workers extremely vulnerable to violence and exploitation. Discrimination silences victims. Consequently, instead of bringing perpetrators to justice, rape serves to denigrate victims and threaten the safety of both the victims and their families (Carey & Torres, 2010, p. 159). These structures of silence, discrimination and victim blaming thereby reinforce the impunity of traffickers and the vulnerability of potential victims.

Common crime or *la delincuencia* and violence, rather than being a clear social issue to address, seemed more an "amorphous enemy" (Snodgrass-Godoy, 2002, p. 660). The lack of a clear enemy meant that many respondents coped with violence and insecurity through cultural structures of fatalism. Fatalism was expressed as, "*for me it doesn't matter; only god can give life, and only god can take it away*"¹⁶⁸ (Felicia, 27 years, Guatemalan, Sex Worker, Capital, #111, 29/6/10). Many respondents expressed remorse at an inability to change their circumstances, but found a comfort in God, or the idea that while in their situations they were doomed to suffer that "*por lo menos*" (at least) they could "*sacar mis hijos adelante*" (take their children ahead) to give their children a life they could not live with education and opportunity. That respondents would suffer was permissible so long as

¹⁶⁸ pero para mí es lo bueno, porque solo Dios da la vida, y solo él la puede quitar.

their children would not. This fatalism is not only a product of sex work, but also exists throughout Guatemalan society.

Similar observations of fatalism were made by Benson (2008) while researching social activism. Benson described that for protesters “at least” participation in social demonstrations was accepted as enough to determine a successful outcome even though actual progressive change has stagnated since before *La Violencia* (2008, p. 45). Manz (2008) observed a sense of hopeless resignation and defeatism at the local level “where it is manifested in less cooperation, less collective action, and more individualism” (p. 155). Snodgrass-Godoy also noted “a profound ambivalence in the highlands--in Guatemalan society as a whole—around the question of violent justice, of governance by force, of human rights and their place in postwar democracy” (2002, p. 658). Additionally, Menjívar noted a prevalent use of “aguantar” (to endure), a verb which, “conveyed an underlying, steady suffering in the women’s lives but also resignation and acceptance; it also implied that everyone went through it, and thus it was nothing out of the ordinary” (Menjívar, 2011, p. 18). Acute acceptance of violence, of the status quo, offers an environment conducive for continued commercial sexual exploitation and trafficking.

Such pervasive fatalism may also act as a push factor to migrate as Manz’s research shows “despite all the risks and tremendous obstacles they face, once they have emigrated Guatemalans feel a sense of liberation and assess optimistically their chances to improve their condition” (2008, p. 154). In those situations which seem to lack any viable alternative, “accepting the risk of debt bondage for at least a limited amount of time can become a possibility” and the climate of violence and fatalism may push the choice for indentured labour to become a possibility (Alpes, 2008, p. 37). Silencing, victim blaming, discrimination, fatalism, keeping fear in the personal and private spheres all coalesce into

an active invisibility of violence and insecurity. This active invisibility has been observed and described by other researchers,

By not responding to Cana's screams or even reporting the incident, the witness effectively drew a veil over the crime. As Forster (1999) found, when government officials and local men and women upheld the vulnerability and subjugation of females in family and intracommunity relations, they sustained gender-based violence. Women who had the courage to bring their gender-based violence incidents to court left behind a record that illuminates how social constructions of women contributed to her vulnerability. (Carey & Torres, 2010, p. 148)

Furthermore, Manz describes those who actively encourage the invisibility of trauma participate in, “the ‘atrocious triangle,’ composed of victims, perpetrators, and observers. The observer or proverbial bystander—a part often played by the academic—does to need to witness human rights violations directly” (2008, p. 158). These social structures perpetuate ideas of dehumanization and engender impunity thereby propagating violence, exploitation and trafficking.

7.5 Summary

Chapter Seven: Examining the Local, addresses the research question, what does social exclusion mean in tangible examples for vulnerability to human traffic? Identity in different contexts of the social exclusion is explored including ethnic groups, migrant workers and health related identities within Guatemala. As such, non-economic social and cultural structures which push and pull victims into human trafficking and commercial sexual exploitation are examined at the micro-level through an analysis of the social

patterns which facilitate social exclusion and examining those types of exclusion relating to trafficking and exploitation. By examining Guatemalan gender roles in patriarchy, this chapter considers the Madonna/whore dichotomy and the criminalization of agency which propagates a dehumanization of women and enables the structures of violence and exploitation present in trafficking and commercial sexual exploitation. The analysis of patriarchal gender roles also revealed numerous contexts which demonstrate ideas of ownership of women that could contribute to trafficking structures involving ownership of victims. By analysing family structures in Guatemala additional non-economic vulnerabilities emerged, including birth order, scape-goating, domestic violence, sexual abuse and incest which push women and girls from the home onto the streets where they become vulnerable to exploitation and in some cases trafficking. The section on violence against women and femicide explores the conceptualization of violence, how participants contend with crime and violence, and how the savagery of femicide further dehumanizes women. It shows how various forms of violence coalesce in the everyday lives of participants wherein they become normalized until they seem invisible or “natural” (Menjívar, 2008, p. 109). Afterwards, this chapter considers the experiences of powerlessness and shades of exploitation at the micro level. Realizing that at times, “rejection and discrimination kills more than HIV/SIDA”¹⁶⁹ (Guadalupe, 60 years, Guatemalan, STI Prevention Educator, Capital, #29, 4/6/10). Stigma, discrimination and exclusion are revealed to influence human trafficking and commercial sexual exploitation. Investigating extreme levels of violence reveal that strategies developed to manage such pervasive violence aid in the invisibility and perpetuation of that violence. This chapter focuses on the identification of non-economic factors in Guatemala which reinforce

¹⁶⁹ El rechazo y la Discriminación matan más que HIV/SIDA

vulnerability to trafficking and commercial sexual exploitation including, violence, marginalization and social exclusion. Specifically it examines how everyday ideas, values and norms govern everyday actions feeding into the social exclusion of groups and increasing their vulnerability to human traffic and commercial sexual exploitation. Violence and dehumanization creates groups of disposable people, such as sex workers. As such dehumanization and violence feed into the lived experience of exploitation and mirror structures in trafficking. Thus, the chapter addresses whether social exclusion effects trafficking and commercial sexual exploitation.

8 Conclusion

“Step out the front door like a ghost into a fog, where no one notices the contrast of white on white” (Duritz, et al., 1993)

Efforts to combat human traffic exist worldwide, whilst references can be found on the size and scope of trafficking and commercial sexual exploitation, the global experience of combating these issues is relatively young. Attention directed at combating sex traffic tends to focus on law and order aspects, such as identification and prosecution of traffickers; meanwhile commercial sexual exploitation thrives in plain sight. At the same time the authoritative literature on sex traffic suggests that the numbers of women and children victimized are increasing. Not only is the problem of trafficking increasing, but also the scholarly literature as well as anti-traffic organizations unanimously recognise a lack of awareness and understanding of the problem and calls for more research in this area (UN GIFT, 2007). Specifically, many identify a need to expound upon and distinguish between immediate victim-support initiatives and long-term prevention efforts to tackle the root causes of trafficking (Bastia, 2005, pp. 77-78) and commercial sexual exploitation. The gaps in the knowledge and evidence of trafficking and commercial sexual exploitation cut across sociological and criminological lines. Meanwhile, Western approaches to human traffic prevention founded in a law and order perspective neglect the human rights perspective. Immigration, victim protection as well as law and order foci tend to act like a band-aid on a bullet wound, addressing the symptoms of trafficking after the crime has occurred, but not the underlying causes. What are the underlying cultural and social structures that reinforce networks of trafficking? These social structures are often “taken-for-granted” (Spradley, 1980, p. 5; Punch, 1998, p. 185) social norms which seem like a

ghost in a fog, are difficult to see or map, especially given the hidden nature of trafficking. This dissertation addresses the lack of knowledge in the area of push/pull factors that contribute to trafficking and commercial sexual exploitation, because anti-trafficking efforts continue to be insufficient with this persistent lack of understanding (Bales, 1999, p. 32). Moreover, this thesis argues against forming strict delineations between sex trafficking and commercial sexual exploitation given that the blurred lines which separate victims of sex traffic and consensual sex workers are often crossed numerous times by the same people (Malarek, 2003, p. 203). Moreover, by evading such strict distinctions, this thesis avoids pigeonholing trafficking as evil and commercial sexual exploitation as capitalistic.

The Western approach to prevention articulates poverty as the root cause of human traffic (Bales, 1999, p. 11; Farr, 2005, p. 244; Chuang, 2006, p. 138; Ribando Seelke, 2010, p. 4; Aronwitz, et al., 2010, p. 167). This economic perspective argues that human traffic can best be explained by describing poverty as the primary push factor along with emerging markets as pull factors. The claim then becomes that in order to fight human traffic; one would need to tackle poverty. Since poverty is a global problem, a seemingly monumental dilemma, poverty becomes a scapegoat for disregarding prevention efforts. This research project has argued, however, that the economic perspective does not sufficiently explain the increasing numbers of victims of human traffic. Poverty is wide spread yet it does not explain why there are large numbers of trafficked victims from some countries rather than others, such as large number of traffic victims from countries like Nigeria and Guatemala while this is less the case from Tanzania and Costa Rica. While poverty is a factor that pushes victims into human traffic, poverty is too narrowly focused on income and consumption while ignoring social aspects of autonomy, quality of life, and dignity (Barry & Hallett, 1998, p. 2). Understanding what drives victims into the hands of traffickers is

vital in prevention in order to diminish the ease with which rescued victims can be replaced with new victims (Bales, 1999, p. 250). Therefore, research for this thesis focused on experiences of social exclusion or the multi-dimensional disadvantage (Barry & Hallett, 1998, p. 1) of being shut out from social safety nets and lived experiences of exploitation. These issues offer a more holistic approach to the comprehension of the push/pull factors of human traffic at the local level. In order to shed light on the insufficiency of the Western approaches to prevention this project highlights specific underlying social structures within Guatemalan society and how those relate to the wider push/pull factors of sex traffic.

Empirically, this investigation exposed the geopolitical significance of Guatemala for anti-trafficking efforts. It provided real-time data on trafficking networks in Guatemala, including Antigua, Chimaltenango, Huehuetenango, Quetzaltenango, Tecúm Umán, Escuintla, Puerto Barrios, and the Capital. Information about human trafficking and commercial sexual exploitation in the area that had become outdated was addressed to include emerging concerns while indicating contrasts and consistencies nationwide and regionally. This bottom-up ethnographic approach sought to deconstruct existing Western paradigms using grounded empirical data. Thereby, this investigation has demonstrated that roots of trafficking and commercial sexual exploitation cannot be reduced to a single cause such as poverty, rather they develop from varying levels of coercion from a range of trajectories.

8.1 Macro & Micro Structures and Human Traffic

The research questions set at the beginning of this project focused on the underlying social and cultural structures that push/pull victims into human traffic. These included;

- What (if any) are the dominant social patterns that facilitate social exclusion?
What (if any) types of exclusion are there? What (if any) groups are excluded?
- Does stigma, discrimination, or exclusion influence human trafficking and commercial sexual exploitation?

In response to these questions this investigation found that, macro structures can act as dominant, overarching forms of exclusion which influence human trafficking and commercial sexual exploitation. Specifically in Guatemala these were found to include the wider history of segregation by ethnicity and gender, the continuation of post-conflict violence, and pervasive economic exploitation which serves to dehumanize labour and fortify structures of inequality (see Chapter 6). These macro structures are strengthened at the local level by underlying social patterns or micro structures of stigma and discrimination which facilitate social exclusion. Thus demonstrating that stigma, discrimination and exclusion do influence human trafficking and commercial sexual exploitation in that they mirror structures of dehumanization. Specifically, through an examination of the social exclusion of indigenous groups, extreme vulnerability was uncovered in relation to trafficking of women and children into the sex industry and domestic slavery. Particularly, the data revealed how the patriarchal system has warped into extreme forms of violence, abuse, incest and femicide, which perpetuate the vulnerability of women in general, but also to trafficking. Various forms of dehumanizing women (discussed in Chapter 7) in Guatemalan society were revealed to not only create a gendered vulnerability to human traffic and commercial sexual exploitation, but also facilitate specific structures in trafficking including ownership of victims as well as the cruelty of control methods.

Western conceptualizations of traffic focus on economic structures between the developing and developed worlds (Bales, 1999, p. 11; Farr, 2005, p. 244; Chuang, 2006, p. 138; Ribando Seelke, 2010, p. 4; Aronwitz, et al., 2010, p. 167). These perceptions are founded on the idea that people in the developing world, source countries, lack capitalist neo-liberal benefits which leave them vulnerable. This investigation exposed, however, that actually capitalist benefits and neoliberal structures are the more exploitative factors pushing victims into trafficking (see Chapter 6). The Western world reduces trafficking to poverty and kidnapping which creates the myth that migrants lack agency or migrate in a desperate search for employment (Alpes, 2008, p. 36). That myth was confronted during this research when the data showed that many respondents had been employed in factories or service prior to experiencing commercial sexual exploitation, but that their employment within neoliberal capitalist structures incorporating *sweat-shop economics* (Pollin, et al., 2004; Hartman, et al., 1999), were so exploitative that these structures emerged as the factors pushing victims into trafficking and commercial sexual exploitation (see Section 6.2). What was revealed by sex workers and former traffic victims in Guatemala, was that while economic concerns contribute the pushing and pulling of victims into sex traffic, other root causes, were equally if not more pressing.

Routes of arms, drugs and human traffic created during the internal armed conflict have persisted today so that many of the gangs now consist of ex-military personnel. Other causes include the continuation of entrenched violence in a post conflict society, violence which specifically targets women. Social norms and structures, however, impede the recognition of crimes and hinder justice thereby creating environments of exploitation and reinforce human trafficking into sexual exploitation. Specifically, these norms were discovered as the nexus of violence-fear-victim blaming-fatalism-avoidance generates a culture of silence which makes the perpetrators invisible and perpetuates criminal

impunity. Extreme violence and the social exclusionary tactic of dehumanization through social and cultural structures underpin women's vulnerability to trafficking and exploitation.

8.2 Intersectionality and Vulnerability

Employing social exclusion theory, rather than economic or law and order perspectives, has augmented current understandings of social and cultural push/pull factors of trafficking. Two further research questions which considered the intersectionalities are:

- What does social exclusion mean in tangible examples of the vulnerability to traffic and commercial sexual exploitation?
- Identify (if any) connections between social exclusion, ethnic identity, and trafficking and commercial sexual exploitation?

Types of exclusionary structures include ethnic identity, gender relations and violence which intersect to cultivate human trafficking and commercial sexual exploitation. Evidence of these intersectionalities can be found in courting rituals, gender roles and perceptions surrounding virginity and worth, as well as cultures of silence (see Chapter 7). Vulnerability to human traffic is to some extent generated through the political creation of a mass disposable labour force characterized by indigenous communities thus encouraging social perceptions and structures surrounding 'othering', exclusion and disposability (see Chapter 3). The dehumanization of groups, such as sex workers, perpetuates the view of disposability evidenced by the frequency of femicide experienced within the sex worker community (see Chapter 5). In trafficking and commercial sexual exploitation, dehumanization is a key aspect of the cruelty of control applied to victims. As such, wider society in which dehumanization is incorporated into socio-economic structures can be

said to mirror local dehumanizing structures in trafficking and commercial sexual exploitation.

A tangible example of these structures of exclusion can be found in new anti-trafficking legislation which has been implemented in a way which further dehumanized sex workers increasing their vulnerability to exploitation and trafficking. Layers of dehumanization and exclusion experienced by impoverished, indigenous women suggest an extreme vulnerability which needs to be tangibly addressed by local NGOs, especially given the lack of support for indigenous sex workers, migrant sex workers, and sex workers in rural departments across Guatemala.

In the case of the social exclusion of ethnicity, culture and gender the data revealed an intersectionality which acutely affects the vulnerability of indigenous women to trafficking. Evidence supported the language hypothesis, that internal traffickers primarily targeted indigenous groups whose vulnerability increases even if they move only a very short distance within Guatemala, but outside their language and culture zone (see section 8.5). The ease with which some Mayans can be isolated in Guatemala underpins their vulnerability to exploitation and internal trafficking. Moreover, Ladino ‘othering’ through social perceptions of indigeness as “savage promiscuity” (Martínez Pelaez 1982 cited in Martinez-Salazar, 2008, p. 205) or docility, an inability to object or refuse a command, has created a perverse demand for indigenous women in domestic servitude and the sex industry. This demand acts as a pull factor of indigenous women to human trafficking and commercial sexual exploitation.

Differing accounts from traffic victims revealed dramatic variations in the length of imprisonment in brothels. This data suggests an ease with which traffic victims can be replaced. It also demonstrates that social constructions of traffic and debt enforcement are

socially indistinct which normalizes different degrees of commercial sexual exploitation (see section 8.3). The interview with a trafficker, exemplifies the social normalization of trafficking by describing how she felt she was providing a social service via selling her victims to brothels thereby removing them from the dangerous streets (see section 5.3). This also demonstrates how extreme conditions of violence along with shades, or degrees of exploitation can act as stronger push factors than economic concerns and poverty. Moreover, evidence of short term traffickers and victims (discussed in section 5.3), challenge Western ideas of the perfect victim which is to be found chained to a bed in a brothel (Haynes, 2007).

8.3 Further Research & Ways Forward

These research questions seek to generate actionable insight from ethnographic analysis,

- Assuming these connections exist, what are the best means to combat these connections in order to promote safety and well-being?
- Can methods to combat this problem be generalized to reduce trafficking and commercial sexual exploitation of women and children globally?

Given the connection established during this investigation between social exclusion, dehumanization and vulnerability to trafficking and exploitation, these factors need to take a more central role in efforts to combat trafficking while promoting safety and well-being. These methods could include increasing labour standards and rights, which could address the common misconception that unemployment is a primary push factor to trafficking rather than exploitative employment. The creation of anti-corruption internal affairs agencies could promote accountability in political and law enforcement agencies. Public sensitizations campaigns focused on humanization of excluded groups and the rights of

women's agency could reduce local level social exclusion. A safe space must also be created in order to cultivate a culture of speaking out against perpetrators of violence so as to address the current culture of impunity facilitated by the silence and victim blaming.

Extreme levels of violence in source countries have significant implications for the forced repatriation policies in some countries. Many Western nations prioritize immigration concerns over victims' rights, such as Australia which forces the repatriation of victims regardless of their victim status (Schloenhardt & Loong, 2011). Thus this research challenges the forced repatriation of victims to source countries. Western preoccupation with immigration issues has perpetuated the myth of safe return surrounding victim repatriation. The premise of this myth is that by providing a small amount of money and an introducing the victim to local NGOs and vocational education, the state has sufficiently addressed victim vulnerability and fulfilled its human rights obligation. Subsequent repatriation and reintegration of victims to often violent countries of origin fundamentally negates social and cultural dynamics which push and pull victims in source countries into trafficking initially (as demonstrated in Chapter 6 & 7).

In order to reduce the vulnerability created by the new anti-trafficking legislation Decree 9-2009, amendments must be made so as to avoid the criminalization of sex workers. This focus for anti-trafficking methods could be generalized to address human trafficking of women and children globally. Also, cross-border movement and migrant protection and human rights need to be more accurately addressed in law-making (Hoffman, 2009). An analysis of the affects of the new anti-trafficking legislation, while often heralded as progress, exposed how the implementation of these laws can actually include human rights abuses, making further vulnerable an already vulnerable population (see Chapter 8).

Persistent dehumanization along with varying trajectories of coercion and exploitation were found to be pervasive social structures which strengthen human trafficking and commercial sexual exploitation. The continued relevance of such structures calls into question the safe return myth and demands a reevaluation of the state's human rights obligation to victims. Given these pressing factors, poverty is not a holistic or sufficient explanation for human trafficking or commercial sexual exploitation and cannot remain an excuse to neglect prevention efforts. This project criticizes Western centrality on the economic perspective by demonstrating that issues surrounding trafficking are more complex.

As previously stated, in order to fully combat human traffic and commercial sexual exploitation, there is a need to understand the social connections that make sex traffic possible. This investigation also uncovered new avenues in society that require further research. Specifically, further research could be conducted in the isolated population of indigenous sex workers to discover, if they do not go to indigenous human rights organization for support, where do they go? The forced migration and dehumanization of other excluded groups in Guatemalan society which were identified during this investigation need further research including, gay, lesbian, and transgender people, Garífuna and people living with HIV/AIDS.

Moreover, the best means to reduce connections between social exclusion and human traffic into commercial sexual exploitation could be through labour rights to oppose exploitation, government anti-corruption agencies, internal affairs offices to combat corruption among law enforcement officers, and sensitization campaigns aimed at humanization of excluded groups and accountability for crimes and exploitation. Some evidence for this can be found at the NGO level in which humanitarian workers have

begun using the word survivor rather than victim to avoid negative connotations of victim blaming, but more needs to be done. While politics, the internal armed conflict and larger economic system set the stage, trafficking and commercial sexual exploitation is also a function of local structures such as gender norms, roles, work and inequality. Therefore, it is the feeling of this research project that methods to combat this trafficking can be generalized internationally to help combat trafficking globally.

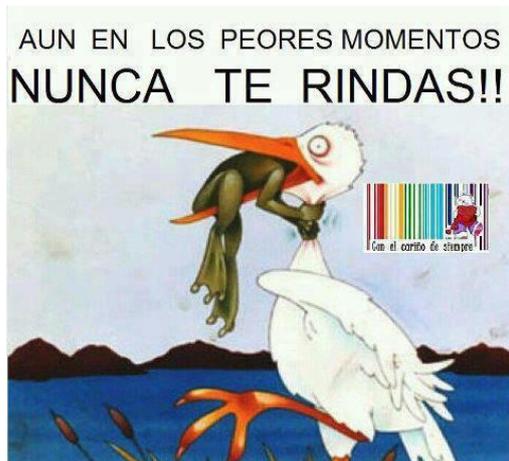
Positive social change in Guatemala is a difficult prospect to discuss given the history of state terror which transmits the idea that social struggle or dreaming of a better life is punishable by torture, death or disappearance (Martinez-Salazar, 2008, p. 209; Comisión par el Esclarecimiento Histórico, 1999). The questions then become, how to learn from the past without becoming trapped or paralyzed by old perceptions, and how to move forward without repeating past mistakes (Manz, 2008, p. 160)? A progressive approach to foster a cultural respect for human rights should include the positive and negative of rights, by emphasizing that actors, not only refrain from committing violations, but must undertake positive actions to build civil society (Snodgrass-Godoy, 2002, p. 659). It is important to remain wary of the bystander position, unwilling to take action against exploitation and violence while silently witnessing and thereby normalizing those structures. Essential is the need to understand that positive social change happens incrementally, thus every project can potentialize social change by creating structures of empowerment (Stewart, 2008, p. 247). Evidence for this can be found in the constrained public movements and lived struggles of daily life in Guatemala whereby being who you are can mean pursuing justice, denouncing violence and proposing change (Stewart, 2008, p. 247).

*The words of **Eleanor Roosevelt** resonate today as we wonder whether it is possible to believe in universal human rights or to ignore the plight of people*

in distant villages in countries such as Guatemala. She remarked at the United Nations on 27 March 1953: 'Where, after all, do universal human rights begin? In small places, close to home, so close and so small that they cannot be seen on any maps of the world. Yet they are the world of individual person: The neighborhood he lives in; the school or college he attends; the factory, farm, or office where he works. Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere.' The ghosts of Guatemala walk in the twilight here as well as there. (Manz, 2008, p. 161)

The idea that the struggle for universal rights is the responsibility of all indicates that academics must participate. Under the oppression of state terror, NGOs have emerged as proponents of social change, by addressing the intersection between state and society through recognition that poverty, crime, and preventable deaths are violations of basic human rights (Snodgrass-Godoy, 2002, p. 660). Academics occupy a privileged position, and according to Manz, if we want to be relevant we should shape public debate by exposing injustice, degrading poverty, exploitation and human rights abuses by reframing issues to provide new insights (2008, p. 158). Where then should the boundaries of academic research be drawn (Snodgrass-Godoy, 2002, p. 660)? There is a sense that our audience and research participants should not only be informed, but be implicated in perpetuating social structures (Manz, 2008, p. 158). By establishing the dehumanizing tactics of social exclusion as the underlying social and cultural structures of human trafficking, this investigation exposed the current paradigm of viewing trafficking and commercial sexual exploitation in purely economic terms as an oversimplification. In these ways, this research project seeks to dispute Western constructions of trafficking while

arguing that international anti-trafficking efforts need to focus on more than economic concerns of victims, such as lived experiences of exploitation and violence. Recognizing these underlying social structures as crucial in the persistence of sex traffic could open new avenues of dialogue for prevention between the Western World and Latin America.



Por un bella Guatemala libre de discriminación...¹⁷⁰

¹⁷⁰ “Even in the worst moments, never give up!!” For a beautiful Guatemala free from discrimination...

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Appendix

Appendix 1. Guatemalan Program Information Outline

Oxlajuj Aj

Study Kaq'chikel Maya in Guatemala



Tulane University,

Center for Latin American Studies

New Orleans, Louisiana, USA

Contact:

maxwell@tulane.edu

Site: Guatemala: Antigua, Tecpan, Panajachel

Dates: June 20-July 29

Duration: Summer Semester, 6 weeks

Subjects: Civilization/Culture, Mayan languages, Mayan studies

Eligibility:

Level: seniors, grads

Requires: 2.50 GPA,

Previous study in field,

Working knowledge of Spanish;

Must be grad or adv undergrad

Credit: *Undergrad:* available; *Grad:* available; *Doc:* transcript

Cost: \$3,545, not including housing or airfare.

Instruction in: Spanish, English

Students: Mainly US

Formats: Seminar

Housing: *Sponsor assists:* home-stay, pensions, and hotels

Deadline: Apr 1

Other Info:

US Accredited Sponsor: yes

Orientation: in US & abroad

Activities: excursions, field trips, programmed travel, cultural events

Misc: Program is an intensive six-week course in the Kaq'chikel Mayan language
& its unique culture.

Contact: Dr Judith M Maxwell,
Anthropology, Tulane University,
New Orleans, LA 70118

Ph: 504-865 5336

Email: maxwell@tulane.edu

Appendix 2. Information Sheets for Participants (English)



Research:

The effects of the Law Against Sexual Violence, Exploitation and Human Traffic, Decree 9-2009.

Identify the connections between Human Traffic and Society

The Study, What is it about?

My name is Terra Rebours and I am a PhD research student at the University of Stirling and she is the research assistant. Also, we are working for the non-governmental organization called MuJER. I am researching the experiences of the women on the new Law 9-2009 and identifying connections between traffic of women and society.

Objective

The aim of the research is to understand the experiences of the women and the victims and the people who work with those women in order to have a complete picture of what affects the sex workers and human traffic.

Your role

This interview is completely voluntary and you are not obliged to say anything if you don't feel comfortable. The themes of conversation are:

Your experiences with the new Law 9-2009, Law Against Sexual Violence, Exploitation and Human Traffic.

Your experiences with stigma, discrimination or exclusion from society.

Experiences with victims of human traffic.

The factors that influence human trafficking specifically in Guatemala

Confidentiality

Your identity will be kept confidential. Although, it's possible that I may use quotations from the interviews, your name, and the name of your community will be not included in the final thesis. All the information you provide me with will be kept in a secure place and password protected computer. Only I, my two supervisors and if necessary the director of the organization of MuJER will have access to the data.

How the information will be utilised?

The information received from you will be used to familiarized the organization with of the situations lived by the population and to find the forms of work that permit a better lifestyle for sex workers. Moreover, the information you supply will be included in a doctoral thesis. The findings may be used for journal articles, conference presentations and to assist with informing future research toward anti-sex-trafficking efforts.

Thank you for your interest.

Organizational Contact information included

Appendix 3. Información por los participantes (Spanish)



Investigación:

Los efectos del Ley Contra La Violencia Sexual, Explotación y Trata de Personas, decreto 9-2009

Identificar los conexiones mientras Trata de Personas y Sociedad

¿De qué se trata?

Me llamo Terra Rebours y me estoy doctorando en la Universidad de Stirling y ella es la asistente de la investigación. También trabajamos a la organización non-gobierno que se llama MuJER. Estoy investigando los experiencias de las mujeres sobre la nueva Ley 9-2009 y identificar las conexiones mientras trata de mujeres y sociedad.

Objetivo:

El motivo por la investigación es entender las experiencias de las mujeres y las victimas y la gente que trabajan con las mismas por tener un pintura completa de que afecta las trabajadoras sexuales y trata de personas.

Su Participación:

Esta entrevista es completamente voluntaria y usted no está obligada a decir alguna cosa si no se siente cómoda. Los temas de conversación son:

Sus experiencias con la nueva Ley 9-2009, Ley Contra la Violencia Sexual, Explotación y Trata de Personas.

Sus experiencias con estigma, discriminación, o exclusión de sociedad.

Experiencias con víctimas de trata de personas.

Factores que tener influencia en trata de personas específicamente en Guatemala.

Confidencialidad

Su identidad va a ser confidencial. Además, es posible que se usen algunas citas de las entrevistas, su nombre, y el nombre de su pueblo no se incluirán en mi tesis final. Toda la información que proporcionen, estará en un lugar seguro y mi computadora está protegida con una contraseña. Solo mis dos supervisores y sí necesario la directora de la organización MuJER tendrán acceso a los datos.

¿Cómo la información va a estar utilizada?

La información recibida por ti se utilizará en nuestra organización para conocer las situaciones que se vive la población y encontrar formas de trabajo que permitan mejorar el estilo de vida de las trabajadoras sexuales. Además, la información va a estar incluida en una tesis doctoral. Las conclusiones podrán utilizarse en artículos científicos, presentaciones, conferencias y asistencias investigaciones para que en el futuro pueda ser erradicada la trata de personas con fines de Explotación Sexual.

Muchas gracias su atención...

MuJER, 12 Calle, 2-25, z.1

Appendix 4. Consent Form



UNIVERSITY OF
STIRLING

Research:

The effect of the Law Against Sexual Violence, Exploitation and Human Traffic,
Decree 9-2009.

Identifying the Links between Human Trafficking in Society.

This consent form is to ensure that you understand your role in the research and consent to participate. The research is entirely voluntary and you are free to withdraw at any time during the interview. You should sign this consent form once you have read and understood the information sheet and been given the opportunity to ask any questions.

The interview will be recorded for the purpose of recording accurate information. The recording will be kept in a secure location that only the researcher has access to. Your name and your village of origin will not be disclosed at any stage in the research unless you reveal information that I believe will either put yourself or someone else in imminent danger.

By signing the form you agree to take part in a recorded interview to discuss your experiences with the Law 9-2009 and human traffic.

I have read / heard and understood the information sheet

I agree to the interview being recorded

I have been given the opportunity to ask questions

I agree to volunteer to take part and for extracts of the interview to be used in publications, my name and personal details will remain confidential:

I agree to participate voluntarily in this interview

Name.....

Date.....

Signature.....

Appendix 5. Forma de Consentimiento (Spanish)



Investigación:

Los efectos del Ley Contra La Violencia Sexual, Explotación y Trata de Personas,
Decreto 9-2009.

Identificar los Nexos de la Trata de Personas en la Sociedad.

Esta forma de consentimiento es para estar segura que entiendes tu participación en esta investigación y que estás de acuerdo en participar. La investigación es completamente voluntario y estas libre para detenerte en cualquier momento durante la entrevista. Después de haber leído y entendido esta forma, tienes la oportunidad a preguntar y aceptar realizar la entrevista, por favor, si estás de acuerdo, firma al final de la hoja.

La entrevista va a ser grabada para tener la información exacta. La grabación va estar en un lugar seguro que solo la investigadora tiene acceso. Su nombre y su origina se mantendrán en secreto durante toda la investigación y después. Solo en casos graves y peligrosos, que se considere necesario se dará la información se hare con un nuevo consentimiento de la persona.

Su firma en esta forma implica que acepta participar en la entrevista y que esta será grabada durante la discusión de sus experiencias con la Ley 9-2009 y trata de personas.

He leído / oído y entendido la página de información:

Entiendo que esta entrevista estará recordada:

Tengo la oportunidad a preguntar preguntas:

Entiendo que algunas citas de esta entrevista,
pueden ser utilizadas en publicaciones, mi nombre
y datos personales seguirán siendo confidenciales:

Acepto participar voluntariamente en esta entrevista:

Nombre.....

Fecha.....

Firma.....