

We are IntechOpen, the world's leading publisher of Open Access books Built by scientists, for scientists

6,900

Open access books available

186,000

International authors and editors

200M

Downloads

Our authors are among the

154

Countries delivered to

TOP 1%

most cited scientists

12.2%

Contributors from top 500 universities



WEB OF SCIENCE™

Selection of our books indexed in the Book Citation Index
in Web of Science™ Core Collection (BKCI)

Interested in publishing with us?
Contact book.department@intechopen.com

Numbers displayed above are based on latest data collected.
For more information visit www.intechopen.com



An Integrated Theoretical Framework to Describe Human Trafficking of Young Women and Girls for Involuntary Prostitution

Thozama Mandisa Lutya¹ and Mark Lanier²

¹*Department of Social Work and Criminology, University of Pretoria, Pretoria*

²*Department of Criminal Justice, College of Arts & Sciences, University of Alabama, AL*

¹*South Africa*

²*USA*

1. Introduction

Human trafficking permeates diverse institutions whose systematic operations are entwined into a multitude of activities. A combination of theories should provide an integrated explanation of the occurrence of human trafficking. Although many forms of trafficking exist, we focus primarily on trafficking of women for involuntary prostitution. Bruckett and Parent (2002:7) are of the opinion that apart from the description of the processes, practices, and routes of human trafficking there has been a lack of consistency regarding the theoretical framework for understanding human trafficking. Conventional theory and methods suggest that strategies to conduct research on forced migrants require multi-disciplinary and interdisciplinary approaches, which at times may be divergent (Van Impe, 2000:124). The factors that enable human trafficking to occur vary and are interdependent and interconnected (Stop Violence Against Women (SVAW), 2008:1; Truong, 2001:34-35; Van Impe, 2000:117-118). It is possible that human traffickers observe trade in human beings as a profitable area to generate income, especially when considering that few human traffickers are arrested, prosecuted and sentenced for this crime. Ineffective criminal justice and community response to human trafficking strengthens the trafficking process, increases abuse of trafficked persons and allows human traffickers to generate financial proceeds from the crime. An integrated model to explain human trafficking appears to be a logical step towards an understanding of the crime. Current research explanations of the process of human trafficking are often informed by individual researchers' own theoretical framework creating an impression of human trafficking as a single-dimensional type of crime. This paper will provide a broad integrated framework which considers the stages at which human trafficking for involuntary prostitution occurs. An integrated framework should help enhance the prevention and control strategies utilized to reduce human trafficking of women for involuntary prostitution.

2. Definition of concepts

2.1 Human trafficking

Article 3 of the UN Palermo Protocol (2002:2), defines human trafficking in persons to mean: the recruitment, transportation, transfer, harboring or receipt of persons, by means of the

threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Consent is not necessary where exploitation, fraud, deception, and abuse of vulnerability have been involved. The various stages at which human trafficking for involuntary prostitution occurs are followed to build a multi-theoretical approach to human trafficking of young women and girls for involuntary prostitution.

2.2 Sexual exploitation

Article 3 of the UN Palermo Protocol (2002:2) defines sexual exploitation to include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation such as forced marriages, sexual slavery or servitude and mail order brides. For the purpose of this paper, reference is only made to women and girls sexual exploited through involuntary prostitution. Therefore prostitution, which is a voluntary sex work performance, is not equated with sexual exploitation. This paper also recognizes that prostitutes could be trafficked but is concerned with young women and girls forced into prostitution by human traffickers.

2.3 Theory intergration

The process theory integration entails merging of concepts from diverse disciplines and theories to explain a crime which involves a high contingent of perpetrators. Theory integration is a process of combining the best elements of existing theories to better explain the causes of criminal behaviour (Brown, Esbensen & Geis 2007:410; Lanier & Henry 2009: 382). This paper has merged concepts from, rational choice, victimology, demand theory, constitutive criminology and economic theories to explain human trafficking of young women and girls for involuntary prostitution. Human trafficking for involuntary prostitution requires a network of variables in order to construct a comprehensive view of its occurrence.

2.4 Women and girls

The concept woman refers to a person of female gender above the age of 18 and a girl refers to a female child under the age of 18. In this paper, the category of women described could range between the ages of 18 and 24 and girls refer to children ranging between the ages of 10 to 18. South African research on human trafficking of women and girls has revealed that children as young as 10 are trafficked. Although young women of all ages and nationalities could be trafficked it is pointed by ILO (2005) that the demand for prostitutes prefers girls younger than 24 years.

3. Theoretical framework

From the theories explicated below an integrated framework will be created to explain human trafficking of young women and girls for involuntary prostitution. Concepts from, rational choice, victim vulnerability, economic theory and constitutive theory will be selected to describe the sequences of events followed during the commitment of human

trafficking for involuntary prostitution. It is pointed out by Lanier and Henry, (2004:343) that when a crime is an outcome of several different causes, an integrated framework or a conceptual absorption approach is required to analyse the sequential chain of events. In this regard, Lanier and Henry (2004) explain that the purpose of integrating theories is to present an interaction of probabilities from different theoretical perspectives that could explain the factors contributing to a person committing a crime. Eventually a recommendation of an epi-criminological standpoint as a strategy to respond to human trafficking of women for involuntary prostitution is made.

3.1 Rational choice theory

Rational choice theories postulate that criminals are rational beings who make decisions to commit crime based on the costs and benefits involved in the process of crime perpetration. Deterministic in nature, criminal decision making process is based on free will, which necessitates observation of opportunities, circumstances and situations that could affect the successful perpetration of the planned crime, (Lanier & Henry, 2004:90). It is pointed out by Brown, Esbensen and Geis, (2008:213) that rational decision making pertaining to crime also involves the choice of the victims determined by the type of crime, modus operandi, where and when to commit it and what to do afterwards. That means the criminals may first observe the accessibility to potential victims, location, the time at which they are at most vulnerable, the appropriate method that could provide entry with ease and how to safeguard their criminal activities from criminal justice authorities and other capable guardians. However, some rational theorists have argued that criminals differ in the choices they make based on their perceptions, motives, skills and abilities to read opportunities as situations guide their decisions making processes, (Lanier & Henry 2004:90). For the purpose of this paper: rational decision making, free will, cost and benefits are three variables that will help to build an integrated framework to explain human trafficking of women and girls for involuntary prostitution. The manner in which human traffickers select their victims is based on the gains they could get from the crime and vulnerability of potential victims. Nevertheless, there needs to be another theoretical explanation to describe the victim vulnerability of potential victims.

3.2 Demand theory

The demand for prostitutes can be classified into three categories: users or purchasers of sex, profiteers from selling sex, and socio-cultural attitudes towards sex, (Hughes 2004). Users or purchasers refers to persons who pay prostitutes to render a sexual service; brothel owners and pimps comprises of profiteers from selling sex and academics and media reporting and writing about prostitutes form part of socio-cultural attitudes towards sex, Hughes (2004). The motives behind purchasing or owning prostitutes and depicting sex services in the manner in which writers do, may contribute to human trafficking of young women and girls for involuntary prostitution. The purchasers of sex, cultural attitudes associated with prostitution, and violence towards women are three factors that this paper has identified to explain the increasing demand for prostitutes. It is deduced from these factors that a certain category of users of prostitutes do not necessarily separate caged prostitutes from voluntary prostitutes but could be more concerned with receiving sexual services from sex workers.

3.2.1 The purchasers of sex

The need for sex, cultural meaning associated with prostitution and violence towards trafficked victims are described in this paper as four distinguishing characteristics of users of prostitutes. Firstly, whatever reasons drawing men to prostitutes, Hughes, (2004:16) is of the opinion that the users of prostitutes are a heterogeneous group with different needs and motives towards sex with prostitutes. Of primary importance to users of prostitutes is the need to fulfil a personal inadequacy, need or desire. It is pointed out by Groom and Nandwani, (2006: 366); Hughes, (2004); Mansson, (2006:89) as well as Macleod, Farley, Anderson and Golding, (2008:14-18) that men's current intimate relationships experiences, desire for unfamiliar sex, acceptance of rape myths and sexual violence towards prostitutes, perceptions of prostitutes and prostitution, and lack of emotional connection could motivate men to solicit prostitutes. The need for prostitutes may contribute to human trafficking of young women and girls for involuntary prostitution. However, some users of prostitutes may go beyond the point of experimentation and sexual fulfilment by perpetrating acts of violence towards prostitutes such as: physical, emotional and sexual violence.

Secondly, there seems to be a cultural meaning associated with prostitution. The norms and values of men who purchase sex and the moral significance they attach to prostitution are an important contributing factor towards the demand for prostitution. It is pointed out by Coy et al, (2007: 19) as well as Macleod, et al. (2008) that the prostitute user's perception generally equates men, sexual aggression, and entitlement as cultural values defining superior manhood. According to the authors it is possible that the users of prostitute, who hold such beliefs adhere to rape myths, are mentally programmed to dominate women, have the desire to use prostitutes to revenge towards women who had wronged them in the past. Moreover, in societies where prostitutes are seen as a moral abomination they are least likely to receive sympathy for the violence they may experience at the hands of clients. Clients perceive prostitutes as morally different from other women - free spirited, fatally flawed and seem to sell their bodies in order to get money therefore deserve violence perpetrated towards them, (Macleod, et al. 2008:21).

Thirdly, despite the intention to fulfil personal inadequacies that cannot be satisfied in a normal relationship, prostitutes seem to experience physical, emotional and sexual violence from clients. However, the gendered violence endured by trafficked victims at the hands of users should be seen differently from intimate partner violence. Within this transactional context, the victims and the perpetrators are strangers. A short term agreement is the basis of their interaction. However, similarities between intimate partner violence and violence against trafficked victims are defined by the fact that men are known to use violence against women as a strategy to reassert authority weakened by their daily experiences. On the other hand the experience of victimisation from a victim's perspective is worsened by the type of work she is forced to perform, user's violence and the violence encountered from human traffickers. Eventually, women's bodies as objects to fulfil a man's desire for sex and proneness of prostitutes to client violence are essential elements describing the vulnerability of trafficked young women and girls.

Notwithstanding the cultural significance attached to prostitution and the moral abomination of prostitutes, the question that requires empirical scrutiny is whether users would refrain from purchasing sex if they knew of the working conditions of prostitutes. It

is pointed out by Hughes (2004:3) that users of prostitutes do not distinguish between a prostitute who is a victim of human trafficking and a commercial sex worker. It appears that purchasers of sex workers prefer a person who is willing and able to render a sex service. In the meanwhile, a restricted and confined prostitute may appear more likely to render sex services with least resistance. Nevertheless, the clients interviewed in Coy, Horvath and Kelly, (2007:23) expressed a sense of discomfort with regards to accessing sex from caged women and appeared to sympathise with them rather than pursuing their motives. On the other hand, it is possible that a man who seeks sexual services for comfort would refuse sex from a caged person.

3.2.2 Profiteers of prostitution

Profiteers imply any person who generates profits from young women and girls forced into prostitution. It could be a club, brothel owners, pimps, massage parlours or owners of rental rooms, (SALRC 2009: 43-44). Brothel owners increase workforce by purchasing young women and girls from traffickers. In turn, once they are in their control, there are variety of ways in which brothel owners maximise profits from prostitutes (Gould & Fick 2007: 14). They determine the price for which the trafficked victim should charge from a trafficker (SALRC 2009: 45-46). Brothel owners may charge agency booking, weekly fees for advertising in newspapers and benefit from the misdemeanours committed by prostitutes whilst working within their confines such as coming to work late (Gould & Fick 2007:14). Young women and girls give payment received from the clients to owners of brothels. Pimps may purchase young women and girls for involuntary prostitution and could sell girls to other pimps to increase profits. Boyfriends and relatives could manage, by force young female relatives as well as intimate partners to work as prostitutes.

3.2.3 Publicity of prostitution

The publicity gained by commercial sex work from the print publications such as newspapers, academic journals and internet, may create an impression that selling and purchasing sex is an acceptable form of earning a living and accessing sexual services in South Africa and the world. Mansson, (2006: 90) is of the opinion that the mass production of sexualised images of prostitutes appearing in print media could be responsible for men's thinking that as long as one is willing to pay, sexual access is possible. To add on the glamour dimension are advertisements of girls selling sex appearing in newspapers. The research results revealed by Coy, et al. (2007:13) pertaining to the access routes from where men are likely to access prostitutes, illustrate that classified sections of newspapers appeared to be favoured by most users of prostitutes. To make the situation of prostitutes more attractive and humane are human rights organisations addressing challenges encountered by prostitutes whilst executing their duties. In the meanwhile, a legal and academic debate centred on abolishment or legalisation of prostitution is currently in progress in South Africa. Although the South African criminal justice system portrays ambivalent response towards sex work, until decriminalised, regulated or partially criminalised, according to section 20 of the Sexual Offences (Act 53 of 1957) it remains an illegal form of income generation. By responding to advertisements seeking girls for normal prostitution, girls could be lured into human trafficking for sexual exploitation.

Three variables can be drawn from the demand theory of prostitution: users, profiteers and publicity gained by prostitution from the public. All three variables point to the situational context of crime commitment. Prostitutes are portraying the victim; users and profiteers are depicting the offender; and publicity is signifying the opportunities available for prostitutes to exist in the public domain.

3.3 Victimological framework

There exist certain concepts within the Victimology paradigm explaining why certain women might be at greater risk of being victimised than others. Victim offender interaction, repeat victimization and lifestyle as a factor in crime victimization are key factors describing the nature of victimisation of human trafficking for involuntary prostitution. Relationships and interactions with traffickers, lifestyles and number of times women have been trafficked form an essential part of the process of human trafficking of women and girls for involuntary prostitution.

3.3.1 Victim criminal relationship

Victim proneness and victim-offender interaction are two factors explaining the vulnerability of young women and girls to human trafficking for involuntary prostitution through maintaining a relationship with a criminal. There are three categories of victims that could be prone to victimisation: innocent, precipitating and provocative victims. By interacting with criminals innocently through no fault of their own or by walking alone in the dark some individuals could be seen as precipitating their own victimisation. In addition, by exhibiting certain behaviours that could be seen as provocative by criminals, some women and girls are prone to victimisation, (Van den Hoven & Maree, 2005:61). The distance between the offender and the victim and the intentions of the offender and the nature of victim-offender interaction may increase the chances of victimization. It is pointed out by Van Den Hoven and Maree, (2005:61) that victims and the offender could have interacted closely before victimization occurred. Victim involvement in the events that led to victimisation could be identified. Either the victim had provoked or precipitated the victimization incident. However, it is a known fact that women and children are more likely to be victimised by a known person than by strangers. It remains to be seen whether young women and girls trafficked by close associates should be blamed or defended for the choices they have made. Victim proneness, precipitation and provocation will be used as the three factors which creates vulnerability of women and girls to human trafficking for involuntary prostitution

3.3.2 Repeat victimization

Repeat victimisation entails that victims of crimes are likely to be victimised either by different perpetrators or the same assailant during a limited time period, Van den Hoven & Maree, (2005:65). It is pointed out by Van den Hoven and Maree, (2005:66) that repeat victimization is likely to manifest into a cycle of violence. In turn, victims are likely to become abusers by replicating or modelling behaviour and actions perpetrated against them by human traffickers and recruit other women and girls to involuntary prostitution. According to Van den Hoven and Maree (2005:67) there are certain characteristics that make

specific categories of people more prone to repeat victimisation than others: target vulnerability, target gratifiability and target antagonism. Target vulnerability is illustrated by victim's physical weakness, and psychological distress; whereas target gratifiability entails attributes that are attractive to the perpetrator. The presence of destructive impulses in one's personality could expose one to the risk of being victimised. With traumatic experiences unaddressed and future plans constrained by the sexual exploitation, and financial gains that could have been generated from prostitution, it is possible for former victims to either work independently as prostitutes or replicate the process by recruiting potential victims for their own benefit. Replication of human trafficking is conceptualised as second-wave trafficking. Repeat victimisation and second wave trafficking correlates. Victim vulnerability is created by repeat victimisation.

If the victim escapes human traffickers, the chances are that she might be re-victimised. The trauma experienced through the process of being victimised at first, may generate feelings of helplessness and could see the victim back with traffickers for involuntary prostitution. With trauma left unresolved, the dependence and bonding between human traffickers and victims still present in victims psyche and negative responses of the community and family members to the experience of the victim, the chances are that the victim could still be vulnerable to human traffickers. The human traffickers could be the only centre of acceptance that the victim could find comforting.

3.3.3 Lifestyle as a factor in crime victimization risk

Lifestyle risk model describes the risk of victimisations to be influenced by: personality of the potential victim, absence of a capable guardian, environment with which the potential victim resides and the daily routine activities which occupies the time of the potential victim, (Van den Hoven & Maree, 2005:63). According to Van den Hoven and Maree, (2005:63) the lifestyle activities which a potential victim participates determine the type of victimisation one could experience. For example, substance abuse may fuel the occurrence of interpersonal violence, whereas the use of the internet may expose children to inappropriate social networks, and participation in activities favoured by the deviant groups may pose danger to unsuspecting potential victims, (Van Den Hoven & Maree, 2005:65). Lifestyle activities such as substance abuse, internet use and equivalent groups are key factors explaining human trafficking of young women and girls for involuntary prostitution. It is possible for human traffickers to draw into the human trafficking ring known victims whose lifestyles intersect with theirs instead of selecting girls and young women from unfamiliar places. Such victims could least likely to report the perpetrators to the authorities thus rendering themselves easy prey to human traffickers, (Van den Hoven, 2005:65).

In summary, the victim's vulnerability to human trafficking for involuntary prostitution is created by victim's offender interaction, repeat victimisation and lifestyle pursued by the victim. In this regard, victim vulnerability is the variable selected to construct the integrated framework to explain human trafficking of women and girls for involuntary prostitution.

3.4 Constitutive theory

The central idea of constitutive criminology is that power and equality build socially constructed differences through which harm and deprivation is imposed on the

subordinated group. The interconnectedness of societies which cannot be seen outside of cultural and structural contexts, determines the types of crimes that are likely to be perpetrated in specific geographical communities, (Lanier & Henry, 2004:321). Constitutive criminologists perceives criminals as excessive investors in crime who could use any means necessary to achieve the desired outcomes whereas a victim is often the disabled party who experiences pain, loss and denied humanity, (Lanier & Henry, 2004:323). As inter-continental trade agreements become a profitable way of conducting business, relations between countries expand. Business executives and non-governmental organizations travel frequently inter- and intra-continently. With the world connecting on global scale immigration, traveling and tourism opportunities are now more accessible. Power and inequality, interconnectedness, investment in crime and loss and pain experienced by victims during the perpetration of human trafficking are identifiable variables important to build an integrated theoretical framework to explain human trafficking of young women and girls for involuntary prostitution. The constitutive cultural and structural contexts within which potential victims emanate are important to describe victim vulnerability to human traffickers.

3.5 Economic theory

Economic theory can be used to explain crimes, actions and behaviours which calculate the gains and benefits accrued from participating in a certain task. Economic theory of crime suggests that people make decisions to offend in ways that resemble their decisions made about other non-criminal activities, (Witt & Witte 2000:4, 6). The criminal might commit crime if the expected gains from legal work are less than the ones that are to arise from illegal work. The underlying principle of the economic theory is that, criminals commit crime because they have perceived the benefits from the crime to outweigh the possibility of being prosecuted and incurring costs, (Eagle & Betters, 2007:166; Persson & Siven, 2007:213). It is pointed out by Pratt (2008:44) as well as Witte & Witt (2002:2, 5) that individuals apply legal or illegal actions because of the expected utility from those acts and are influenced by the fact that the possibility of the expected gains from crime relative to earnings from legal work accentuates trafficking endeavours. Another component of this theory is that the lesser the punishment the more human trafficking progresses. The probability of being apprehended prosecuted and sentenced and the value of the expected punishment will determine the extent of the crime. That brings another economic dimension in human trafficking that is presented by McCray, (2006) in which he argues that certainty is more important than severity. Furthermore, McCray observes that the criminal in this regard would act like an economist and apply the image of a self-maximizing decision maker, carefully calculating his or her advantage, which might be different from an opportunist whose ill considered and reckless nature might get him into trouble. Certainty and severity of punishment are the two variables that are considered important for the formulation of an integrated theory.

In summary, once rational decisions have been made, vulnerability of potential victims ascertained and requirements of the demand considered the human trafficking process resumes. The human traffickers could by then have studied the legal response to human trafficking to ascertain the sanctions confronting them should they get caught by the criminal justice authorities. Hence, it is vital that a combination of public health, criminal

justice, crime prevention and criminology conceptualized as Epidemiological Criminology should be considered to prevent, protect victims, and prosecute human traffickers of young women and girls for involuntary prostitution.

4. Theory integration

The formal structure for the integrated theory to explain human trafficking for involuntary prostitution takes the form of multiple causality. Human trafficking for involuntary prostitution is an outcome of a combination of multiple factors, (Lanier & Henry, 2010: 383). The concepts integrated for the construction of this framework are done at individual level of theory integration. There exists a mutual relationship between selected variables so that when combined one cannot function without the other. Decision making process will not occur without rational decision making which comprises of rational choice, the demand as well as victim vulnerability. Power and inequality, free will and lifestyle exposure are three concepts creating an opportunity for recruitment to occur. The interconnectedness of the world, victim precipitation as well as severity and certainty of punishment enable human traffickers to move the victims. Exploitation of victims is made easier by the ambivalent attitudes expressed by society towards the victims as well as the costs and benefits generated from prostitution. The investment in crime and profiteers from the involuntary prostitution give effect to the harbouring and transfer of victims. If victims exit the human trafficking process alive, the loss and pain endured from the experience might likely to influence them to either return as recruiters or work independently as prostitutes. To explain the factors contributing to human trafficking of women and girls for sexual exploitation: the variables below have been selected from the theories described above. Each set of variables correlate with each stage of human trafficking from recruitment to loss and pain.

4.1 Variable 1: Decision making

There are three causal or explanatory factors to the decision making process for committing the crime of human trafficking of young women and girls for involuntary prostitution: **Free will, the demand and victim vulnerability**. Decision making process becomes an independent variable because it precedes the free will, demand and victim vulnerability. Dependent variables are drawn from rational choice, victimology and demand theories to explain the decision making process of human traffickers prior the commitment of human trafficking of young women and girls for involuntary prostitution. The assumption in this regard is that human traffickers will not observe the demand, victim vulnerability or free will in the absence of a decision to commit the crime. The demand will not express interest if the promise of their needs to be fulfilled is not relayed by human traffickers. Young women and girls will not be lured into prostitution if traffickers do not rationally create falsehoods that could see one accepting a dubious job in a different location. Essentially, there exists a mutual relationship between free will, the demand as well as victim's vulnerability.

Certainly, three activities happen before human trafficking for involuntary prostitution occurs. Firstly, human traffickers choose this crime rationally by calculating the costs and benefits to be generated from selling young women and girls as prostitutes to pimps or brothels. Furthermore, the ambivalent social attitudes and approaches towards prostitution

clear the path for human traffickers to commit the crime. Secondly, they could establish the financial capabilities of the demand and the type of girls preferred by the potential users of victims. Lastly, by ascertaining vulnerability, they determine the easiness with which they could assess the specific type of girls preferred by the demand. For example, within an organised crime context, human traffickers could decide on human trafficking once they have ascertained the leeway paving the way for the commitment of drug dealing such as a drug courier, officials to corrupt and the demand for the drugs.

On the contrary, Joubert (2008:112), Lanier & Henry (2010:81) as well as Brown et al. (2007:219) cautions against contending that rational decision making might be preceded by other variables prior the commitment of crime for the reason that some crimes could be committed impulsively. However, human trafficking for involuntary prostitution involves not only the victim, opportunity and the perpetrator. It involves different locations, spaces, participants and routes; namely victim's country of origin, country of transit or destination from where victimisation might occur and potential users of victims. Nevertheless, rational choice theories are not enough to explain the decision making process involved prior the commitment of human trafficking for involuntary prostitution. The crime involves the situational context which puts victims in the position of vulnerability, better explained by the victimological theories and the demand theories that provide insights into the factors behind the use of prostitutes, ambivalent attitudes towards prostitution as well as the purchasing of young girls and women by brothel owners. Once the human traffickers have decided on the crime, identified victims, analysed the situational factors that could lure victims by measuring the distance between themselves and potential victims, recruitment phase resumes.

4.2 Variable 2: Recruitment

A casual relationship exists between **power and inequality, free will and lifestyle exposure** creating opportunities for the recruitment process to occur. Recruitment becomes an independent variable and power and inequality, free will and lifestyle exposure are dependent variables. The dependent variables to describe the manner in which human traffickers recruit victims for involuntary prostitution are derived from the constitutive criminology, rational choice and lifestyle exposure model. For the recruitment phase to occur, there ought to exist unequal power differences between the trafficker and the victim. The victim should need to access opportunities for economic advancement. The traffickers may come up with a strategy that could help advance the victim. Social position, psychological well-being, self-realization and actualisation, (Lanier & Henry 2010) of victims should condition them to accept the offers made by human traffickers. In addition the victim should pursue a lifestyle that positions her closer to the traffickers. Essentially power and inequality influences the free will to recruit potential victims based on the lifestyle personality of the victim. With little or no knowledge of victims' lifestyle, gender, socio-economic status, ethnicity and race per preference of the demand, the traffickers will not recruit victims.

4.3 Variable 3: Transportation

Constitutive criminology, victimology and economic crime explain the easiness in which human traffickers move victims from one location to the other. The process of transporting

victims from one location to the other occurs because of the global interconnectedness, victim precipitation as well as certainty and severity of punishment. Human trafficking for involuntary prostitution is an outcome of interactions between human beings across the world, made possible by the interconnectedness of human beings, social and organisational structures, (Lanier & Henry, 2010). The mobility of people from one country to the other, accessibility of the victim to the traffickers as well as the ineffectiveness of the criminal justice system in arresting, prosecuting and convicting human traffickers, could explain the transportation stage of the trafficking process. The same modes of transportation used to transport non-victims of human trafficking are used by human traffickers to move victims.

A correlation exists between transportation and interconnectedness. These two variables occur simultaneously. Interconnectedness may appear to take the place of an independent variable. If the world were a closed entity exempt from intercontinental trade agreements, foreign investment and technological advancements, human traffickers would not transport victims in abundance in the manner that they are currently moving. However, the primary intention to be achieved in this regard is the transportation of human trafficking victims. Transportation takes precedence over interconnectedness. The global connection just creates ease with which human traffickers conduct their business.

Victim precipitation as well as severity and certainty of punishment become third variables which strengthens the relationship between interconnectedness and transportation. The acceptance of employment opportunities as well as travelling to another location may seem to create an impression that the victim agrees with the plans of the human trafficker. However, the intended outcome should not benefit the victim but the traffickers. The weak response of the criminal justice system to the crime reinforces the transportation of victims.

4.4 Variable 4: Exploitation

Exploitation of victims of human trafficking for involuntary prostitution would occur despite the publicity created by the demand, victims' proneness and costs and benefits. It is pointed out by Fick, (2005); Gould and Fick, (2007) as well as SWEAT, (n.d) that exploitation of prostitutes is prevalent: clients, police officers and the public prone to victimise prostitutes. Exploitation becomes an independent variable which occurs alongside the bad and good publicity received by the industry, victim proneness to violence as well as the monies that are generated by the pimps and traffickers from prostitution. The assumption is that victims of human trafficking for involuntary prostitution are exploited because: Firstly, by being in the industry they are prone to victimisation. Secondly human traffickers intend to generate huge returns from the business of prostitution. Lastly, the space occupied by victims makes them least likely to avoid exploitation.

The demand theory, victimology and rational choice theory concepts explain the manner in which human traffickers, users and profiteers of prostitution exploit sex workers. The publicity that media advertisements, academic debates and representations by human rights organisations give to the sex work industry creates an impression that prostitutes are bodies to be exploited. A client, who purchase sex services for the purpose of displacing anger, may have psychologically and biologically perceived prostitutes as provocative bodies expecting to be violated. The manner in which the prostitutes dress, the precipitative words they use to solicit clients and the media images glamorizing the sex business could provoke a violent

client to use violence towards sex workers. Whilst the cost and benefit analysis calculated by human traffickers prior commitment of crime allows exploitation of trafficked victims to occur. Human traffickers may not risk getting caught, or share financial gains or the skills needed to successfully commit the crime with the victims for the reason that they will not obtain the goals set prior crime perpetration.

4.5 Variable 5: Harboursing and transfer

Harboursing and transfer are vital activities causing brothel owners, clients as well pimps to profit and invest in the human trafficking of young women and girls for involuntary prostitution. The extent to which they are willing to keep victims and use them to generate income is one of the factors driving the human trafficking process. However, they vary in the manner in which they retain victims for victimisation. Harboursing and transfer are the concepts derived from demand and constitutive theories to comprehend the motives behind the confinement and selling of victims by human traffickers. The victims are sold because the crime in which the traffickers have invested generates profits. In essence, harboursing and transfer become an independent variable: taking precedents over profits and investment in crime. Harboursing and transfer causes profiteers and investment in crime. Profiteers and investment in crime become dependent variables. Brothel owners buy victims because they are available by means of confinement by traffickers. In turn, participating in crime for prolonged time becomes an investment in crime.

The longer the traffickers keep victims confined and performing involuntary sex work, the more profits they generate from the crime. The investment in the human trafficking of young women and girls for involuntary prostitution persuade traffickers to apply every means necessary to keep control of the victims. Profits are a necessary prerequisite for the harboursing and transfer of the victims. The greater the profits traffickers generate, the more creative traffickers' become in the methods they use to invest in the crime.

4.6 Variable 6: Loss and pain

The economic, physical, sexual and psychological losses and pains encountered during the process of human trafficking for involuntary prostitution could create second wave trafficking. Derived from constitutive criminology the concept of loss and pain resonate with the occurrence of second wave trafficking. Constitutive criminology postulates that crime is "power to deny others their ability to make a difference", (Lanier & Henry, 2010). According to Lanier and Henry (2010) victimisation is a sign of disrespect to the victims – when victimised victims are prevented from interacting with others, transform themselves and better their economic situation. Victims do not only lose income and integrity but their sense of self-worth and value. By being forced involuntarily to perform sex work, victims could be severely traumatised and physically damaged. In turn, if the trauma of loss and pain is left unresolved they might likely recruit other girls into human trafficking for involuntary prostitution. Thus, the cycle of violence and victimisation is displaced upon a second group of victims.

5. Theory synthesis

An integrated framework to explain and describe the process of human trafficking was described in this paper. To construct an integrated framework this paper coalesced variables

from different disciplines to explain the occurrence of human trafficking. To synthesize, human traffickers and the demand, each play an instrumental role in the victimization of trafficked women. Identified are unguarded victims - seen as attractive targets who are innocent or facilitating the process, cooperative even and whose countries may be experiencing some structural constraints - to supply the needs of the demand. Traffickers follow an economic approach to perform human trafficking by calculating the strength of punishment against the financial incentives likely to be drawn from the process of human trafficking. By taking advantage of globalization issues, they commit the crime. Human trafficking is a constitutive crime that involves role players from diverse populations and professional backgrounds. As the world becomes more interconnected human trafficking is increasing rapidly. In addition, constitutive criminology points out that, victims are always at the receiving end of the human trafficking process. They experience, emotional loss, suffering and dislocation during and after the trafficking process.

There are currently many varied approaches applied by academics and researchers' to explain and respond successfully to the challenges faced by victims and potential victims of human trafficking for involuntary prostitution. The expanding area of Epidemiological Criminology or "EpiCrim" might be useful to devise strategies to respond effectively to human trafficking of young women and girls for involuntary prostitution (Lanier, Pack & Akers 2009). EpiCrim emphasizes the need to provide public health, justice, victim support and investigation to victims of human trafficking (Akers & Lanier, 2009). Public awareness on human trafficking for potential victims is a focus of concern for EpiCrim adherents. The purpose of this approach is to ensure that the cycle of violence is not repeated. By providing justice and services to victims, redress for the crime suffered is conducted.

5.1 Policy suggestions: The South African experience

There are few chances of getting caught and convicted for the crime of human trafficking in South Africa (SA). Human Trafficking is not even a legally defined crime in SA as the country is still in the final stages of approving the Human Trafficking Bill. In the meantime, some sections of legislations such as Criminal Law (Sexual Offences and Related Matters) Amendment Act (32 of 2007), Children's Act (38 of 2005), Prevention of Organized Crime Act, (121 of 1998) and Immigration Act, (13 of 2002) are used to respond to the crime. Human trafficking accused have been appearing in court to defend allegations of sexual offences, child maltreatment and participation in organized activities, with most being sentenced under the Prevention of Organized Crime Act (121 of 1998). Dryden et al. (2001:6) are of the opinion that the inevitability of crime commission might be obvious in a situation where the legal sanctions are not available to respond to crime or if the sentencing procedures is not consistent. As a consequence of the lack of an approved legislation to respond and combat human trafficking for all purposes, South Africa has been put on tier two by the United Nations Convention against Transnational Crime: meaning that whilst contingency measures are underway to respond promptly to this crime, the process is slow. Non-governmental organizations and some research institutions perform prevention and protection duties especially for victims and potential victims of human trafficking.

5.2 Consequences of human trafficking for victims

Negative consequences outweigh positive consequences of human trafficking for trafficked victims. Human rights violations and deterioration of mental and physical health are

impairments experienced by victims of human trafficking during and after the process of trafficking. Free will, human dignity and an ability to make decisions are some of the human rights violations experienced by victims at the hands of human traffickers (Hughes, 2004; Kinnu, 2006:24; Phinney, 2006:4; Timoshkina & MacDonald, n.d:17). Trafficked young women and girls often have traveling documents confiscated by human traffickers, which render them incapable of seeking assistance from the authorities at the host country (Jordan, 2002:35; Simic, 2004:25; Timoshkina & MacDonald, nd: 17). They are often deprived of basic medical and mental health care; shelter that is not a form of prison or detention; protection from traffickers; access to information on legal rights and to attorneys or advocates; financial or other assistance, for example food, clothing and telephone calls as well as a means to return home safely. Having proof of identity, traveling documents or a work permit, would provide the victim permission, short stay or employment, at the host country.

The often confining process of human trafficking does not leave victims unscathed; trafficked victims could experience nightmares, depression, anxiety, sexually transmitted infections, back aches and other mental health related ailments. Epi-criminological framework is recommended to respond to victim experiences, rehabilitate human traffickers and assist other persons that could indirectly be affected by human trafficking such as families and relatives of victims.

6. Summary

The purpose of this paper was to construct an integrated framework for explaining and describing human trafficking of women and girls for involuntary prostitution. Variables from existing theories were drawn to formulate a comprehensive view of the process followed during the commitment of this crime. The basic argument is that, since human trafficking involves a high contingent of role players from a variety of backgrounds, a single explanation for its cause cannot exist. Essentially, human trafficking responses should consider the importance of an integrated framework in order to effectively, prevent, prosecute suspects and protect victims of human trafficking of women and girls for involuntary prostitution.

7. References

- Akers. T., & Lanier, M. (2009). Epidemiological Criminology: Coming Full Circle. *American Journal of Public Health*, 99 (2), 1-6.
- Bales, K. (2009) Presentation at the University of Central Florida, January 15, 2009.
- Bruckett, C., & Parent, C. (2002). *Trafficking in human beings and organized crime: A literature Review*. Ottawa, ON, Canada: RCMP. [O] Available: <http://www.rcmp-grc.gc.ca> Assessed 14/03/2008.
- Brown, S.E., Esbensen, F., & Geis, G. (2007). *Criminology: Explaining crime and its context*. Sixth Edition. Cincinnati: Anderson Publishing.
- Children's Act 38 of 2005. *Government Gazette*, (28944). Pretoria: Government Printer.
- Coy, M., Horvath, M., & Kelly, L. (2007). *'Its just like going to the supermarket': Men buying sex in East London. Report for safe exit*. London: London Metropolitan University.
- Criminal (Sexual Offences and Related Matters) Amendment Act 32 of 2007. *Government Gazette*. Pretoria: Government Printer.

- Davis, L. (2005). Theoretical approaches and perspectives in Victimology. In Davis, L. & Snyman, R. *Victimology in South Africa*. Pretoria: Van Schaik Publishers (pp 35-52).
- Dryden Witte, A., & Witt, R. (2001). What we spend and what we get: Public and private provision of crime prevention and criminal justice. *Fiscal Studies*, 22 (1), 1-40.
- Eagle, J.G., & Betters, D.R. (1998). The endangered species act and economic values: A comparison of fines and contingent valuation studies. *Ecological Economics*, 26 (1998), 165-171.
- Fick, N. (2005). *Coping with stigma, discrimination and violence: Sex workers talk about their experiences*. Cape Town: SWEAT.
- Groom, T.M., & Nandwani, R. (2006). Characteristics of men who pay for sex: A UK sexual health clinic survey. *Sexually Transmitted Infections*, 82, 364-367.
- Gould, C., & Fick, N. (2007). *Report to the South African Law Commission: Preliminary research findings or relevance to combat trafficking in persons and legislation pertaining adult prostitution*. Cape Town: SWEAT.
- Henry, S., & Milovanovic, D. (1998). *Constitutive Criminology: Beyond Postmodernism*. London: Sage Publications.
- Hughes, M. D. (2004). *Best practices to address the demand side of sex trafficking*. Rhode Island: University of Rhode Island.
- Immigration Act 13 of 2002. *Government Gazette*, (26901). Pretoria: Government Printer.
- Jordan, A. (2002). Human rights or wrongs? The struggle for a human rights-based response to trafficking in human beings. In Masika, R. (Ed). *Gender, Trafficking and Slavery*. Oxford: Oxfam Publishers.
- Joubert, S. (2008). Contemporary theoretical explanations for youth misbehaviour. In Bezuidenhout, C. & Joubert, S. *Child and Youth Misbehaviour in South Africa: A holistic approach*. (pp 108-122) Pretoria: Van Schaik Publishers.
- Kinnu, G. (2006). *From Bondage to Freedom: An analysis of International Legal Regime on Human Trafficking*. [O] Available:<http://www.nhrc.nic.in>
- Lanier, M., & Henry, S. (2004). *Essential Criminology*. 2nd edition. United States of America: Westview Publishers.
- Lanier, M., & Henry, S. (2010). *Essential Criminology*. 3rd edition. United States of America: Westview Publishers.
- Lanier, M., Pack, R. P. & Akers, T. (2009). Epidemiological Criminology: Drug use among African American gang members. *Journal of Correctional Health Care*, x:xx-xx.
- Macleod, J., Farley, M., Anderson, L., & Golding, J. (2008). *Challenging men's demand for prostitution in Scotland: A research report based on interviews with 110 men who bought women in prostitution*. Glasgow: Women's Support Project.
- Mansson, S.A. (2006). Men's demand for prostitutes. *Sexologies*, 15 (2006): 87-92.
- McCray, J. (2006). *Dynamics and the economic theory of crime*. *Criminology and Economics Summer Workshop*. University of Michigan: June 5.
- Persson, M. Siven, C-H. (2007). The Becker Paradox and type I versus type II Errors in the Economics of crime. *International Economic Review*, 48 (1), 211-233.
- Phinney, A. (2006). *Trafficking of women and children for sexual exploitation in the America's*. [O] Available:http://www.planetwire.org/wrap/files.fcgi/2369_trafficking_paper.htm Assessed 25/03/2008.
- Pratt, T.C. (2008). Rational Choice Theory, Crime Control Policy, and Criminological Relevance. *Journal unknown*, 7(1), 43-52.

- Prevention of Organized Crime Act 121 of 1998. *Government Gazette*, (19553). Pretoria: Government Printer.
- Simic, O. (2004). *Victims of trafficking for forced prostitution: Protection mechanisms and the right to remain in the destination countries*. Switzerland: Global Commission on International Migration.
- Snyman, R. (2005). Overview of and concepts in Victimology. In Davis, L. & Snyman, R. (Eds.) *Victimology in South Africa*. Pretoria: Van Schaik Publishers.
- South African Law Reform Commission (SALRC). (2009). Discussion Paper 0001/2009, Project 107: Sexual Offences Adult Prostitution. Pretoria: SALRC.
- Stop Violence Against Women. (SVAW). (2008). *Factors that contribute to trafficking in women*. [O] Available: <http://www.umn.edu/humanrts/svaw/trafficking/explore/3factors.htm> Assessed 25/03/2008.
- SWEAT. [Sa]. *Policing sex workers: A violation of human rights*. Cape Town: SWEAT.
- Timoshkina, N., & MacDonald, L. [Sa]. *Defining Trafficking in Women*. [S1:sn].
- Truang, T.D. (2006). *Poverty, gender and human trafficking in Sub-Saharan Africa: Rethinking best practices in migration management* [O] Available: <http://www.popline.org/docs> Assessed 14/03/2008.
- Truong, T. (2001). *Human Trafficking and Organized Crime*. Institute of Social Studies Working Papers Series no.339. [O] Available: <http://www.iss.nl>. Assessed 25/03/2008
- United Nations. (2000). *Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations convention against transnational organized crime*. [O] Available: <http://www.un.org.za> Assessed 26/02/2008.
- Van den Hoven, A., & Maree, A. (2005). Victimization risk factors, repeat victimization and victim profiling. In Davis, L. & Snyman, R. *Victimology in South Africa* (pp55-71). Pretoria: Van Schaik Publishers.
- Van Impe, K. (2000). 'People for sale': The need for a multi-disciplinary approach towards human trafficking. *International Migration, Special Issue*, 2000 (1):113-131.
- Witte, A.D., & Witt, R. (2002). Crime Causation: Economic Theories. In *Encyclopaedia of Crime and Justice*, 1 (302-308) New York: Macmillan.



Public Health - Social and Behavioral Health

Edited by Prof. Jay Maddock

ISBN 978-953-51-0620-3

Hard cover, 570 pages

Publisher InTech

Published online 16, May, 2012

Published in print edition May, 2012

Human behavior accounts for the majority of morbidity and premature mortality throughout the world. This book explores several areas of human behavior including physical activity, nutrition and food, addictive substances, gun violence, sexual transmitted diseases and more. Several cutting edge methods are also examined including empowering nurses, community based participatory research and nature therapy. Less well known public health topics including human trafficking, tuberculosis control in prisons and public health issues in the deaf community are also covered. The authors come from around the world to describe issues that are both of local and worldwide importance to protect and preserve the health of populations. This book demonstrates the scope and some of the solutions to addressing today's most pressing public health issues.

How to reference

In order to correctly reference this scholarly work, feel free to copy and paste the following:

Thozama Mandisa Lutya and Mark Lanier (2012). An Integrated Theoretical Framework to Describe Human Trafficking of Young Women and Girls for Involuntary Prostitution, Public Health - Social and Behavioral Health, Prof. Jay Maddock (Ed.), ISBN: 978-953-51-0620-3, InTech, Available from:
<http://www.intechopen.com/books/public-health-social-and-behavioral-health/an-intergrated-theoretical-framework-to-describe-human-trafficking-of-young-women-and-girls-for-invo>

INTECH
open science | open minds

InTech Europe

University Campus STeP Ri
Slavka Krautzeka 83/A
51000 Rijeka, Croatia
Phone: +385 (51) 770 447
Fax: +385 (51) 686 166
www.intechopen.com

InTech China

Unit 405, Office Block, Hotel Equatorial Shanghai
No.65, Yan An Road (West), Shanghai, 200040, China
中国上海市延安西路65号上海国际贵都大饭店办公楼405单元
Phone: +86-21-62489820
Fax: +86-21-62489821

© 2012 The Author(s). Licensee IntechOpen. This is an open access article distributed under the terms of the [Creative Commons Attribution 3.0 License](https://creativecommons.org/licenses/by/3.0/), which permits unrestricted use, distribution, and reproduction in any medium, provided the original work is properly cited.

IntechOpen

IntechOpen