

# The Contested Legacies of Indigenous Debt Bondage in Southeast Asia: Indebtedness in the Vietnamese Sex Sector

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**ABSTRACT** The modern-slavery paradigm promotes analogies between contemporary trafficking and the transatlantic, white, and indigenous slave trade. The analogy some scholars use to address debt bondage in past and present Southeast Asia prompted me to consider the hypothesis that the debts incurred by Vietnamese sex workers with moneylenders, procurers, and migration brokers are a remnant of indigenous slavery. However, the ethnographic and legalistic study of debt in the Vietnamese sex sector across Southeast Asia in relation to debt-bondage traditions provides limited support to the transhistorical thesis. Nonetheless, it throws light on the creditor–debtor relationship and shows that sex workers need credit to finance production and social reproduction in a region undergoing rapid capitalist development, and that because of their exclusion from financial, labor, and labor migration markets, they access it through personalized arrangements that generate strong obligations and dependencies with the potential for restrictions of freedom, in a social structure that promotes patronage, vertical bonding, and dependency. [*debt, (modern) slavery, trafficking, sex work, migration, Vietnam, Cambodia, Singapore*]

**RESUMÉ** Le paradigme l'esclavage moderne établit des analogies entre la traite contemporaine et les traites transatlantique, des Blancs et indigène. L'analogie proposée par certains chercheurs pour décrire la servitude pour dettes passée et présente en Asie du Sud-Est conduit à envisager l'hypothèse selon laquelle les dettes contractées par les prostituées vietnamiennes auprès de prêteurs, de proxénètes et de facilitateurs de la migration seraient un vestige de l'esclavage indigène. L'étude ethnographique et juridique de la dette dans l'industrie sexuelle vietnamienne en Asie du Sud-Est à la lumière des traditions d'asservissement pour dettes discrédite la thèse transhistorique. En revanche, elle jette un nouvel éclairage sur la relation entre le créancier et le débiteur et montre que les prostituées nécessitent du crédit pour financer la production et la reproduction sociale dans un contexte de fort développement capitaliste. En outre, en raison de leur exclusion des marchés financiers, du travail et de la migration de travail, elles ne peuvent accéder au crédit que par le biais d'arrangements personnalisés qui génèrent de fortes obligations et dépendances, dans une structure sociale qui favorise le patronage, la hiérarchie et la dépendance. [*dette, esclavage (moderne), traite, prostitution, migration, Vietnam, Cambodge, Singapour*]

**RESUMEN** El paradigma de la esclavitud moderno promueve analogías entre la trata contemporánea y las tratas transatlántica, de Blancas e indígena. El uso de un léxico común para abordar la servidumbre por deudas en el sureste asiático tanto ayer como hoy me llevó a considerar la hipótesis de que las deudas contraídas por las trabajadoras sexuales vietnamitas con prestamistas, proxenetas e intermediarios de la migración son un remanente

de la esclavitud indígena. El estudio etnográfico y jurídico de la deuda en la industria sexual vietnamita en el sureste asiático en relación con las tradiciones de servidumbre por deudas da poco crédito al argumento transhistórico. Sin embargo, arroja luz sobre la relación entre el acreedor y el deudor, y muestra que las trabajadoras sexuales necesitan crédito para financiar la producción y la reproducción social en una región sometida a un rápido desarrollo capitalista. Debido a su exclusión a su exclusión de los mercados financieros, laborales y de migración laboral, acceden al crédito a través de acuerdos personalizados que generan fuertes obligaciones y dependencias, en una estructura social que promueve el clientelismo, la jerarquía y la dependencia. [*deuda, esclavitud (moderna), tráfico, trabajo sexual, migración, Vietnam, Camboya, Singapur*]

A growing body of work examines the legacies of transatlantic, white, and indigenous slavery in shaping discourses, policies, and practices related to “modern slavery” and human trafficking. Although these phenomena are historically unrelated, they are connected in popular opinion because they embody forms of oppression and injustice that have been universally condemned since the abolition of the transatlantic slave trade. The analogy that informs these correlations assumes that historical institutions of slavery continue to shape present-day labor, migration, and financial practices that are deemed intolerable in modern liberal societies. The analogy some scholars use to address debt bondage in precolonial, colonial, and contemporary Southeast Asia prompted me to consider the hypothesis that indebtedness among disadvantaged workers is connected to indigenous forms of debt bondage. I examine this correlation by focusing on the debts that Vietnamese sex workers operating in Southern Vietnam, Cambodia, and Singapore incur with moneylenders via their families, procurers, and migration brokers. This topic is understudied due to methodological and conceptual barriers and is therefore open to speculation and clichés about enslavement. I show in this article that the ethnographic and legalistic study of debt in relation to debt-bondage traditions provides limited support to the transhistorical argument. At the same time, this article sheds a new light on the creditor–debtor relationship and shows that sex workers need credit to finance production and social reproduction in a context of rapid capitalist development. Moreover, because of their exclusion from formal financial, labor, and migration markets, sex workers access credit through personalized arrangements that generate strong obligations and dependencies with the potential for restrictions on freedom in a social structure that promotes patronage, vertical bonding, and dependency. In short, social, economic, and political structures—rather than indigenous forms of debt bondage—inform debt in the present-day Vietnamese sex sector.

This argument contributes to a recent body of scholarship that studies the historical rootedness of “modern slavery” and “trafficking.” Whereas the former is a catch-all term that covers “anything from prostitution to child labor to illegal immigration to female circumcision to begging to

organ-trading” (O’Connell Davidson 2015, 3; see also Botte 2005, 661), the latter refers to a legal category in international law, particularly in the United Nations “Trafficking Protocol,” which defines trafficking as a process involving deception or forced recruitment, transportation, and control for the purposes of exploitation, including servitude, forced labor, slavery, and slavery-like practices.<sup>1</sup> Regarding analogies, Julia O’Connell Davidson (2015, 2017) challenges popular, policy, and neo-abolitionist misconceptions by comparing the transatlantic slave trade with contemporary forms of (non)sexual labor, migration, debt bondage, exploitation, racism, and exclusion. The crucial difference is that the transatlantic trade was sanctioned by states and involved the transportation of unwilling chattel slaves, whereas contemporary trafficking is not sanctioned by states and involves migrants who are willing to take risks to improve their lives. More importantly, the “appeal to history made by ‘trafficking as modern slavery’ discourse can and does work to conceal, legitimate, and sometimes even encourage, heavy restraints on human freedom, mobility and rights, including that to life itself” (O’Connell Davidson 2017, 11). In his seminal study on the “myth of White slavery,” Jean-Michel Chaumont (2009) comes to a similar conclusion. In the wake of the moral crusade against the regulation of prostitution in Britain at the end of the nineteenth century, the experts from the League of Nations pronounced white slavery a “scourge” despite having rich data that disputed this conclusion. Their views and definitions—especially that of the 1926 Slavery Convention, which defined slavery as “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised”—promoted abolitionism across Europe, stereotypes about trafficking and slavery, and a legal and policy lexicon that still shapes current approaches to trafficking and the control of mobility and sex work. Overall, defenders of the analogies “invoke the image and perceptions of transatlantic slavery to evoke visceral reactions and action while employing the largely ineffective tools that have evolved from the instruments deployed against white slavery” (Bravo 2011, 581–82).

Some scholars of Southeast Asia equally promote the analogy between past and present slavery (Le Roux 2010). For Jacques Ivanoff, Supang Chantavanich, and Maxime

Boutry (2017), systemic labor exploitation and debt bondage in Thailand and Myanmar stem from a slavery system bound in social structure—in particular, patronage and dependency, religion and sacrifice, stratification and exclusion. Regarding debt bondage, Trude Jacobsen (2014) asserts that it has not changed from precolonial times in present-day Cambodia and remains a culturally acceptable credit source for the poor. Because pawning, a practice consisting of “pledging one’s own labor or that of a relative in return for a lump sum of cash, goods, or service,” has remained unregulated since the abolition of slavery by the French colonials, it fuels exploitation and contributes to the “endurance of human trafficking and the proliferation of increasingly younger children in the sex sector in Cambodia today” (Jacobsen 2014, 32; see also Jacobsen 2017, 97–98, 122). Equally, Bernard Formoso (2001, 59) posits that the sale and pawning of daughters into the Thai sex industry by their family stem from a “long tradition against which King Chulalongkorn (1868–1910) attempted to fight by abolishing slavery, but that has endured in the bastions of poverty.”<sup>2</sup> Overall, the persistence of debt bondage results from the transhistorical reproduction of enslaving traditions. While this conclusion leads to the fatalist assumption that the past commands the present and the future—or that “what was, will be” (Chaumont 2009, 283)—it also invites us to consider this hypothesis.

The anthropology of slavery provides us with tools to test the hypothesis. Anthropologists are still debating how to define slavery across space and time (Ismard 2017, 14; O’Connell 2015, 46). They challenge the emphasis on ownership rights, which informs the notion of “chattel slavery,” the 1926 Slavery Convention, and some scholarly works (Nieboer 1900; Quirk 2012) on the basis that property reflects rights specific to societies and periods (Kopytoff 1982, 219). Instead, they emphasize exclusion and “social death” as defining criteria—in particular, powerlessness, natal alienation, and dishonor (Patterson 1982), the antithesis of kinship (Meillassoux 1991), and exclusion and exploitation (Testart 2001). These three anthropologists have elaborated a “comparative” approach to slavery, which aims at understanding it “from the point of view of its institutions and not as a dynamic process resulting each time from singular historical conditions” (Ismard 2017, 10). Along those lines, Alain Testart (2001, 20) conceptualizes slavery and debt bondage from a legalistic lens because, in his opinion, these institutions can only be defined as a legal status informed by the extended rights of the master over the slave and not as a living or working condition. He pays great attention to “pawning” (*mise en gage*), a practice extensively observed in Africa (Lovejoy and Falola 2003; Meillassoux 1991) and Asia (Lingat 1931; Turton 1980). It involves two scenarios: (1) in “taking a pawn for debt” (*prise de gage pour dette*), the creditor takes the debtor as a pawn when s/he is unable to repay the debt upon expiration of the loan term; and (2) in the “sale with right of redemption” (*vente à r  m  r  *), the debtor pawns him/herself as a security for a loan. In both

cases, the pawn remains a free person attached to his/her kin, unlike in slavery, and his/her labor does not repay the debt but at most the interest. However, pawning has often been conflated with debt slavery because the pawn may become a slave if s/he is unable to repay the debt (Testart 2001, 77–85).

In precolonial Southeast Asia, debt bondage is derived from Indian and Chinese traditions. Robert Lingat (1931) and Andrew Turton (1980) examine the sanctioned sales of redeemable and nonredeemable *that*, a term that means “slave” but that I will translate as “bondsmen” for the sake of clarity. Lingat and Turton use the 1805 Bangkok laws informed by the legislation on slavery of the Ayutthaya period (1351–1767). These sales were very popular because they brought protection, security, and capital to the poor and allowed them to escape heavy taxation and military service. The sale of redeemable bondsmen for less than their legal price by a seller or guarantor equated to pawning. Sellers often pawned their spouse and children. These “fiduciary sales” (Lingat 1931, 51) granted the bondsman a right to redeem him/herself or proxy by repaying his/her purchase price, the consent of his/her creditor being irrelevant. Because labor only repaid the interest, the repayment of debt required an external provision of capital, often the product of investing the loan. The master acquired limited rights over his/her pawned debtor or proxy, who remained attached to his/her kin and under the king’s rule. On the contrary, nonredeemable bondsmen were sold at higher than their legal price and had no seller. These “pure and simple sales” (Lingat 1931, 51) alienated them because they could only redeem themselves by repaying their purchase price with their creditor’s approval. These sales granted extended rights to the master, who could punish and sell the bondsmen as he wished. Last, a third category of *that* comprised redeemable and nonredeemable bondsmen who were “bought but not used” (Turton 1980, 266). They remained with their seller, who paid interest to the creditor using their labor. In sum, the Siamese law sanctioned the sale of a person for credit but did not acknowledge the liberating value of labor in the recovery of a debt. These sales were progressively abolished in the second half of the nineteenth century following the increasing need for capital instead of personnel by the elites and the emergence of new forms of production that required a free workforce (Lingat 1931, 264).

Debt bondage was more lenient in Annam. The French colonials became very interested in slavery upon their arrival in Indochina in 1858, following the abolition of slavery that took place in France in 1848. The military staff and explorers started by surveying practices of servitude that they referred to as “slavery” (Silvestre 1880). A few years later, jurists studied practices of debt bondage (Briffaut 1907) and infant selling (Dartiguenave 1908). Likewise, administrators reported a large number of cases of women and children being sold or indentured for sexual exploitation in Annam, southern China, and Hong Kong (Baudrit 1945; see also Tracol-Huynh 2013), and the presence of indentured

Chinese (Landes 1880) and Japanese women (Roux 1905; see also Roustan 2012) in the brothels of Sài Gòn, Chợ Lớn (a Chinese town located next to Sài Gòn, nowadays Ho Chi Minh City) and Hanoi. While these materials offer rich accounts of slavery, trafficking, and debt bondage, they fail to grasp the complexities of the latter. Ethnologist Dang Trinh Ky (1933) fills the gap. The laws enforced during the Lê (1428–1788) and Nguyễn (1802–1945) dynasties prohibited pawning and slavery but sanctioned a practice called “hiring of service” (*louage de service*). This practice involved placing the labor of a person in the service of a creditor as security for a loan. It obliged the creditor to pay a fixed sum of money per day of labor calculated upon the amount of the debt and the law. A “commitment” (*engagement*) contract was signed on top of a loan agreement. The “committed” (*engagé*) debtor or his/her proxy moved to the creditor’s home but remained a free person attached to his/her kin and under the king’s sovereignty. The creditor enjoyed limited rights over the debtor or proxy, usually a son. This practice differs from the sale of (non)redeemable bondsmen due to the value allocated to labor and freedom. In fact, hiring of service may be considered an ancestor of wage labor due to the ability of labor to secure and recover the debt. The French colonials banned it progressively after 1883, in parallel with their combat against Vietnamese, Chinese, and Chetty moneylenders in cahoots with Mandarins who were taking advantage of poor farmers to extract labor, capital, and land. Tonkinois and Cochinchinese farmers were heavily indebted due to the scarcity of cash and savings, floods, famine, crises, gambling, and costly social obligations, including religious festivities, marriages, and funerals (Buu 1941; Mathieu 1912).

Overall, legalistic accounts of debt bondage can help disentangle the debtor–creditor relationship in the contemporary Vietnamese sex sector—in particular, through an analysis of the value of labor in securing and repaying the debt and of status-related issues like contract, asymmetry, rights, and obligations. I will refer to debt-bondage traditions to assess the relevance of the transhistorical thesis and, most importantly, to cast light on the inner workings of debt in socially and economically situated contexts. Historians and anthropologists agree on the social embeddedness of bondage in Southeast Asia. These practices were “indigenous developments having their origin in a characteristically Southeast Asian acceptance of mutual obligation between high and low, or creditor and debtor” and involved “a situation where unequal relationships can be both cooperative and intimate” (Reid 1983, 7, 8). Annuska Derks (2010, 849) makes a similar point in her discussion of “bonded labour,” which presupposes that “coercion, commitments and compensations that are instrumental in creating dependency relations between labourers and employers” are cast in a social structure marked by vertical bonds. She also emphasizes the importance of economic and political structures in shaping bonded labor. In our case, this means situating indebtedness in the political economy of credit, family, labor, and

migration in Vietnam and beyond, with a particular focus on exclusion.

The data for this article were collected over thirty months of participatory fieldwork in Vietnam, Cambodia, and Singapore between 2008 and 2010, with follow-ups conducted until 2015. In each location, I conducted micro-level studies to identify structural drivers of debt, migration, and trafficking, and to generate thick descriptions of people’s experiences, as suggested by Ronald Weitzer (2015, 232). I began by researching debt, migratory, care, sexual, and moral careers and economies in the lives of street sex workers and their families in Châu Đốc, a town bordering Cambodia in the Mekong Delta, Southern Vietnam. The sex trade has mushroomed in Vietnam with the expansion of the market economy and the demand of a new class of entrepreneurs (Nguyen Vo 2008). Since the 1990s, it has developed to serve a growing and heterogeneous demand that now includes all social groups. This demand is mainly fulfilled by young women originating from the province and to a limited extent by men working in Ho Chi Minh City and Hanoi (Government of Vietnam 2012). Sex work is strongly tied to family due to the political economy of familism, a welfare regime in which family and social networks assume responsibility for the care of their members rather than depending on the state or the market. The government has been actively promoting this welfare regime since the Renovation (*Đổi mới*) reforms launched in 1986, which aimed at facilitating the shift to a socialist market economy (Bélanger and Barbieri 2009). In brief, it falls upon the offspring to fund familial consumption, a pattern that applies to sex workers, who are expected to support their parents (Government of Vietnam 2012; Lainez 2012, 2015, 2018).

Châu Đốc became a transit and sending area for cross-border migration for sex work to Cambodia in the 1990s (Derks 1998, 20; Hudgins 2006, 165). I followed the migration path taken by some women from Châu Đốc to Cambodia, where I settled in Phnom Penh, the capital, known for its vibrant sex industry employing Vietnamese women. I conducted research in the Vietnamese shantytown of Chbbar Ampov and in Svay Pak, a former Vietnamese red-light area in the suburb of Phnom Penh that catered to foreign men and pedophiles until 2004 (Busza 2004). Only at this point did I discover that Vietnamese sex workers were no longer going to Cambodia in large numbers due to the raids conducted in Svay Pak, which resulted in the closing of the brothels in 2004, and accounts of exploitation, trickery, discrimination, and HIV/AIDS by returnees from Cambodia in provinces like An Giang in the late 2000s. Instead, they had begun migrating internally to other southern provinces, and especially Ho Chi Minh City, and from there to richer countries like Malaysia and Singapore thanks to the liberalization of air transportation, and human mobility through the 2006 ASEAN Framework Agreement on Visa Exemption. With this knowledge, I conducted fieldwork in Ho Chi Minh City on debt, pimping, and migration

brokerage, and I set off to Singapore, where I lived in an apartment rented by a broker and her clients—Vietnamese sex workers—located in the vibrant Vietnamese red-light district of Joo Chiat. There, I examined debt-financed migration by looking at the “quasi-family networks” that facilitate migration (Lainez 2017a). In all my research sites, the presence of Vietnamese sex workers contrasted with the absence of women who considered themselves trafficked or who were labeled as such by public or private aid organizations. Everywhere, trafficking seemed to be related more to sensationalistic accounts than reality. The sample for this article comprises sixty-six sex workers, sixteen sewing apprentices, seventeen families, seven procurers, three moneylenders, three migration brokers, four migration service providers, and twelve educators (for details, see Lainez 2015). The following sections will examine the debt arrangements of contemporary sex workers with moneylenders via their families, procurers, and migration brokers.

### **MONEYLENDERS AND BORROWERS: COSTS, RISKS, AND AMBIGUITIES OF INFORMAL FINANCE**

The trafficking paradigm assumes that dire family poverty and one of its consequences, debt, push disadvantaged women into exploitative forms of sex work (CEOP 2011). My case study of Châu Đốc sheds a different light on this issue. In this town, disadvantaged households had sufficient income to meet daily needs but not to cover setbacks and increasing consumption needs. Above all, these households were financially excluded. In the 1990s, the credit supply increased sharply, interest rates dropped, and borrowing conditions became standardized. However, many households were—and still are—excluded from formal credit markets due to the rigidity of the system, a lack of collateral, and the limited uses that can be made of institutional loans. This encouraged them to turn to the informal finance sector, understood as “non-declared activities, performed with little capital and lots of unskilled labor, on a very small scale, with no respect for regulation” (Lelart 2006, 3). In this sector, the creditor–debtor relationship is based on trust and often embedded in preexisting social relations.

A number of moneylenders served the disadvantaged families in Châu Đốc that could not borrow from their circle of relatives and friends. Their loans financed health expenses related to sickness or accidents, inflation and rising living costs, the purchase of prestigious goods (such as motorbikes and mobile phones), gambling addiction, and the deterioration of housing due to heavy rain during the monsoon season. The moneylenders provided two main products. The most popular was “collected money” (*tiền góp*), whose interest rate varied between 10 and 30 percent, the standard being 20 percent for twenty-four days, or 25 percent per month. For a loan of \$5.60, the borrower paid \$0.28 per day, or \$6.70 over twenty-four days at 20 percent interest. The

borrower repaid the principal and interest each day over a specified period, usually twenty-four days. The second product was “standing money” (*tiền đứng*), also called a “hot loan” (*tiền nóng*; see Truitt 2007). It was a short-term loan reimbursable within a few days. The borrower paid interest on a daily basis until s/he recovered the principal. For a loan of \$5.60, the daily interest was \$0.16–\$0.28. Borrowers purchased standing loans when moneylenders refused to offer them new lines of collected loan or when they needed cash for a purchase and believed that they would be able to repay it quickly. According to Article 163 of the penal code, these loans are abusive because the interest rate exceeds that established by the Bank of Vietnam—between 7.5 and 14 percent per annum for the 2000–2010 period, when it went up to 300 percent and 1,800 percent for collected and standing loans. Because the moneylenders filled a void left by credit institutions and other informal credit sources, the borrowers perceived them favorably and praised their availability and flexibility. However, the lenders took advantage of their clients’ financial exclusion, charged high interest rates, and imposed oppressive conditions. These included daily repayment, the use of intimidation and threats during disputes, and the imposition of a “surveillance regime” (Peebles 2012, 440) by which they could monitor the defaulters’ activity and seize their assets without notice. Conflicts were usually settled by force rather than through the law due to the illegality of the operations.

Moneylenders often relied on “guarantors” (*người bảo lãnh*) to cover risk and overcome market information asymmetries. The guarantor was a relative or acquaintance who endorsed a borrower taking a loan from a lender for the first time. The guarantor agreed to cover the risk in case of default in exchange for a service or tip. The guarantor system entailed different scenarios, as shown in the case of Ngã, a mother of three children.<sup>3</sup> Ngã lacked solvency because of her impoverishment and tarnished reputation among local lenders. One of them claimed she still owed him \$635 from an unpaid loan. Ngã regained solvency when her two daughters working as sex workers used their income to guarantee her debts. On the phone, the eldest promised the moneylender that she would keep sending \$100 per month to her mother. By doing so, she did not commit to repay the loan in case of default but implied that her mother would use her remittance for this purpose. In addition, Ngã’s second daughter guaranteed a \$32 standing loan to another moneylender. The mother immediately lent this money to her insolvent neighbor at a daily rate of 3 percent, which shows how people constantly “juggle” (Guérin 2014) deadlines, rates, and moneylenders, sometimes “taking from here to pay there” (*lấy của bên này để trả bên kia*) and switching between the roles of debtor and creditor.

This debt system involved the borrower’s children as both guarantors and providers. Many households repaid loans by pooling individual resources. Family solidarity is often subjected to a cultural reading by which daughters must submit to and sacrifice for their parents in the name of filial



piety (Brown 2007; Rushing 2011). Kathleen Barry (1996) even conceives of sex workers as modern *Kiều*, a reference to the heroine of Nguyễn Du's nineteenth-century epic poem *The Tale of Kiều*, considered a classic piece of Vietnamese literature. Like *Kiều*, a virtuous woman who was lured into prostitution by her father's creditor and then wed to a fickle married man and thrown out of a Buddhist sanctuary before reuniting with her first love, contemporary sex workers are trapped in "family feudalism" (Barry 1996, 145) and traditional values of devotion and sacrifice. This argument ignores the political economy of familism and intergenerational dependency. In my study, sex workers allocated between 30 and 80 percent of their earnings to family care, including debt repayment. Income levels in the sex trade are much higher than in other low-skilled job sectors; the lowest income estimate for part-time street sex work in Châu Đốc (\$52–\$118) was equivalent to the wage of an agricultural worker (\$32–\$51) or a waitress (\$32–\$64) working full-time and under more restrictive conditions. Some overindebted parents compelled their daughter(s) to sell sex—including their virginity for up to a thousand dollars, though not without generating occasional conflict with the mother (Lainez 2012; see also Derks 1998, 28; Reimer 2006). Yet not all indebted families used this as a strategy for coping with economic adversity. Most simply expected financial support from their children in the form of remittances.

The models of debt bondage shed light on the creditor–debtor relationship. The fact that moneylenders did not secure the loan by taking the borrower or his/her children as collateral, or by employing them during the repayment period, undermines any correlation with the sale of (non)redeemable bondsmen and hiring of service, and hence the transhistorical thesis. The borrower's labor, and that of his/her children (and, alternatively, the guarantor), served as a resource to repay the debt and as an indicator of individual and familial solvency, just as the borrower's reputation, debt history, relation with the guarantor and lender, and perhaps material collateral did. The moneylender expected the borrower (accessorily, the guarantor) to repay the loan with interest, and for this purpose s/he imposed certain conditions and acquired the right to claim full reimbursement by resorting to violence in case of default. However, s/he could not force the borrower or his/her guarantor and children to work for him/her. The moneylenders who lent money to *Ngã* expected that her daughters would remit money to recover the loan, and they could intimidate the family in case of default but could not force the family by right to work for them. Crippling debts could provoke serious consequences for the borrower: intimidation and life as a pariah under a strict surveillance regime or, alternatively, "evasion from debt" (*trốn nợ*; see Ma 2008; Truitt 2007) by fleeing to what Gustav Peebles (2012, 432–33) has called a "space of exile" to start a new life free of debt, a scenario that unfolded for *Ngã* and her daughters, who fled to another province due to their inability to repay. However, no borrower became the

slave, bondsmen, or committed debtor of the moneylender in legalistic terms, although the former might have ended up living under the boot of the latter, who used various means of coercion to force repayment. Therefore, the suggestion from the Child Exploitation and Online Protection Centre (2011, 17) that "moneylenders are often connected to the trafficking networks and act as an extra mechanism to further exploit the vulnerable victim and their family, as the debts are often subject to high interest rates" seems inaccurate. Yet it is appealing because it associates two evil figures, the trafficker and the moneylender, whose "very name, 'usurer,' evokes images of loan sharks, blood money, pounds of flesh, the selling of souls, and behind them all, the Devil" (Graeber 2011, 10). That said, the family bears a heavy responsibility in merging credit, sexuality, and family, or moneylenders as patrons, daughters as sex workers, and parents as profiteers, on the basis of filial obligations. This obligation is promoted and glorified in familism through the reinforcement of Confucian values. The similarity between the past and present is that children play an active role in ensuring social reproduction, either by becoming a committed debtor in Indochina or by committing to repay their parents' debt in today's Mekong Delta.

#### **PROCURERS AND SEX WORKERS: WHEN LABOR SECURES AND REPAYS THE DEBT**

The scenario in which sex workers borrow money from their procurers in Cambodia in the mid-2000s and in Ho Chi Minh City in the late 2000s differs from the previous one in that the procurer and the moneylender are often the same person and in that sexual labor is used to both secure and repay the debt. The Vietnamese sex workers from my study needed money to cover personal and familial expenses. Because they were financially excluded, and could not claim their activity as collateral for a formal loan in a country where sex work is legally prohibited and socially condemned (Lainez 2015; Nguyen Vo 2008), they borrowed money from brothel owners in Cambodia and pimps in Vietnam.

Numerous Vietnamese women migrated to Cambodia to provide sexual services to the UNTAC military force in charge of organizing elections and implementing the Paris Peace Accords in 1991, then Chinese-Cambodian men from 1993 onward, and foreign tourists from 1998 onward. Many transited or ended up in Svay Pak, a Vietnamese red-light area located in Phnom Penh's suburbs. There, brothel owners recruited new employees by offering them an advance, a recruitment system that was also used in Cambodian brothels in Sihanoukville (Sandy 2009). In Svay Pak, the advance did not cover the cost of migration but served as an incentive to attract women from the Mekong Delta. Of the 857 sex workers surveyed by Simon Baker et al. (2003, 18) between 2000 and 2002, 90 percent were indebted by an average of \$362. In this arrangement, the employers agreed to provide board, food, and security to their employees and could restrict their employees' freedom to secure the

repayment of the loan. The employees had to reside in the brothel, respect the rules of the house, and repay the debt through sexual labor under the agreement that half of their earnings would go to the brothel owner for food and board while the rest would cover the repayment of the debt and other expenses (Baker et al. 2003, 19). In 2010, I met a masseuse who had been working in Svay Pak for a decade. According to her, once the advance was repaid, the sex workers were free to leave the brothel or continue working under the agreement that 50 percent of their earnings would go to the brothel owner, a standard practice in the Vietnamese sex sector by which the product of “labor is divided by two” (*làm chia hai*).<sup>4</sup>

I observed other debt arrangements in Ho Chi Minh City in 2010. I met a pimp who lacked cash to lend to his sex workers. However, he guaranteed their loans to a moneylender who offered standing loans at 20 percent interest for an amount of up to \$269. The guarantor received two fees: 10 percent for every loan of \$107 from the moneylender and \$5.40 per transaction from the borrower. Another pimp proposed credit to his sex workers and to those of other pimps who would guarantee their loan. These procurers deducted the debt charge from their workers’ earnings and provided them protection in exchange for 50 percent of the gains.

In both Cambodia and Vietnam, the debt relation (creditor–debtor) was embedded in a labor relation (procurer–worker). The debt agreement oversaw the right of the moneylender to control the sexual labor of the borrower to ensure the repayment of the debt. Insofar as sexual labor guaranteed and repaid the debt, this empowered the procurer. Here, sexual labor served as an indicator of solvency (the higher the earnings, the more money a sex worker could hope to borrow), as a guarantee (the women secured their loans by mortgaging their future sexual labor), and as a resource (the income sexual labor generated was used to repay the debt). The procurers who lent money to their workers held more power over them than the moneylenders who lent to regular borrowers. When conflict arose, the former could apply the usual means of coercion used in informal moneylending and, in addition, force their debtor to work and restrict their freedom. This power could have implications in the event of default. The masseuse I met in Svay Pak confirmed that abusive working conditions occurred during the recovery period but were not systemic and could happen at other moments, too. In case of default, one of the pimps who sold credit to his employees in Ho Chi Minh City targeted their body and face: “When you talk to ‘them’ [*nó*, pejorative pronoun], the mouth goes with the hand, and the hand goes with the mouth. When you lend money, you must be sure you can get it back. Sometimes I feel we are cruel. People cannot pay and we beat them. But we must act in this way, otherwise we lose our money.” Hence, payment delay or default may lead to violence, but this brutality was not specific to the sex industry. How often coercion was used to force repayment depended on the

individuals involved, with some procurers behaving more aggressively than others. Overall, Vietnamese sex workers engaged in highly personalized relationships bound in obligation and intimacy, exploitation and solidarity, with their procurers. This finding is consistent with recent research on the relationship between pimps and sex workers that stresses its ambivalent, dynamic, and situated nature (Marcus et al. 2014, 241). This finding stands in contrast to popular portrayals of deception, coercion, and trafficking, particularly regarding recruitment, which may involve indebtedness (Kennedy et al. 2007; Raphael, Reichert, and Powers 2010).

The correlation of the Vietnamese credit system secured by labor with the sale of (non)redeemable bondsmen fails because sexual labor—and not the debtor’s person—secured and repaid the loan. The scenario described by my informant and various authors (Baker et al. 2003, 17; Brown 2007, 22, 45; Derks 1998, 36–37) in which a mother takes her daughter to a brothel and leaves her to work after pocketing the advance may evoke a plain sale to antitraffickers, or a sale of a redeemable bondsman with the mother acting as her daughter’s seller. However, the mother is not selling her child but rather acting as a labor broker who provides a worker to an employer for the duration of the loan term, and she pockets her daughter’s future earnings using family obligations as rationale. Another reason the mother is not conducting a nonredeemable sale is because the recovery of debt through sexual labor frees her daughter from contractual obligations with the brothel owner. This is a defining feature in hiring of service, which gives some credit to the transhistorical thesis. This should not come as a surprise because this arrangement is a forerunner of wage labor, a system that typically allows an employer to advance money to an employee using future labor as security, and that expanded rapidly across Indochina with the implementation of colonial capitalism and a “development” or *mise en valeur* policy (Brocheux and Hémery 2001, 117–76). The fact that wage labor is an “agreement between equals to no longer be equal (at least for a time)” (Graeber 2011, 120) based on a labor contract that “can bestow almost unlimited powers on employers, and for extremely protracted periods of time” (O’Connell Davidson 2015, 64), and involves labor conditions ranging from favorable to difficult, does not change its legal foundation or bring it close to the sale of a (non)redeemable bondsman.

Joanna Busza (2004) and Larissa Sandy (2009) came to a similar conclusion in relation to the human-trafficking paradigm. They concluded that indebted Vietnamese and Cambodian sex workers are not trafficked in legal terms because they migrate, work, and incur debt voluntarily; moreover, their recruitment is not based on deception or coercion. However, they view the recruitment with advance as an exploitative system that violates human rights. They advocate for different approaches. Busza (2004, 247) promotes an “empowerment framework that aims to give entertainers the skills and opportunities to manage their own

work environment [that] can improve both their health and human rights.” Sandy (2009, 227) proposes that we “consider indenture as a form of labor exploitation rather than sex trafficking or ‘sexual slavery,’” a “conceptual shift that would place the issue within the framework of contractual, wage relations rather than ‘sexual exploitation’ and this change may be important in designing more suitable interventions.” This labor approach is relevant in Vietnam where the informal sector accounts for almost eleven million jobs, or a quarter of all primary occupations (Cling, Razafindrakoto, and Roubaud 2011, 17), and it fails to provide secure and stable jobs following the suppression of entitlements from the socialist period (Arnold 2012). Sex workers are especially affected by these constraints because sex work is illegal and therefore informal, precarious, and despised, which limits their power to claim minimum labor rights and standards, particularly with their procurers.

### **BROKERS AND MIGRANT SEX WORKERS: THE NEXUS OF INTIMACY AND DOMINATION**

Vietnamese sex workers also incurred debt with migration brokers in Singapore. This debt system has different implications depending on whether brokers act as procurers or not. In this case study, I examine the circular migration of Vietnamese sex workers to Singapore who are attracted by the promise of high earnings. This migration pattern came about with the development of a Vietnamese red-light area in Joo Chiat Road in the mid-2000s. Sex workers were—and still are—excluded from sanctioned labor-migration regimes.<sup>5</sup> As a result, they faced many obstacles due to the strict enforcement of the Immigration Act, which bans the entry to Singapore of foreign sex workers considered as “prohibited immigrants,” and the Miscellaneous Act, which criminalizes public soliciting. Sex workers were granted thirty-day Social Visit Passes, which encouraged short stints of circular migration. The risk of rejection at borders, arrest and expulsion, and the need for advice, financial and logistical services, shelter, and food upon subsequent returns explains why they relied on “quasi-family networks” coordinated by brokers to organize their sojourns. These networks are small structures shaped by kinship ties, a family ethos, and a matrix of social relationships that combine violence and intimacy, all the while facilitating socialization and reproduction processes (Lainez 2017a).<sup>6</sup>

The women from my study purchased migration services on credit from brokers when they migrated with them for the first time. My investigation focused on the operations of a broker—whom I will refer to as Oanh—who rented an apartment in the Vietnamese red-light district of Joo Chiat. She provided a \$712 migration package to her new clients that included a round-trip ticket, the provision of \$500–\$800 as “show money” to prove to immigration officials at the border that they could cover their expenses, an address away from the red-light districts for the disembarkation card, reception at the airport and taxi transportation to the apartment, and shelter and food at additional cost. Oanh

earned on average of \$312–\$475 for each package sold, excluding the fees for the recruiters who introduced the clients to her. She also offered these services *à la carte* with the air ticket, the show money, the address, and board being the most popular. The benefits of the package were economic, for it provided a safe and practical all-in-one solution for the sex workers, and social, for it allowed the sex workers to purchase single migration services at a reduced rate on subsequent returns, to join a particular quasi-family network, and to establish a personal and strategic relationship with the broker in charge. Obviously, this debt-financed migration system differs significantly from other unsanctioned systems in which migrants must assemble and advance large amounts of money to cover costly travel expenses to migrate, for example, from Central America (Spener 2009; Stoll 2013) and China (Chu 2010; Zhang 2008) to the United States.

The Vietnamese sex workers in my study worked in the pubs of Joo Chiat and served an average of twenty clients a month at \$71 a service (totaling \$1,420), plus escort tips from each customer (\$14 per tip, \$280 altogether), ending with a net income of \$1,700 per month. After subtracting the cost of the migration package and accommodation and living costs, those who were new to the broker’s network made an average of \$498 a month, whereas those who organized their trips themselves earned \$842. Thus, within a month, sex workers could easily repay the package by serving at least ten customers. This usually took several days for an experienced woman, or a few weeks for a less experienced one. Oanh achieved this success in various ways. The sale of a package implied that she facilitated travel logistics and that her clients paid off the \$712 owed by working of their own free will. This means that Oanh refused to act like a procurer with her clients and did not acquire any rights over their sexual labor. This was standard practice in Joo Chiat, which was confirmed by two other brokers from my sample, my informants, and a news clip that reports the case of an arrested broker who sold packages for \$1,000 to her clients (Law 2015). Likewise, Oanh did not restrict her clients’ freedom to ensure debt recovery. The sex workers depended on her vital financial, material, and social capital. Above all, the purchase of the package allowed them to embed themselves in a lasting relationship with the broker bound in intimacy and domination, knowing that altruistic and market logics are intertwined in the brokerage industry (Lindquist, Xiang, and Yeoh 2012, 17).

Nevertheless, some brokers acting as procurers used debt to control their clients. A news clip describes the case of a sex worker who considered herself exploited by a broker who had sold her a package for \$1,315 and lodged her in an apartment that served as a clandestine brothel in Clementi, in the west of Singapore (Thuc 2009). The woman could only return to Vietnam after her mother had sent \$1,315 and the title of land ownership to the broker. In Vietnam, I met a woman named Tuyêt who was deceived by a recruiter with false promises of job. Upon her arrival in Singapore, a



madam forced her to provide sexual services in the red-light district of Geylang to recover travel and daily expenses. Tuyêt repaid her debt before the expiration of her Social Visit Pass and returned to Vietnam. While she had never considered living off sex work, her first bitter experience in Singapore taught her the knowhow to succeed in this sector, which proved useful on subsequent journeys. While such coercive cases generate anxieties around trafficking (Yea 2010), they are unusual in Joo Chiat and other Vietnamese enclaves in Singapore.

The analogy of this debt system with models of debt bondage is again of limited use. While the brokers from Joo Chiat drew profit from their clients, they arrogated no rights over their person or labor, which undermines the correlation with the sale of (non)redeemable bondsmen and hiring of service, and thus the transhistorical thesis. These brokers considered sexual labor as a *de facto* security, a resource used by their clients to repay the amount borrowed to buy the package and earn income. However, brokers could not force their clients by right to work for them to repay the debt. The confinement of the sex workers in the safe houses and the need to establish a mutually beneficial relationship with them served as a guarantee to recover the investment. The scenario in which the broker acts as a procurer is identical to that in which the procurer acts as a moneylender; instead of providing a loan, the creditor advances travel expenses. Here, the broker uses sexual labor to secure and repay the debt and arrogates the right to restrict the debtor's freedom to ensure reimbursement. This system bears some resemblance to hiring of service because of the value attributed to sexual labor, but this observation adds nothing new to our previous discussions. The fact that some brokers lured, trafficked, and maltreated their clients does not change the legal nature of the debt arrangement; rather, it refers to abusive practices in recruitment, migration, and labor management.

This coercion is put forth by abolitionist scholars (Bales [1999] 2004; Kara 2009) and the media (Law 2015; Thuc 2009) to argue that debt-financed migration for sex work leads necessarily to trafficking and enslavement. Yet these claims, informed by the demonization of smugglers and brokers, ignore the complexities of debt arrangements and the subjectivities, practices, and agency of both debtors and creditors (Weitzer 2015, 226–27). This point is highlighted by Teresa Sobieszczyk (2002) and Patrizia Testai (2008) in relation to Thai and Nigerian sex workers in Japan and Italy, respectively. For instance, Nigerian women perceive indebtedness “as something more ordinary, a difficult situation which they are able and willing to deal with in most cases” (Testai 2008, 73), whereas police and NGO officials view it as a sign of financial exclusion and stigma. Both authors stress the limited choices in terms of migration destinations, funding mechanisms, and employment sectors for disadvantaged female migrants from the Global South. Vietnamese women can migrate to countries like Malaysia through sanctioned labor-migration schemes, but they have to incur much higher

debt and subject themselves to subordinated dependency with their recruiters, banks, and employers (Le 2010). The focus on debt-financed migration as a tool of subjugation also obscures the construction of foreign sex workers as “prohibited immigrants,” reprehensible sex workers, and transient aliens in Singapore. Needless to say, foreign sex workers are also deprived of minimum labor rights and standard in Singapore, and therefore have to rely on unsanctioned brokers to facilitate circular migration and access to sex markets through personalized relationships, merging solidarity and inequality, cooperation and domination, empowerment and dependency.

## CONCLUSION

The analogy between old and new forms of debt bondage in Southeast Asia has less traction than that between transatlantic or white slavery and modern slavery because only a few historians and ethnologists of Southeast Asia have invoked it. Yet it has been worthwhile exploring it at a time when the modern-slavery discourse is being reinvigorated and fresh and repressive anti-modern-slavery legislation is being implemented. This is the case in the United Kingdom, where the presumed trafficking of Vietnamese undocumented migrants for their enslavement in cannabis farms, nail bars, and brothels is causing public concern, especially since the application of the 2015 Modern Slavery Act. Exponents of these accounts put forward the weight of culture, particularly the fact that the Vietnamese family “is a core social unit in society according to Confucian ideology, which is important to Vietnamese culture,” emphasizing that “there is an expectation of individuals that they will remain loyal to, and supportive of, their families” (Silverstone and Brickell 2017, 27). Exponents also emphasize the oppressive nature of migrants' indebtedness given that “exploiters . . . trap their victims within a form of debt bondage, whether this be through the cost of their journey to the UK or the price at which they have been bought,” asserting that “violence—whether threatened or actualised—is common both with regard to the victim's personal safety and that of their family in Vietnam” (Silverstone and Brickell 2017, 45; for a critique, see Lainez 2017b). In short, modern-slavery campaigners continue to construct simplistic narratives in which slavery and traditions from the past continue to disempower and enslave present-day disadvantaged populations.

These beliefs can be challenged with a comparative method. In a seminal article on comparative history methodology, Marc Bloch ([1928] 1969, 47) highlights the benefits of morphological approaches, which include “the possibility of filling in certain gaps in documentation by means of hypotheses based upon analogy; the opening up of new avenues of research suggested by the comparative method; above all, the explanation of a great many survivals that have up to now been incomprehensible,” as opposed to genealogical approaches aiming at creating “a parallel study of societies that are at once neighbouring and contemporary,

exercising a constant mutual influence, exposed throughout their development to the action of the same broad causes just because they are close and contemporaneous, and owing their existence in part at least to a common origin.”

The genealogical examination of debt bondage in the Vietnamese sex sector during the (pre)colonial and postcolonial periods is out of reach due to data availability limitations. Secondary sources teach us that in the mid-1910s, Hanoian sex workers borrowed money from their madams to purchase clothes, jewelry, and makeup and were permanently indebted because their earnings (but not their tips) were kept (Tracol-Huynh 2013, 43–45). Between the 1920s and 1940s, singers were also heavily bonded to their managers in *ả đào* music houses serving as brothels (Firpo 2016). While not all procurers acted abusively, some attracted new recruits with money advances and kept them until repayment, in line with the principle of hiring of service. However, other sources attest of sales. Cantonese and Hongkongese women were sold for 200 to 400 piastres to brothels in Chợ Lớn around 1880. They could only free themselves if they were repurchased by a client (Landes 1880). In Singapore, there were Japanese *Karayuki-san* and Chinese *ah ku* sex workers. They allocated half of their earnings for lodge and board expenses and the rest for other expenses, remittances, and the recovery of their debt. While in theory they could free themselves by repaying their debt upon a fixed minimum term (six years for *ah ku*), in practice many were transferred or sold to another brothel owner beforehand (Warren 1993, 52). What James F. Warren (1993, 215) refers to as “pawned” women were actually “committed” sex workers, as an indentured *ah ku* could redeem herself by right, but “in order to cancel the debt she would have to receive a minimum of several thousand customers over a period of several years.” On the contrary, “sold prostitutes” “were considered in most cases, in common parlance to be the ‘adopted daughters’ of the proprietor of the brothel” and “were absolutely her [keeper] property to use and dispose of as she saw fit” (Warren 1993, 52). This rich but fragmented data shows that (non)Indochinese sex workers and their families who sold them needed credit and took it from a readily available source, which included procurers and traffickers, and that varied forms of debt bondage were practiced in multiethnic settings across the region. While this material depicts a complex landscape of debt over a sixty-year period, it does not suffice to propose a solid genealogical analysis aimed at exploring the connections and filiations of debt systems in Vietnam and beyond in the last 150 years, or how neighboring societies and slavery and debt-bondage traditions influence each other, in Marc Bloch’s words.

This limitation made me consider a morphological approach to indebtedness. My goal was not to contribute to the far-reaching anthropological comparitism of Orlando Patterson, Claude Meillassoux, and Alain Testart. Instead, I intended to draw modest comparisons to “simply put into

question, by interposed object, its own subject of enquiry” (Annequin 1985, 641), meaning debt. The legalistic lens that informs Alain Testart’s work allows casting light on a topic, debt bondage, that remains undocumented, and perhaps opening new research avenues on the matter as proposed by Marc Bloch. Such examination requires fine-grained ethnographic material and solid contextualization because with debt bondage the devil is in the details. This approach shows that while the transhistorical argument might be useful in justifying moral crusades, its utility in illuminating current debt practices is tenuous. It also attests that pawning and sales of (non)redeemable bondsmen are rare nowadays, but that hiring of service—or at least its core principle by which labor secures and repays debt—has prevailed in debt arrangements where the creditor employs the debtor. Beyond that, little else can be drawn from the analogy between past and present debt bondage.

The study offers other valuable insights into exclusion in Southeast Asia. The market economy embraced by Vietnam since the *Đổi mới* reforms has encouraged people to invest, to borrow money, to consume, and to migrate. Yet several obstacles stand in the way of sex workers. While the promises of progress brought by the market reforms appear to be within reach, many women are stuck in frantic present-oriented temporalities (Lainez 2018), excluded from formal financial, labor, and migration markets, marginalized due to the stigma attached to sex work and left with no option but to engage in personalized and at times risky arrangements with moneylenders, procurers, and migration brokers. This does not result from slavery traditions. Julia O’Connell Davidson (Martins 2016, 386) puts it nicely: when we look at disadvantaged global workers, “we’re seeing one of contemporary neoliberal capitalism’s many faces. We’re watching the effects of Capitalism Unchained, not the age-old spectre of some traditional, slavery-like practice.” The choices of Vietnamese sex workers are further limited by a social structure that still fosters patronage, vertical bonding, and dependency in a familistic context where social bonds are paramount to ensure production and social reproduction. From this perspective, the present prolongs the past in that disadvantaged populations from yesterday and today need credit and seek it at any cost and from any available source, starting with patrons in local and distant social networks. Condemning these arrangements in the name of a moral and political crusade against trafficking and modern slavery denies their limited—yet powerful—aspirations, agency, and capacity to negotiate opportunities and oppression in a rapidly changing world, and to acknowledge the possibility that they may voluntarily engage in perilous but indispensable debt arrangements.

## NOTES

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1. Slavery-like practices include debt bondage, defined in the United Nations 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, which serves as the foundation of current global antitrafficking legislation, as the “status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined.” Debt bondage is reprehensible when the “reasonably assessed” amount of work and time to be provided by the debtor to the creditor is excessive or immoral. Yet the definition does not provide a yardstick to evaluate the appropriateness of debt arrangements and commitments.
2. Similar analogies between past and present forms of slavery in Africa are discussed in the special issue “Esclavage moderne ou modernité de l'esclavage?” published in *Cahiers d'études africaines* (for an introduction, see Botte 2005). See also the discussions on neo-bondage in India (Bremán, Guérin and Prakash 2009), and on indentured labor in relation to debt-financed labor migration (Halley 2017; Killias 2009) and unsanctioned migration for sex work (Testai 2008).
3. All names are pseudonyms.
4. Leaving a brothel does not always mean leaving sex work. In my study, sex workers had “vacillating sexual careers” (Lainez 2015) in which they took up different positions on a continuum of economic-sexual exchange, shifting from sex-for-cash arrangements to mistress-type relationships to marriage over long periods of time, depending on the opportunities and associated benefits available.
5. A few hundred migrant sex workers—including some Vietnamese since 2016—work in licensed brothels under the Working Performing Artist Pass scheme.
6. This network structure lies in between decentralized networks, which are horizontal and flexible structures with no visible core and an even distribution of roles among its members (see Zhang [2008] for Chinese “snakeheads”; Spener [2009] for Mexican “coyotes”), and dyadic networks involving pairs of actors (see Chin and Finckenauer [2012] for Chinese sex brokers).

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