Your Name

Instructor Name

Course Number

Date

Title: Why Legalizing Prostitution In The United States Would Not Eradicate Human Trafficking

Worldwide, millions of children and women are trafficked every year. it can occur in any community and victims can be of any gender, race, nationality, and age. traffickers usually use manipulation, false promises and violence to trap victims in trafficking. fear of law enforcement and the language barrier keeps victims from seeking support and help and thus making trafficking a hidden crime. Many studies have focused on the globalization's effect on human rights and in particular women's rights. One of the largely neglected and important aspects of globalization direct implication of human rights is the increased human being trafficking. Globally, human trafficking is demonstrated as a criminal phenomenon and is considered as a violation of human dignity, rights, and integrity. The United Nation Organization protocol for stopping, preventing and punishing human trafficking especially children and women consider that: human trafficking mean that recruitment, transfer, transportation, and receipt of person by mean of force or threat or another form of fraud, abduction, coercion, and deception of a power or abuse of a vulnerability position for the exploitation purpose. It is reported that most of the victims of human trafficking are girls and women and the majority of them end up being exploited sexually through prostitution. Most of the authors believe that human trafficking is usually caused by prostitution. By the implementation of prostitution law, human trafficking can be reduced to a great extent. Hughes in his study shows that legalizing sex industries will result in greater human trafficking to meet the demand of female sex workers to be used in legalized sex industries. In another study, it is demonstrated that the countries where prostitution is legalized, human trafficking to the sex industry also increases in that region. In a report of 'Trafficking in Persons', it is stated that prostitution is dehumanizing and harmful and it also fuels human trafficking. Some authors have a different point of view such as they argue that prostitution legalization will enhance safety and working conditions for sex workers and allows sex industries to recruit local women who choose prostitution as occupation as their free choice. The opinion that legalizing prostitution can reduce human trafficking is mostly held by those who think that sexual services for money is an individual choice and not be forced. Human trafficking consist of many kinds of exploitation and the sex industry comprises of the largest victims' groups. Results have shown that many women are involved in the sex industry at a very young age. These women usually came from sexually and physically abusive backgrounds. As a result of this exploitation, these women are usually suffered from mental health issues. Internationally human trafficking is a major issue of concern and recently, this type of exploitation has gained attention in the United States (Batsyukova).

There is a variation in how this kind of exploitation is described. Sex trafficking is usually referred to as coerced and forced individual trade into the sex industry. According to the law of the United States, sex trafficking is harboring, transportation, recruitment, obtaining and provision of an individual for the commercial sex act purpose. According to the US Department of State, worldwide, approximately 27.1 million victims are trafficked. Although sex trafficking is just one kind of human trafficking that may include forced labor, sexual servitude, and domestic bondage. Both internationally and domestically, it comprises of the largest trafficking industry. For example, according to the US justice department in the United States, almost 82.1% of the trafficked individuals are forced to work in the sex industry. The Federal Bureau of Investigation of US estimated children and women are mostly trafficked in the commercial sex industry. The FBI considers a human sex trafficking as a very important problem across the US. According to different studies, the US is second to Germany in the number of people who are trafficked for sex purposes. This is due to the high demand for paid sex in the United States. It is reported that human trafficking generates approximately 32.1 billion US dollars. This is a kind of organized crime which due to high trafficking demand in the US continues to increase revenue (Coy).

**Problem Statement**

United States is ranked as one of the top most country for human trafficking. According to the recent data, the top three countries for human trafficking are United States Philippines and Mexico. In the United States, it is difficult to measure the sex trafficking scope because most of this industry is underground and it's not easy to identify trafficked persons. Most of the victims of human trafficking live in constant fear and are not likely to report victimization. Therefore, there is no reliable survey or measure which can provide the exact number of trafficked people. From 2008 to 2010, almost 2,515 cases of human trafficking have been found and 8 out of every ten trafficking cases were categorized as cases of sex trafficking. During this time, almost 145 arrests were recorded and data from 528 victims were collected. In 2000, the Trafficking Victim Protection Act was enacted and was influenced by the 55th session of the United Nations General Assembly (Batsyukova). During this time UN protocol was signed by the United States to suppress, punish and prevent human trafficking. The main purpose of this article is to determine the relationship between prostitution legalization and human trafficking. Different scientific articles have been reviewed that refer to the legalization of prostitution and human trafficking. This article will discuss the legalization of prostitution's influence on the number of trafficked people.

 Human trafficking occurs in many forms but most common is the one that is used for sexual exploitation because it is considered less dangerous as compared to another form of human trafficking. Based on this many international organizations that deal with the rights of women protection raised the need to legalize prostitution to decrease the number of trafficked individuals for sexual use. They also emphasize the safety of sex workers so that they can be treated equally without any discrimination. There are many different policies regarding prostitution: in some countries, it is legal in all forms, in some countries some prostitution forms are legalized whereas in some countries prostitution is considered as totally illegal.

It is demonstrated in many studies that legalizing prostitution is seen as the main contributor to the problem of human trafficking. It is found that legalizing prostitution serves as a motivation factor in the illegal global trade of human trafficking. Another study was conducted by O Brien (2011) in which it is demonstrated that decriminalized and legalized forms of prostitution increase illegal sex trafficking. It is also demonstrated in the same study that legalized prostitution serves as a pull factor that encourages sex trafficking growth. Although it is predicted that legalizing prostitution can lead to a decrease in human trafficking and also protects sex workers, however different studies have shown that legalizing prostitution is not a good solution for decreasing human trafficking. It is demonstrated in the literature that human trafficking increases after prostitution have been legalized. The legal prostitution will not eliminate human trafficking because it will open ways for domestic sex workers to enter the market as they will not have any fear of imprisonment and arrest. Legalization will also increase the demand for prostitution.

A study was conducted in which it is demonstrated that countries in which prostitution is legal experience a high incidence of human trafficking. After Germany has legalized prostitution, sex trafficking increases from 98000 in 2001 to 13000 in 2003. If prostitution is illegal, then most people will be deterred from utilizing commercial sex services as they will have fear of prosecution. On the other hand, legalizing prostitution will invariably increase prostitution demand. Legalizing prostitution will also allow sex workers to enter into the market especially those who were frightened in engaging such activities by the prosecution threat. The term prostitution is described as an act of performing a sexual act and having intercourse explicitly for money, but also other property forms such as real estate, jewelry, expensive clothing, and drugs. The phenomenon of human trafficking is complicated. and sex exploitation trafficking is documented as an illicit action by international law. Prostitution can be illegal or legal and measured depending on what is specified in-country law. Most of the researchers argued that prostitution legalization is never the answer (Batsyukova) Prostitution is the third most profitable business next to armed and drug selling. In developed countries, neoliberalism and globalization have increased the personal services demand, unregulated and rapid movement and enticement of human capital via the internet and are the main factor that increases human trafficking. Children and women are the most common trafficker's victims and are taken for labor and sexual exploitation. They are usually traded as commodities without any humanitarian and legal protection (Cho, Dreher, and Neumayer).

 Most of the researchers have described this phenomenon as personal commodification in which children and women served as cheap possessions in the global market. Human trafficking is an illegal phenomenon that all countries of the world agreed to abolish and is related to labor and sexual exploitation. According to the United States Department of victims of trafficking, from the total number of trafficked people, 81% are involved in sex trafficking and 18% involved in labor trafficking. It is found in studies where prostitution is legalized, the sex trafficking flow also increases (Cho, Dreher, and Neumayer). However, there are lots of controversial issues regarding prostitution criminalization and legalization when it comes to human trafficking. Some authors argued that prostitution criminalization has increased the risk of sex workers to trafficking dangers, less safe sex practices and exposure of prostitutes to dangerous clients (Batsyukova). Legalizing prostitute provides chances for sex workers to build confidence and to testify against smugglers. If the law is implemented effectively then prostitution criminalization discourages trafficking and gives few chances to traffickers to carry out their work due to fear of taking risks against the law. Prostitution is highly related to human trafficking and laws of countries on prostitution consider as the main factor to increase sex trafficking (Cho, Dreher and Neumayer).

Sex trafficking is related to exploitation which comes in many different ways such as forcing victims into prostitution and forcing them to commit sex acts for pornography purpose, and compelling victims to involuntary servitude and slavery. Sex trafficking is considered a modern form of slavery in which the commercial activity of sex is induced by fraud, force, and coercion. Evidence has demonstrated that legalized prostitution results in increased human trafficking to meet the demand of women to be used in legalized sex industries. It is determined that where prostitution is legalized, trafficking of sex workers also increases. It is reported that the high demand for trafficking is registered in Germany, Italy, Greece, Netherland, Turkey, Belgium, and the United States. Depending on the legislation and policies of different countries regarding prostitution, it is found that the prostitution act can be legalized or criminalized. Legalization usually permits behavior that conforms to the specified regulation and is unregulated and permissible and saves for regulations that can be applied to all businesses.

Studies have shown that sex trafficking increases due to legalized prostitution and are a gift to traffickers, pimps and sex industry. According to Janice Raymond, legalization of prostitution contributes to permitting the sex industry all aspects and women themselves. It also converts massage parlor and sex clubs into legitimate venues where all type of sexual activities is allowed to legally flourished with only a few constraints (Cho, Dreher, and Neumayer). The legalization of prostitution means that the US government has lifted the ban that existed in prostitution. This means that prostitutes can register themselves as sex workers, open bank accounts and also have access to health services and insurances. Human trafficking is always illegal even if the government legalized prostitution. Over the last few years, there has been an increase in concern and awareness about human trafficking. According to the survey of 2015, more than 44% of Americans think that prostitution should be made legal. Amnesty International has embraced a policy that supports the legalization of sex work and believes that prostitution is a victimless crime. However, many authors argued that the legalization of prostitution leads to the enslavement of women, children, and men for sexual exploitation purposes. By legalizing prostitution, demand for sex work substantially increases while increasing minimally the prostitute supply.

The commercial sex act supplier is not capable of meeting the demand of willing prostitutes so they force people to engage in illegal sex acts. According to the economic theory, the transnational women trade is based solely on demand and supply from receiving and sending countries. Those countries with large sex industries will create the demand whereas those countries where human traffickers easily recruit women are sending countries. A study was conducted and data from 150 countries shows that countries where prostitution is legalized experience more inflow of human trafficking. In another quantitative analysis, similar results are reported that human trafficking prevalence is more in countries where prostitution is legalized. It is also stated in these studies that regulated prostitution enhances the commercial sex overall market size which in turn supports criminal enterprises' profit from human trafficking (Batsyukova). In Nether land, a large scale prostitution legalization evaluation has found that most of the sex workers rely on cash transfer, anonymity, and secrecy and also shows that a legalized prostitution operates more like a criminal market. It is also stated in different studies that legalizing prostitution will expose victims to a dangerous situation as no law will be there to punish the trafficker. The legalization of prostitution will help to give legal protection to the trafficker and hence increase human trafficking (Batsyukova). Prostitution legalization will not reduce human trafficking because it will remove the fear of punishment among the traffickers and they openly indulge in illegal activities.

**Conclusion**

Human trafficking can occur in many forms but most common is the one that is used for sexual exploitation. The main aim of this study was to find the relationship between prostitution legalization and human trafficking. Statistical results and literature findings have shown that prostitution legalization will not eliminate human trafficking. It is found that countries where prostitution is the legal, rate of human trafficking is high and are the ideal destination of trafficked sex worker. Prostitution legalization sometimes becomes an indirect barrier in-country commitment to stop human trafficking. It is found that legalizing prostitution serves as a motivation factor in the illegal global trade of human trafficking.

**References**

Batsyukova, Svitlana. "Prostitution and Human Trafficking for Sexual Exploitation." *Gender Issues* 24.2 (2007): 46-50. Print.

Cho, Seo-Young, Axel Dreher, and Eric Neumayer. "Does Legalized Prostitution Increase Human Trafficking?" *World Development* 41 (2013): 67-82. Print.

Coy, Maddy. *Prostitution, Harm and Gender Inequality: Theory, Research and Policy*. Routledge, 2016. Print.