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Debt Bondage in Cambodia’s Past—and Implications for Its Present

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In the Cambodian past, strict guidelines detailed punishments and compensatory arrangements should laws concerning the treatment of persons temporarily entered into debt bondage be transgressed. Although the legal protections that these permitted were abolished by the French colonial administration, the practices themselves remained. Not all “slaves” were condemned to a life of servitude; often, individuals or their families entered into contracts in which their labor was pledged for a set period. Daughters’ labor could most easily be given up by families seeking to borrow a lump sum from a wealthy patron. When laws protecting such girls were removed, there was no longer any effective barrier preventing their temporary masters and mistresses from abusing them. The initial failure of colonial legislators to understand debt bondage as distinct from slavery explains the endurance of human trafficking and the proliferation of increasingly younger children in the sex sector in Cambodia today.

We cannot look at Cambodia without constantly being reminded of its recent past. Only a generation ago, approximately 2.52 million people died due to the poor policies and brutal repression of the state in its Democratic Kampuchea iteration. Yet there are other less tangible elements of the Cambodian past embedded in the collective cultural consciousness. One of these is the continued prevalence of debt bondage. The practice of pledging one’s own labor or that of a relative in return for a lump sum of cash, goods, or service remains commonplace in a country where little access to state-sponsored economic relief, or even a private credit system, exists. The nature of the labor may or may not include sexual services; the persons pledged are, for all intents and purposes, completely at the mercy of their “owners”—who can sell or gift their labor to someone else if they are so inclined, as no law exists to protect those who are bonded in this manner. The system is thus open to abuse. Yet this was not always the case. Prior to the advent of colonialism and Western notions of individual rights, people who were bonded in service, either temporarily or permanently, were protected by a complex code of laws. The historical record reveals many instances when persons in debt bondage complained about their treatment and these laws were invoked to protect them. Why does this no longer occur? More important, why do people continue to pledge their labor for debt, knowing that these protections no longer exist?

1Women face more difficulties than men in of approaching banks and international organizations for loans because of their lower levels of education as well as social constraints toward female entrepreneurship (World Bank, 2009, pp. 3–4).

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The colonial project abolished slavery. The problem was there were many types of slaves and the abolition targeted only what Europeans perceived as outright slavery as they knew it from the Americas and Africa, not more subtle forms of obligation such as debt bondage and the possibility of agency within constrained situations. Because the practice remained but the laws protecting people were removed, people who were abused by those who had earned “rights” over them had no recourse. This remains one of the key reasons the sexual exploitation of women and children remains culturally acceptable. In this article I use case studies from the archives of the colonial administration in French Indochina to highlight the fundamental misunderstanding on the part of colonial administrators of the nature of debt bondage in relation to slavery and trafficking and the assumptions made based upon race, class, and gender. I then illustrate how left unchecked the institution of debt bondage has endured and remains culturally acceptable due to its iterability but that this nonetheless does provide space for agency within constraint. This has implications for the growing corpus of studies that address sex trafficking, as those that rely upon Western-centric normative categories of identity result in the “incomplete intersectional studies” critiqued by Robertson and Sgoutas (2012, pp. 421–422).

SLAVERY IN PRECOLONIAL CAMBODIA

Slaves were ubiquitous throughout precolonial Southeast Asia. Only the very poor had no slaves at all, and even modest households had one or two. They were necessary for labor, for security, and sometimes for entertainment. They came from all levels of society due to the many pathways into slavery; it would therefore not be uncommon to find an educated, elite man serving in the household of another until his debt was paid. Wherever possible, families were kept together. Slaves were also necessary accoutrements for the elite seeking to establish their credentials as powerful. Thus a Cambodian inscription dated 1696, essentially a bucket list for an oknha or court official of the things he wanted in his next life if he performed meritoriously in the present one, reads as follows: “I ask that I have male and female slaves by the hundreds and thousands—a magnificent horde—of great beauty, eloquence, with whom to converse in an erudite and suave fashion” (Lewitz, 1975, p. 284).

Almost all law codes in the kingdoms of mainland Southeast Asia (and quite a few of the insular ones) were based upon the Manusmrti, or Laws of Manu, written down for the first time in South Asia between the 2nd century BCE and the 2nd century CE but originating in oral form much earlier. Therefore we find in the earliest legal treatises for the kingdoms of the mainland instructions for how to treat people of different social classes as well as punishments, what to do in various political situations, and so forth. The Manusmrti and its indigenous variations tell us that there were seven ways in which people could become slaves. The first was through conquest. People were regularly taken by victorious or retreating armies and delivered to their commander in chief, who would distribute them to other elites, or donate them as labor for religious establishments, or give them to particularly deserving soldiers. The second way one could become a slave was through the exchange of labor for food—subsistence slavery. The third was through birth; the

— For an overview of slavery in premodern Cambodia, see Jacobsen (2005).
child of a slave was categorized as a slave regardless of his or her father’s status. The fourth way was to be sold by someone who had rights over you—a father; mother; or other guardian figure, such as a king, for example. Fifth and sixth, a person could be given as a gift either temporarily or permanently in the same way. Finally, you could become a slave as a result of not being able to pay fines associated with crimes; you, and your family, were enslaved until the debt had been worked off (Manusmrti, 1999, 6.68, v. 415).

Although it is difficult for those of us who approach things from a Western postenlightenment perspective, wherein individuals are the basic building blocks of society and have inalienable rights over themselves that they only give up on a contractual basis to a spouse or a state, to grasp, things were very different in precolonial Southeast Asia, as elsewhere in the world, both in the past and today. Everyone was embedded in a complex system of hierarchical relationships, devolving upon kinship, political influence, economic force, religious legitimation, and other factors. The idea of an individual actor free from any influence is redundant in this context. Moreover, the family, not the individual, was the basic social unit. If one member of a family committed a crime, all of his family members were punished for it. This was an effective deterrent most of the time, although we do find cases even in the classical period (9th–15th centuries CE) in which transgressors thought the crime was worth the punishment—a slave who repeatedly escaped and was recaptured was responsible for his wife, three children, and father having their ears cut off, as well as his own, in ancient Cambodia (Jacobsen, 2005, p. 243).

Few instances of slaves attempting to escape are embedded in the historical record and then as an example for what happens to those who do not fulfill their dharma. Precolonial Cambodian society, as was the case elsewhere in Southeast Asia, depended upon a complex hierarchy of status with little opportunity for social mobility. One’s place in the system was believed to be relatively fixed; only in extremely rare cases could a peasant hope to become a member of the elite and then usually through supernatural means or mistaken identity. Slaves were frequently released from bondage as a means for their masters to accrue merit, although this seems to have happened most often with slaves who were “permanent,” that is, whose status as a slave was not as a result of a temporary situation such as debt bondage or payment of fines.

Pledging for debt seems to have been a common occurrence and did not always involve the person borrowing money. At times parents would pledge the labor of their child, or guardians the service of a minor in their care, or a husband his wife and children as surety for a debt, and they themselves would not be enslaved. This was to enable the borrowers to remain outside the slave category and use the lump sum to improve their economic prospects, travel to the capital to purchase materials with which they earned their living, or pay the taxes that would allow them to continue to work their fields, in the hope that once this was accomplished they could then repay the debt and recover their child, spouse, or other relative. This did not always happen; as we shall see, sometimes the moneylenders were reluctant to let their human collateral go.

The duties of enslaved persons varied, but labor was unquestionably expected of them. Slaves worked the fields of the house, guarded outlying orchards from marauding beasts, brewed, baked, and produced cloth—essentially, they participated in the economic production of their household and safeguarded its interests. There is no doubt, however, that people whose labor was bonded in this way were in constant danger of sexual exploitation. We know that some slaves were expected to perform sexual acts—famously, the inscription known as K. 74 from Cambodia records female slaves known as “Born-for-love,” “She-wholaughs-for-penis,” and “She who eats penis”; also a
“Penis hater” (Cœdès, 1954, p. 18). They were, as Foucault (1985) described in another context, “sexual objects” because their social status rendered them unable to resist or defend any “use” of their energies, bodies, and presence (pp. 215–216).

The oknha who composed his “bucket list” in 1696, mentioned earlier, added to his description of his future life, “I ask to have a coterie of women, beautiful and gracious, of exceptional beauty, supple, elegant, of fresh hue like the slakael flower.” Perhaps he simply wished to be surrounded by beauty, but there is ample evidence from precolonial contexts that indicates otherwise. Many of the law codes go into meticulous detail concerning the correct circumstances under which a woman who was bonded to service—one’s own or someone else’s—may be approached for sexual purposes. 

If someone has engaged their daughter, their niece, their grand-daughter, or their sister for a small or large sum of money, and it happens that the girl has sexual relations with her master, or with the brother, the son, or the nephew of her master, or with a free man not related to her master, and if that man refuses to keep her, there is nothing to pay to wash away the shame, because the girl is a slave. If the girl has been pledged or sold, she is called me hang and cannot be dishonored [Leclère, 1898, Vol. 2, pp. 37–38].

Although the master (or mistress) was entitled to offer the sexual services of persons bonded to them to anyone they pleased, woe betide anyone who attempted to elicit such services on their own initiative. Kram tous piriyea, “Laws concerning women,” dating from the 17th century in Cambodia, tells us the following:

If a free man who has taken the slave of another has relations with her before having offered, as is customary, areca and betel to her master, to her father and mother (in order to ask her hand), he is considered by the law as ill-mannered who is guilty of an offense. Consequently, if he then abandons the slave in question, he will be condemned to pay the price of the slave whom he has abused to her master [Article 36].

A free man who, seized with love for a young slave-girl, takes her to his house without redeeming her, feeds her, keeps her and lives with her as if married, without having informed in advance her master, observes neither the law nor the custom of the land; consequently, whether there are or are not children of the union, he is condemned to pay a fine of 30 damleong to the master of the slave-girl who has lost the use of her labor. Moreover, he must pay a third of the price of the slave to her master, and two-thirds to the slave-girl. If, of the union, are born children, they inherit their mother’s condition and belong to her master [Article 37].

If the master of a female slave, or his parents, or those who dwell in his household, use violence towards that slave and assault her, if the slave can produce testimony from someone who heard her cries at the time the violence was inflicted, it is necessary to compensate her half of the amount of her redemption value.

If, although not raped, she has had her breasts touched, has been fondled, or kissed against the will of the slave, the compensation she should receive is a quarter of her redemption value [Article 38].

There is an example of the application of this perspective from the early 17th century in Cambodia. A girl named Ou was brought to a provincial official and her service pledged to him by her parents in return for 100 anching of gold. After some weeks they returned and tried

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3We can only imagine the nature of activities that preceded naming a male slave “Mischievous penis” in the same inscription.
to repay the loan, which in normal circumstances meant that Ou would have been free to go. To their surprise, a servant told them that Ou could not leave that day as she was busy weaving. The next day they returned, only to be told that he could not bear to part with Ou that day because one of his slaves had died in the night and she was comforting the household. The third day, they were told that one of the okhna’s children was sick and Ou was needed to take care of the child. This went on for some weeks until finally the king and queen were informed of the provincial okhna’s flouting of the law regarding debt bondage and they sent a judicial emissary to secure Ou’s release. The okhna was forced to pay an enormous fine to the court and Ou’s parents did not have to repay the 100 anching (Leclère, 1898, Vol. 1, pp. 149–150).

These are only a handful of examples from the epigraphy and the Cambodian chronicles of the Middle Period, but other records exist. From them, we can glean the following facts about people in situations of debt bondage prior to the colonial period: They were usually women; they did not resist their bondage because of prevailing attitudes toward one’s place in the social hierarchy, obedience to parents, and belief in dharma; their bonded labor usually included sexual services but not always; their labor—sexual and otherwise—was in the control of the person who held the debt; their services could be transferred to someone else as a gift or in lieu of payment and they could be moved to another location far from their original indenture; entry into and out of bonded labor was facilitated by repayment of debts; debt bondage was regulated; and, if mistreated, bonded persons were entitled to compensation.

**COLONIAL PERSPECTIVES**

It is helpful, to some extent, to view the colonial project comparatively in mainland Southeast Asia so as to properly evaluate the Cambodian context. The British had effectively taken over Burma by the early 1880s and had their project of emancipation and “civilization” well under way before the French established themselves as regional players in 1887. Both colonial powers attempted to abolish slavery and what they viewed as prostitution; both recognized the existence of a trade in women and girls who were mysteriously acquiescent about being taken from one place to another for the purposes of sexual exploitation. The British knew about the existence of debt bondage as a category of slavery for decades and were inclined to leave it alone.

In a letter dated August 31, 1891, the Chief Commissioner of Burma reported that he had “told the chiefs that we should not interfere with the village customs or with the usual payments, whether in money, kind or labour, received by them from their tribesmen.” He also related the following:

One matter about which all the Sawbwas were anxious, and regarding which they appealed to me, was the treatment of slaves. Slavery is universal among the Kachins, and to enter on a crusade against it would mean rousing the whole of the tribes into fierce and active hostility. It is the usual way in which a debt is paid. . . Otherwise I would leave this “domestic institution” untouched. With the cessation of raids the chief source of supply will be cut off. Time and civilization will work out the rest. So far as I can learn the slaves fare as well as the Kachins themselves, and are merely labourers, many of them under contracts freely entered into [India Office Records (IOR), 1891].

This was very different from the human trafficking the British were aware of elsewhere in British India. In 1884, alarmed at reports of the large number of British men in Burma who were
frequenting brothels or taking local women as mistresses, the government of British India decided
to find out where these immoral women were coming from and put a stop to it. All districts with
ports on the Bay of Bengal were asked to supply information as to whether any women had
been forced into leaving India for Burma and a life of ill repute. The prevailing belief was that
only immoral women would wish to provide sexual services and that “nice” girls must therefore
be tricked into agreeing to travel to Burma. H. G. Turner, Collector of Vicagapateh, asked on
November 29, 1884, to send out for information on “the shipping of girls to British Burmah”
(IOR, 1884). He replied that “there is no reason to suppose that there is a regular traffic of the
kind under discussion between the ports of this district and the Burmah ports.” Robert Minto,
Port Officer in Charge of Sea Customs, Bimliptam, related on December 10, 1884, that
one only such case has been reported to me during the eight years I have been in charge of this office.
That was some four years ago. A young girl of about twelve years of age was induced to promise to
go to Rangoon, and she had a quantity of jewelry given to her at that time. There were a man and a
woman engaged in this case. The friends of the girl complained to me, and I prevented her from going
on that occasion. The man and woman then went away very quickly, but first taking the jewelry from
the girl in question. The entire family of this girl have since left the town, and I have been unable to
gather any information with reference to the antecedence or otherwise of this unworthy pair [IOR,
1884].

W. S. Foster, Collector of the Godavari District, said on January 21, 1885, that he had “caused
inquiries to be made into the traffic in girls, which is said to go on between Madras and Rangoon
by the Port Officer.” He determined that the women who had left his port en route to Rangoon
were going there to join relatives “or were under the protection of some men.” On this basis,
he determined that “the practices of enticing girls away for immoral purposes is not carried out
to a large extent at present.” Furthermore, of the six young women who went to Burma on the
steamer Himalaya in January “under the protection of one man,” according to the Port Officer,
“their demeanour was such as induced him to think that they were rather of the enticer class rather
than of the enticed.” Candidly, the same officer related that

the general belief is that many women go to Rangoon and Moulmein for prostitution. They are taken
by men with whom they have formed immoral intimacy while here. When the men return to India, if
disputes arise between the parties, and one deserts the other, the women remain in Rangoon to lead
the life of a prostitute. In all these cases, it is believed that the women go of their own free will. . . .
It is said that men sometimes take over a woman, himself intending to hand her over to another man,
when they arrive at Rangoon, on receiving money from him; but the women do not leave here against
their will; perhaps they do not know the intentions of the man who is taking them over, and perhaps
they have no objection to this arrangement. I do not think many women are taken over by men with
this intention, though the men may find out at Rangoon that it is a profitable thing to do. I have never
heard of a case of a woman being taken against her will [IOR, 1884].

Evidence from the ports of Kistna and Gamiam also corroborated the existence of women who
had left India to go to Burma with relatives and subsequently earned their livings in the sex sector
but had not heard of “a trade of supplying or seducing women away for immoral purposes.”
J. G. Horsfall, Collector of Gamiam, added that “the dancing girl or prostitute does not conceal
her caste and calling” (IOR, 1885). The prevailing belief was that women were either “good”
and had to be coerced into sex work or inherently “bad” and had a natural inclination for sexual
activity.
This was the case in Cambodia as well. In contrast to the *bonne femme* who was “always devout, always attentive, obliging without ever losing an ounce of her dignity” as she oscillated between caring for the *wat* and tending her home and the family within its walls (Leclère, 1899, p. 504), many Western observers thought that Cambodian women were naturally inclined toward debauchery (Résident Supérieur du Cambodge [RSC], 1901–1902; Gorer, 1936, p. 151; Thompson, 1937, p. 361). This devolved largely from the custom for both genders of concealing only the genitals and leaving the upper body uncovered or, when more formal occasions demanded it, encasing the torso in a tight jacket that enhanced rather than concealed the figure, as described by Auguste Pavie in the 1880s: “Her sturdy but supple body undulated under her tunic-sheath which tightly held her shoulders and her chest and displayed her bosom” (Pavie, 1901, p. 61). Their physical appearance led, in European minds, to an association with sexual licentiousness, manifested in many colonial-era novels set in Cambodia or other parts of French Indochina. The fact that the number of known sex workers in Phnom Penh increased from 5 in 1892 to 50 ten years later may have reaffirmed this view (RSC, 1901–1902).

Like the British, the French metropole became increasingly alarmed at how many of their officers were consorting with local women and the potential problems this could engender in terms of disease, confused loyalties, and the production of a race who were neither metropolitan nor indigenous. The French method was not concerned so much with preventing women from entering into the sex sector as keeping French men away from them. To this end, barely 20 years after the designation of Cambodia as a French protectorate, the French police were empowered to arrest sex workers and close down brothels. In 1901 Adhemard Leclère suggested regularizing brothels and measures to discourage Frenchmen from frequenting them. One of these included relocating the red light district at a distance from the town proper in the hope that the additional travel time would dissuade would-be clients (RSC, 1901–1902).

Although an inquiry into the source of sex workers was never convened in the same way as in British Burma, the French colonial administration began to show concern at the movement of women and children within and from French Indochina to other regional locales quite early on. In Chau-Doc, the border crossing between Cambodia and Cochinchina, Nguyen Van Con came to the French authorities on January 11, 1882, complaining that he had returned home from a business trip in 1880 to discover his wife and four children missing. Upon making inquiries, he found out that they had been taken by a man from whom he had borrowed a lump sum of 500 francs, of which he had repaid 200, with the support of the local authorities in Long Than. The man who held his debt transported them to Phnom Penh, whereupon three of the children, two girls ages 9 and 7 and a boy age 5, were handed over to an intermediary and “were sold to a wife of the king of Cambodia for the price of six bars [of silver]” (Collection de l’Archives d’Outre-Mer [CAOM], 1882, F76/10991). A few months later, reference was made to three other children from Cochinchina who had been “sold by their parents” in Cambodia. They were taken under the protection of the Ministry of the Interior and placed in the Collège Chausseloup-Labat until relatives could be found who would presumably not sell their labor (CAOM, 1882, F76/11919). Also in 1882, a man contacted the authorities in Phnom Penh complaining that his wives had been taken to Bangkok by “a business associate” and would be sold

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4Many scholars who engage with the colonial period in Southeast Asia have commented upon this. See, for example, Cooper (2001, pp. 135–136), Edwards (1998, pp. 109–110), and Jacobsen (2008). For a colonial-era example, see Malleret (1934, pp. 219–220).
into prostitution. Interestingly, one of the women concerned wrote letters to her children from Bangkok; she appeared, if not happy, to be at least acquiescent to the arrangement (CAOM, 1882, F76/13651).

One of the hardest aspects of the sex sector to understand, from the perspective of the colonial administration, was why women chose to remain in it when they were given alternative options. For example, in 1909 a Vietnamese woman age 32 was “liberated” from a brothel in Canton after claiming to have been ill-treated. When asked how she came to be placed there, she responded that she was raised in the house of a European in Tonkin; as a result of some small theft or misdemeanor, she was sent to another house nearby. The householder sold her to the brothel in Canton. The French authorities arranged for her repatriation to Tonkin, her birthplace; but a matter of months later, the woman was back in the same brothel, having pledged her labor in exchange for a lump sum of cash that she required for some unknown purpose (CAOM, 1909, F76/19620). The French Consul’s tone in the letter ranges from aggrieved to bewildered. Given precedents such as these, it is hardly surprising that the French authorities had difficulty contextualizing situations that to them seemed not to fall into the category of coercion.

Finding an undiluted female voice in the colonial archives is rare, especially for “private” matters such as sexual contracts. Astoundingly, one young woman, Neang Eotim, was not afraid for her exact words, feelings, and perspectives to be documented by the French authorities in Phnom Penh in 1896. In July of 1896, a young Chinese-Khmer woman entered the central police bureau, claiming that she had been held against her will and assaulted by her master, the oknha Okamahasena. Her testimony was preserved and tells a typical story of a pledge for debt. At the age of 11, her mother, owing money to one of the oknha’s clients, placed her daughter in the house of the oknha as surety for the debt. The girl was trained as a dancer and entertained the oknha and his household when required, as was customary for all elite families. When she was 16, the oknha announced that he had fallen in love with her and would take her as a lesser wife. She refused, for the following reasons:

I do not wish to make love to an old man of 72; and I have seen how he treats his lesser wives—they are little more than prisoners whom he tortures when it so pleases him. . . . He locked me in my room and starved me but I would not agree. He beat me but I would not agree [CAOM, 1896, D89/22702].

Eventually, he raped her. Afterward, he claimed that if she would not go through a marriage ceremony with him, she would be dishonored.5 She replied that he had already dishonored her by touching her with his filthy hands. Enraged, he beat her senseless. The beatings continued for 5 years, after which she finally found an opportunity to escape the palace and go to a police station. The French decided that as the woman had lived with the man “as his wife” for some years, it was a private matter, not one for state intervention (CAOM, 1896, D89/22702). No doubt it was expedient for them to come to this decision as the oknha concerned was a member of the royal family.

5 The necessity of appeasing the girl’s meba, ancestral spirits, was common after sexual intercourse between unmarried people in precolonial and colonial Cambodia. See Jacobsen (2008, p. 96).
Following World War I, the eradication of slavery became one of the key objectives of the Western world. The 1926 convention on slavery may have ended the official traffic in persons, but debt bondage, with its gray areas—was it a domestic, and therefore private, matter or one in which the state should meddle?—continued. In the 1930s in French Indochina we see many such examples. An ex-brothel owner from Saigon, who had relocated to Bangkok, attempted to arrange a passport for a young woman to whom she referred as her niece so that she could join her in Siam. The French denied the petition on the grounds that the woman was in all likelihood trying to recruit the younger woman for immoral purposes. They continued to be vigilant toward cases of trafficking in women and girls. They did not, however, alter indigenous perspectives toward debt bondage or include it in the repertoire of social institutions affected by the 1926 convention. The French civil code promulgated in Indochina simply removed the protections that had been afforded the enslaved because with the signing of the convention, slavery no longer existed in the eyes of the state. Nobody communicated the fact to the people who continued to pledge labor and service in exchange for loans.

Stories like Neang Eotim’s in the reports on sex trafficking and sexual exploitation today are rare; if we examined only the work of advocacy groups and organizations, we would have the impression that most sex work performed as a function of debt bondage takes place in brothels or other places associated with commoditized sexual activity, not in private homes. One of the key findings of a 2009 study on the effects of the global financial crisis on women’s working conditions and opportunities in Cambodia was that debt bondage to sex establishment owners had increased, with an increasing proportion of cash going toward remittances to families. Yet the same reports belie the commonly held perspective that women are tricked into performing sex work: “Exploitative brokering activities have not increased. When women report being deceived into the sex trade, it is often by friends, family, or the sex establishment owner” (UN Inter-Agency Project [UNIAP], 2009, p. 1). In 2011, the majority of traffickers in Cambodia were Cambodian, followed by a cohort of Vietnamese procurers and a much smaller contingency of Chinese. The age of traffickers varied wildly, from 70 years old down to 18. Most recruited into the sex sector in 2010 were from Battambang province (NGO Joint Statistics, 2010, p. 29). Undoubtedly there are instances in which women and children are pledged for debt without their knowledge. Few of them struggle against prevailing attitudes toward obedience to parents and superiors in the social network, however. This is because of the continued iteration of the complex system of social obligation that pervades Cambodian culture.

The only aspect that has really changed for people in situations of debt bondage over the last 500 or so years in mainland Southeast Asia is that the protections afforded them by at least acknowledging the existence of the institution have been removed. Let us return to the list of characteristics of debt-bonded persons in the precolonial period and weigh its applicability against society today. First, persons in debt bondage are still overwhelmingly female. According to the NGO Joint Statistics (2010), a typical “victim of sexual trafficking in 2010 was a 17-year-old Cambodian single woman. She had limited education and was unemployed or a student at the time of her trafficking” (p. 24). Second, people who perform bonded labor do not resist bondage because of prevailing attitudes toward one’s place in the social hierarchy, obedience to parents, and belief in dharma. A less educated person would not hesitate before performing a favor for a wealthy relative or social superior. As we see in current-day trafficking surveys, many women...
are “related to her trafficker and agreed to go with her trafficker because of financial reasons” (NGO Joint Statistics, 2010, p. 24). The bonded labor that people pledged for debt are expected to perform usually includes sexual services but may not.

Many Cambodian sex workers today are described as knowingly entering “sex work in a brothel” where abuse was rampant. This is because the labor of persons pledged for debt, sexual and otherwise, remains in control of the person who holds the debt, regardless of the treatment they experience in the use of their labor. According to a non-governmental organization (NGO) report, “recruiters were the victim’s employer, which highlights the financial nature of sexual exploitation. Over half, 53.8 percent, wanted money to buy things and 30.8 percent needed money to repay a debt” (NGO Joint Statistics, 2010, p. v). Their services can be transferred to someone else as a gift or in lieu of payment and they can be moved to another location far from their original indenture—which further adds to their debt. Even in instances of nonsexual bonded labor, brokers “often tell the workers that the transportation fees ... will be worked off in the first few months of their work. However, once workers arrive at their destination, having been ‘bought’ by the employer, some discover that their debt to the employer is significantly greater than that which the broker told them” (UNIAP, 2007, p. 3). The only way out of debt bondage is to repay the debt; if this is made impossible due to a constant adding to the balance sheet for accommodation, food, transport, medical care, and so on, then people have no option but to remain indentured.

So far, debt bondage has not changed significantly from precolonial times. But debt bondage is no longer heavily regulated—it does not exist in the law statutes because the colonial project abolished slavery (see Figure 1). Yet because there was a cultural distinction between persons who had been acquired or inherited and those who had pledged their labor temporarily, only the first category was eliminated in the cultural consciousness. The second has endured but without the legal protections of precolonial times. This has allowed the unscrupulous to exploit and abuse with impunity—how can the state punish persons when their crime no longer exists? How can

**FIGURE 1** Comparison of precolonial and 2012 debt bondage (color figure available online).
compensation be exacted from perpetrators of transgressions against their bonded workers when there are no laws that they have flouted?

In 2009, UNIAP determined that in Cambodia debt bondage, wherein labor was performed in exchange for a loan, was preferable to borrowing from a moneylender.

It could be assumed that the shift in women turning from moneylenders to sex establishment bosses for loans may lead to more women being vulnerable to the control tactics and violence that are often thought to be associated with debt bondage. However, debt bondage was not significantly associated with the worst violence, worst restriction of freedoms, or worst working hours in this sample. Being debt-bonded did not even significantly negatively affect women’s opinions of their bosses. Debts to moneylenders, on the other hand, were significantly associated with the worst levels of violence and the worst restriction of freedoms and movement in the sample [UNIAP, 2009, p. 6].

It seems incredible that loss of agency on any level could be perceived as still enabling choice. Yet as I have shown earlier, Cambodian culture is not and has never been predicated on the assumption that an individual is a free agent. Everyone is in a position of obligation to someone else; families further displaced from the center (once the royal court, now the state government) are in thrall to those less removed. Parents continue to exercise control over their children’s economic, political, and social participation. The Buddhist sangha can endorse or withhold endorsement of a political candidate depending upon how assiduously he or she provides for their wat at Kathin or Vissak. Newly appointed managers must repay their followers for their loyalty in supporting their promotion. Caroline Hughes (2006) called this “the politics of gifts,” although Cambodians themselves would be more familiar with khsae—literally, cords—to describe the networks linking patrons and clientele.

Cambodian culture, therefore, is not one in which a “free agent” operates at any level—there are the constant demands of obligations to be met. Choice is always constrained to some extent. The status quo is never rejected, however, because as successive generations of khsae are replicated, so the norms inherent to its function are repeated. As Judith Butler explained in her examination of performativity in relation to stereotypes of sex and gender,

iterability implies that “performance” is not a singular “act” or event, but a ritualized production, a ritual reiterated under and through constraint, under and through the force of prohibition and taboo, with the threat of ostracism and even death controlling and compelling the shape of the production [Butler, 1993, p. 95].

It may be the case that cultural understandings of what is expected in the relationship between debtor and debt holder in debt bondage situations have remained intact, leading to acceptance of one’s obligation to perform even distasteful duties if required, on the part of the debtor, and the obligation to ensure fair treatment on the part of the debt holder, and this is why debt bondage is preferable to borrowing from a moneylender. There are debt holders who exploit their bonded workers—as we have seen, there were those who ignored social and legal custom even in precolonial times. Debt bondage exists as a viable, even preferable, option in the economic framework and in the cultural consciousness of Cambodia. Protections for those who pledge their labor, or the labor of others, in exchange for temporary financial relief are no longer in existence. It is this that leads to systematic exploitation and abuse.
REFERENCES


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