

Forced Labor

Forced labor involves compelling someone to work through coercion or manipulation. Labor traffickers may use physical threats or may use psychological coercion and deception to force someone to work for them. Examples include luring someone to work in a different country with promises of high pay and good working conditions, and then once they arrive, compelling them to work under harsh conditions for little or no money, and not allowing them to leave through threats of violence ([**ILO, 2012**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP7001013841000000000000000001F63.xhtml#P7001013841000000000000000001F8F)).

Forced labor can also include bonded debt, where an individual is either forced to work as repayment for a debt or inherits a family member’s debt. The majority of victims of bonded labor are men. A common scenario involves a man who borrows money to support his family, with the agreement that he will work off the debt for a certain amount of time. But the terms of the work agreement always benefit the employer, and often the debt grows in time, rather than decreases. Bonded labor is particularly common in South Asian countries, such as India and Pakistan. The industries where bonded labor is practiced the most include the agricultural sectors, bricklaying, mining, stonecutting, and carpet weaving (**[Premchander, Prameela, & Chidambaranathan, 2015](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP7001013841000000000000000001F63.xhtml" \l "P7001013841000000000000000001FA9)**).

Forced Child Labor

The ILO estimates that approximately 30 percent of forced labor involves children, totaling about 5.5 million children who are exploited in some form of forced labor: 21 percent in sex labor (sex trafficking), 27 percent in the private sector labor force (factories, agriculture, domestic servitude), and 33 percent in state-imposed labor ([**ILO, 2012**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP7001013841000000000000000001F63.xhtml#P7001013841000000000000000001F8F)). If children between 16 and 18 are included, the number of children forced into full-time labor jumps to 120 million, 61 percent in Asia, 32 percent in Africa, and 7 percent in Latin America ([**HRW, 2004**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP7001013841000000000000000001F63.xhtml#P7001013841000000000000000001F7E)).

A child worker sits working precariously perched on a high wooden hanger, the addan, 20 meters high from the ground, on January 10, 2007 at a textile dyeing factory in Rajasthan, India

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Child labor is a social justice issue across the globe, but is a particular concern in Asian, African, and Latin American countries, where children as young as four years old are required to work up to 12 hours per day in jobs that put them in both physical and psychological danger. Child labor abuses include children in India who plunge their hands into boiling water while making silk thread and children as young as four years in Asia who are tied to rug looms for many hours a day and forced to make rugs. International human rights organizations such as HRW, Amnesty International, and UNICEF work diligently to protect children’s rights, including lobbying of international policies and legislation that protect children as well as funding human rights efforts in specific countries allowing for intervention at the local level. But the problem of child labor, particularly in sweatshops in the Global South (Central and South America, Southeast Asia, India, and the Southern region of Africa), remains a serious problem impacting the entire world both socially and economically.

For instance, [**Polack (2004)**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP7001013841000000000000000001F63.xhtml#P7001013841000000000000000001FA7) discussed the impact of hundreds of billions of dollars in loans made to countries in the Global South by countries in the North (England, Spain, France, the United States, etc.). Polack argued that the cumulative impact of these loans to some of the poorest countries in the world has been devastating to the poorest members of these countries because these loans (1) financed large-scale projects, such as hydroelectric plants, that either benefited the North or displaced literally millions of people, pushing them even further into poverty, (2) financed military armaments for government regimes that oppressed the countries’ most vulnerable and poorest residents, or (3) lined the pockets of corrupt leaders of many countries in the Global South, resulting in increased oppression of the country’s least-privileged members.

Very little if any of this loan money has benefited the majority of the citizens of these countries; rather, it has harmed them and in fact continues to harm them by increasing the poverty within these already devastatingly poor regions. In an attempt to repay this debt, many countries of the Global South exploit their own workers to make loan payments. For example, countries in South America have sold sections of rainforest formerly farmed by local residents to Northern timber companies, and other countries have been forced to privatize and then sell utility services formerly provided by the government, resulting in dramatic increases in the cost of utilities. These developments have resulted in many Northern companies making millions of dollars literally at the expense of the poorest residents of these debt-ridden countries.

One of the most devastating impacts of what has now evolved into trillions of dollars of debt for these Southern countries is the evolution of the sweatshop industry, large-scale factories that develop goods exported to the North. Some of the poorest people in the world, including children, work in sweatshops throughout Asia, India, and Southern Africa, where horrific abuses abound. This occurs legally in many of these countries because in a desperate attempt to attract export contracts, many countries in Asia, including India, created “free-trade” agreements or free-trade zones for Western corporations, allowing them to circumvent local trade regulations, such as minimum wage, working hour limits, and child labor laws, if they would open factories in their impoverished countries.

[**Polack (2004)**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP7001013841000000000000000001F63.xhtml#P7001013841000000000000000001FA7) suggests that literally every major retail supplier in the United States benefits from sweatshop conditions such as extremely low wages, extremely poor working conditions, physical and sexual exploitation without retribution, excessively long working hours (sometimes in excess of 12 hours per day with no days off for weeks at a time), and severe retribution such as immediate termination for complaints or requests for better working conditions. Child labor is the norm in these sweatshops, with most sweatshop owners preferring adolescent girls as employees because they tend to be more compliant and are more easily exploited.

Although local and international human service professionals work diligently to change these working conditions, at the root of the problem of child exploitation is economic injustice rooted in generations of intercountry exploitation. Thus, there is significant complexity not easily confronted without government involvement, which is often slow in coming when large corporations are making millions of dollars with the system as it currently operates. For instance, as labor unions have become the norm in the United States, many companies such as Nike and Wal-Mart moved their factories to Asia and Central and South America, where millions of dollars can be saved in wages and benefits cuts. Addressing the issue of child labor and economic injustice will take the lobbying efforts of many international human rights organizations working with the media to create public awareness, where buying power is often the only tool powerful enough to influence sweatshop owners and large retail establishments.

Human Sex Trafficking

While the gender breakdown in forced labor is about equal, the ILO estimates that 98 percent of sex trafficking involves female victims. In fact, younger women and girls are the most sought after targets of large criminal organizations that are in the business of trafficking human beings. Human sex trafficking may comprise a smaller portion of all trafficking incidences per year, but its consequences are severe and long-lasting.

Women and girls are often sold into sex slavery by family members in need of money, are kidnapped, or are lured into the sex trade with promises of modeling contracts or domestic work in other countries. Many of these girls are kept in inhumane living conditions where they are forced to have sex with between 10 and 25 men a day. Many contract the HIV/AIDS virus and are cast out onto the street once they become too sick to be useful ([**Martin, 2014**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP7001013841000000000000000001F63.xhtml#P7001013841000000000000000001F9F); U.S. Department of State, 2010).

Much of the effort of human service professionals in countries with high rates of human trafficking, including India, Burma, Thailand, and Sri Lanka, is focused on rescuing these women and children and ensuring that they are delivered to safe communities where they will not be exploited again. Complicating intervention strategies is the fact that many government officials in many high-risk countries either look the other way when confronted with the illegal sex trade or openly contribute to it by protecting criminal organizations responsible for human trafficking. Human rights organizations have reported that many police officers, members of the military, and other government officials often arrest victims who attempt to flee, putting them in prison on charges of prostitution, a clear act of retaliation, rather than helping them to escape ([**HRW, 2004**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP7001013841000000000000000001F63.xhtml#P7001013841000000000000000001F7E)).

Efforts to confront trafficking are being fought on the legislative level as well. In 2000 the U.S. government passed the *Trafficking Victims Protection Act* (TVPA), which sets forth guidelines for how trafficking should be addressed on a national and global level. As a part of the legislation, the U.S. State Department releases an annual report entitled the *Trafficking in Persons Report* (TIP), which provides an update and analysis on the status of trafficking conditions worldwide. The report also ranks each country based on actions, such as the governments’ actions in combating trafficking.

The ranking system—called the Watch List—consists of three tiers, with Tier 1 being the highest and reserved for those countries that are in compliance with the minimum standards set forth in the TVPA. Countries that are not in compliance with the TVPA but are making progress are ranked at Tier 2, and countries that do not meet the minimum standard and are not taking sufficient steps toward doing so are ranked at Tier 3. Summaries are included on the status of every country, including the country’s tier, its annual accomplishments, and areas in need of improvement. Countries are assessed on their effectiveness in targeting and then prosecuting traffickers, as well as the level of services provided to victims.

The Nature of Professional Ethical Standards and Codes of Conduct

Virtually all professions rely on some form of ethical standards to maintain integrity and trust within the profession. Numerous professions espouse basic ethical principles that serve as a foundation for their business practices, but a number of professions are also bound by legally enforced standards, or codes of conduct, which if violated can result in punitive consequences, ranging from professional or financial sanctions (such as license suspension or fines) to a wide range of criminal penalties (including incarceration).

Many professions operate under a professional organization or licensing entity that enforces their ethical codes in some form. Attorneys operate within certain legal ethical standards administrated by the American Bar Association. Psychologists must abide by the professional standards set forth by the American Psychological Association (APA). Stockbrokers must abide by the legally binding ethical standards set forth by the Securities and Exchange Commission (SEC), which if violated can include both professional and financial sanctions, or in extreme cases, even a criminal indictment. And the human services profession is bound by both a set of professional standards set forth by the National Organization for Human Services (NOHS), as well as applicable state and federal laws pertaining to specific practice settings, such as mental health, health care, school, and child care settings.

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Professional codes of ethics are evolving and changing entities, never in final form, and always open for evaluation and debate. The ever-evolving state of professional codes of ethics enables a profession to remain current with contemporary ethical thinking, particularly with regard to matters of social justice and equity. Consider how far [**Western society**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP7001013841000000000000000002017.xhtml#P7001013841000000000000000002403) has evolved from the time when the APA once considered homosexuality to be a mental disorder. The APA’s historic stance on same-sex relationships would be considered highly unethical in today’s culture. [**West (2002)**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP700101384100000000000000000092E.xhtml#P7001013841000000000000000000941) discussed the importance of “ethical mindfulness” in evaluating the ethical nature of mental health practices, citing several real-world examples of questionable ethical practices, including the failure to inform clients of their rights, as well as the risks of engaging in the counseling process (informed consent), the use of real clients in therapist educational videotapes, and other ethical issues appropriate for discussion and evaluation.

Resolving Ethical Dilemmas

Once a professional code of ethics has been adopted, the next challenge is to determine how to respond when an ethical breach is believed to have occurred, and if that is deemed to be the case, what action should be taken. Keeping Kohlberg in mind, what if a professional has been cited for breaching an ethical code. Then what? Do we presume that the professional is unethical and must be punished? Keeping Kohlberg’s ethical dilemmas in mind, what if the higher moral ground requires the technical breaking of an ethical standard? How does a professional ethical board evaluate the ethical and moral nature of a professional’s behavior without becoming neither moral relativists nor legalists?

[**Kitchener’s (1984)**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP700101384100000000000000000092E.xhtml#P7001013841000000000000000000939) model of ethical decision-making can help. Kitchener’s model is based on five assumptions that Kitchener maintains need to be at the heart of any ethical evaluation. Kitchener’s model can, in a sense, be used as a “litmus test” when attempting to determine whether a certain action or behavior is in fact unethical. The model’s assumptions are that all ethical behaviors are presumed to be based on: (1) autonomy, (2) beneficence, (3) nonmaleficence, (4) justice, and (5) fidelity. When evaluating the ethical nature of actions and behaviors using Kitchener’s model within the context of the helping professions, the evaluator would examine whether the professional permitted clients to act of their own free will (autonomy), whether the professional’s actions were intended to benefit the client (beneficence), whether the professional’s actions did harm to the client (nonmaleficence), whether the actions were carried out in a manner that respected the rights and dignity of all involved parties (justice), and whether the actions reflected loyalty and commitment to the client (fidelity).

Let’s use the following vignette as an example of how to apply Kitchener’s model of ethical decision-making to a common counseling situation:

Kate works for an adoption agency in the Chicago area. Although she has many responsibilities, her primary role is to counsel women experiencing an unplanned pregnancy and help them decide whether they want to place their babies for adoption. Kate counsels the parents (primarily the mothers) about all viable options, and if the parents select adoption, Kate helps to prepare them emotionally and practically for the adoption process. Kate also coordinates services with her co-worker, Sara, who is the caseworker for adoptive families. Kate and Sara work together to prepare both the birthmothers and adoptive parents, ensuring that both know their legal rights and are psychologically and emotionally prepared for what may occur. More specifically, the birthmothers need to be prepared to manage the grief they will experience after placing their babies for adoption, and the adoptive parents must be able to prepare for becoming parents, while understanding that the birthmother has the legal right to change her mind at any time until she signs the adoption papers (and in many states, even for a certain amount of time after that point). Kate and Sara have been working very hard lately to match a 16-year-old birthmother with an adoptive family. Kate is aware of the plight of this adoptive family, including numerous miscarriages and three failed adoption attempts, so she really hopes this one will work out for them. Kate is an adoptive parent herself, so she knows how emotionally devastating it is when a birthmother changes her mind at the last minute (even though Kate knows they have the legal right to do so). When the birthmother goes into labor, Kate cannot help but feel elation for the adoptive couple who has waited so long to have a baby. But then the birthmother starts expressing doubts, describing how she had no idea of the emotional connection she would feel for her baby once he was placed in her arms. Kate cannot help but feel conflicted by her client’s seeming wavering. Kate does not believe her client has the emotional maturity or the resources necessary to be a good parent. The birthfather is not involved, nor is the birthmother’s extended family. Also, the birthmother seems to think of her baby almost as if he were a puppy—something to love, something fun to play with. Kate cannot fathom having to break the news to the adoptive parents that they may not be taking this baby home. After some consideration, and based on Kate’s belief that her client would likely not be a very good parent, Kate decides to place pressure on her to go through with the adoption. She does this by being very directive with her client, and by making her feel guilty and selfish for wanting to take her baby home. Kate concludes by telling her client that the best way she can show her love for her baby is by making a sacrifice and placing him with a family who can provide for all of his needs—something that a 16-year-old certainly cannot do. Although Kate knows that her client is emotionally vulnerable and very confused, she continues to push, reminding her client of incidences of abuse she disclosed during counseling sessions—“remember when you told me about how your own teen mother wasn’t loving, and neglected you so often? Do you want to do that to your own child?” By the time Kate was done with the session, her client agreed to sign the adoption papers, effectively terminating her parental rights.

Were Kate’s actions ethical or unethical? She was, after all, considering the best interest of the baby, wasn’t she? Isn’t it best that all babies to be raised in a two-parent, financially secure, and emotionally mature home? Do the ends justify Kate’s means? Apply Kitchener’s model of decision-making to this scenario (see [**Figure 3.1**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP70010138410000000000000000008D5.xhtml#P70010138410000000000000000008EE)) and then you decide. Did Kate’s actions (and motivations) support her client’s right to act with *autonomy* and independence? Were Kate’s actions *beneficent*; was she acting in a way that reflected altruism toward her client and all others involved? Did Kate’s action harm her client, or was there *maleficence* involved? Were Kate’s actions *just*? Did Kate consider the rights of her client, the birthmother, alongside the rights of the baby and adoptive parents? Could Kate’s client, the birthmom trust that Kate had her best interest in mind, or did Kate violate her *fidelity* and commitment to her client?

**Figure 3.1**

Applying Kitchener’s Model of Ethical Decision-Making to Kate’s Professional Actions

[**Figure 3.1 Full Alternative Text**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/longalt/la_fig_03_001.xhtml#la_fig_03_001)

Can you see now how complicated ethical decision-making is, particularly in high-stakes cases? Which, let’s face it, includes the majority of human services caseloads! While there may be some disagreement about the nature of Kate’s actions, my evaluation of this case using Kitchener’s model deemed Kate’s behavior as unethical. Even though she may have been motivated by her desire to ensure the best interest of the child, I believe she was more motivated by her sympathy for the adoptive parents and their plight, and perhaps was even influenced by her own experiences as an adoptive parent.

Cultural Influences on the Perception of Ethical Behavior

Cultural context is another important variable to consider when evaluating the ethical nature of behavior since not all cultures evaluate behaviors in the same way ([**Garcia, Cartwright, Winston, & Borzuchowska, 2003**](https://jigsaw.vitalsource.com/books/9780134461083/epub/OPS/xhtml/fileP700101384100000000000000000092E.xhtml#P7001013841000000000000000000935)). For instance, Garcia et al. note that not all cultures value autonomy equally—many cultures operate on a very interdependent basis, thus ensuring that clients making decisions completely independently may not be appropriate in some cultural contexts. The normative nature of behaviors is also perceived differently from culture to culture. Regardless of how one goes about determining what is ethical and how ethical decisions are made (or how unethical decisions are made), it is very important to be sensitive to various cultural influences, as well as characteristics such as gender and age cohort. As previously mentioned, it is also very important to remember that often what appears clearly unethical in retrospect may have seemed quite ethical when the decision was being made. Thus, taking the time to understand behavior from the actor’s perspective is imperative, despite its challenging nature.