

22 Human Trafficking and Smuggling

Definition: Human trafficking and smuggling denote illicit (and usually profitable) activities that facilitate migration. The actions of traffickers typically include coercion and/or deception of migrants, while smugglers help undocumented (or 'illegal') migrants cross borders.

The concepts of human trafficking and human smuggling cover the activities of people and organizations who profit from assisting or coercing others in migration. Though closely related, there are important differences between the two concepts, and the point of treating them together in this chapter is to analyse those differences and thus to overcome some of the confusion apparent in the existing research.

'Human trafficking' conveys the sense that migrants are treated as objects by the traffickers for their own gain. In conventional terms trafficking involves coercing unsuspecting women and girls into prostitution: the traffickers woo them with promises of jobs as waitresses or models, but upon arrival they are forced to work instead as prostitutes, trapped by threats of violence (often carried out) and by demands that 'debts' incurred in the course of migration be repaid. Other instances of trafficking involve international adoptions, as well as other forms of work where the migrants are treated as slaves or otherwise severely exploited (Scarpa 2008).

'Human smuggling', on the other hand, describes those whose activities are limited to helping migrants gain illegal entry into the destination country. A typical example of smuggling consists of 'coyotes' who lead migrants ('pollos', chickens) through the desert to remote regions of Arizona along the Mexican border, or people who ferry migrants across the Mediterranean to Spain or Italy in overcrowded small boats. A key point of difference is that the migrants usually pay the smugglers in advance (rather than incurring debts to them) and then have no further interaction with them after the trip is completed (Lee 2007).

Trafficking has attracted enormous interest among governments and non-governmental organizations (such as the International Organization for Migration) in recent years – though the practice itself is ancient, a point evident in the biblical story of Joseph, sold by his brothers into slavery in Egypt. The United Nations in 2000 adopted a Convention Against Transnational Organized Crime, comprising a Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and a Protocol against the Smuggling of Migrants – known collectively as the 'Palermo Protocols'. Other organizations such as the European Union have adopted their own measures. These agreements demonstrate the perception that trafficking and smuggling are a significant problem.

However, there are difficulties in determining exactly how significant they are. In part, these difficulties arise simply because the activities in question are illegal and the people involved make great efforts to hide them (Di Nicola 2007). This does not prevent various bodies from offering estimates (the US Department of Justice, for example, suggested in 2007 that 800,000 people are trafficked in an average year, see Scarpa 2008) – and these estimates sometimes then take on a life of their own, repeated as if entirely factual. Wong (2005) suggests that some organizations, particularly the International Organization for Migration, might offer inflated estimates because large numbers imply a compelling need for a response and thus justify their activities and budgets. In any event, while individual articles or reports sometimes convey a certain confidence in their findings, an analysis of the literature as a whole demonstrates significant limits of knowledge and data on this topic (Dowling et al. 2007).

A further complication emerges in the difficulty of distinguishing between the two types in both empirical and conceptual terms. One could argue that the conceptual distinction developed above is relatively straightforward; it turns primarily on whether the migrants in question are freely choosing to go on the basis of reliable information. If they are, then smuggling is the appropriate category, especially if the 'transaction' is completed upon arrival. If they are being deceived by false promises and then subsequently coerced and exploited via debts (which they might even not know they were incurring), then it is trafficking. Even so, the components of the distinction – 'exploitation', 'free choice', 'reliable information' – do not denote dichotomies (O'Connell Davidson 2005; Plant 2012): just how unreliable does the information have to be for one to conclude that a particular instance is properly described as involving deceit? Again, in many cases it is virtually impossible to know which category is appropriate because of the difficulties in doing empirical research, and an estimate of numbers of trafficked persons might be inaccurate insofar as some might arguably belong in the smuggled category, or vice versa.

In addition, not everyone would accept this way of marking the distinction. The fact that significant numbers of the migrants in question end up working in prostitution (or doing 'sex work') means that debates among feminist scholars and others about prostitution have spilled over into disputes about what constitutes trafficking (Outshoorn 2005; Scarpa 2008). From one perspective (abolitionism), it is unacceptable to assert that women could ever freely choose to engage in prostitution, and anyone whose migration includes the intention of working as a prostitute is therefore trafficked. This perspective is bolstered by the fact that the Palermo Protocols include 'abuse of vulnerability' as a form of coercion (Malpani 2009): at a minimum, women's restricted economic opportunities would constitute a form of vulnerability, and to the extent that smugglers profit from helping them enter prostitution, the smugglers are in reality traffickers.

Others, starting with a different perspective on prostitution, assert that many migrant women (similarly to many 'native' women) fully intend to engage in sex work and make that choice knowingly as the best among the options actually available to them (Agustín 2005). In this perspective, the trafficking discourse (and in

particular its insistence on referring to 'victims') inappropriately casts women as passive objects and leads to 'solutions' that many of the migrants don't actually want, including deportation (see Parreñas 2011). Agustín emphasizes that the trafficking/anti-prostitution position fails to capture the specific problems faced by *migrant* sex workers: their main concern is not prostitution per se but their lack of legal status, which exacerbates their difficulties with pimps, creditors, customers, the police, etc. (see O'Connell Davidson 2006; Andrijasevic 2010; Dwyer et al. 2011). In some instances the prostitutes in question are children, such that these considerations might amount to irrelevant subtleties (see Ebbi and Das 2008) – though O'Connell Davidson (2005) asserts that even for children there is variation in experiences that is not captured by the black-and-white moral and legal categories of activists and governments. One would also want to avoid assuming that all sex workers are female and provide services to heterosexual men; trafficking can involve homosexuals and transgender people as well (Mai 2012).

Debates on trafficking vs. smuggling are coloured in related ways by differing perspectives on illegal immigration and the measures considered appropriate to combat it. Both categories refer to people whose presence is undesired ('officially', at least) by the destination country: those who are smuggled enter the country illegally, and those who are trafficked engage in illicit activities (e.g. prostitution, but extending to any form of undocumented work), even if they used legal means of entry. The difference is that in the trafficking discourse it is easier to conclude that the *migrants themselves* do not really want to be there – and so it is easier to justify deporting them.

Perhaps unsurprisingly, then, national governments, while certainly opposed to smuggling, are particularly drawn to the trafficking perspective and inclined to emphasize the dimensions of that problem; as is apparent in the discussion above, these terms do not have neutral definitions and uses, but on the contrary are highly politicized. A related tendency is to highlight the involvement of transnational criminal gangs in trafficking (e.g. Truong 2003; Vermeulen et al. 2010), likewise justifying an increased law-enforcement effort. Wong (2005) asserts that the real dimensions of this aspect are smaller than that portrayed by such reports. By contrast, Shelley (2007) argues that transnational gangs, faced with a sustained crackdown on the drug trade, have moved into the human trade where profits are high and the risks relatively low.

These two influences on trafficking/smuggling debates converge in a critique of existing state responses: even while speaking of 'victims' of trafficking, governments are typically more interested in deporting them as irregular migrants than in assisting them as genuine crime victims. The Palermo Protocols encourage signatories to make efforts to restore victims' human rights, but these provisions are non-binding and poorly defined, and some of the states that do honour them nonetheless require, as a condition for the protections offered, victims' cooperation in efforts to prosecute the traffickers (e.g. Malpani 2009).

Some research on trafficking/smuggling is less concerned with the moral and practical issues that feature prominently in the discussion above, providing instead an analysis framed more deliberately in economic and sociological terms.

Kyle and Siracusa (2005), for example, describe smuggling as 'migrant-exporting schemes', organized as businesses that provide services in a market and social setting determined by global forces such as International Monetary Fund 'structural adjustment' programmes and unfair trade regimes. These businesses help migrant-exporting countries earn much-needed hard currency, and so governments in these cases have little incentive to restrict activities that, from the point of view of destination countries, are simply illegal and wholly illegitimate. This work is a useful reminder that migration, typically the object of research and concern by scholars and politicians/voters in wealthy destination countries, often looks quite different from the perspective of people in poorer sending countries.

See also: *Forced migration; Undocumented (illegal) migration*

KEY READINGS

- Andrijasevic, R. (2010) *Migration, Agency and Citizenship in Sex Trafficking*. Basingstoke: Palgrave.
O'Connell-Davidson, J. (2005) *Children in the Global Sex Trade*. Cambridge: Polity.
Scarpa, S. (2008) *Trafficking in Human Beings: Modern Slavery*. Oxford: Oxford University Press.
van Schendel, W. and Itty, A. (eds) (2001) *Illicit Flows and Criminal Things: States, Borders, and the Other Side of Globalization*. Bloomington, IN: Indiana University Press.

23 Integration

Definition: The process by which immigrants gain social membership and develop the ability to participate in key institutions in the destination country.

Broadly speaking, integration refers to changes that immigrants undergo after arrival in the destination country; in recent years it has been extended to indicate changes in the receiving society as well, thus integration as a two-way process. The phrase 'after arrival' points to a divide that characterizes much research on migration: many studies focus either on the determinants of migration (thus before arrival) or on the experiences of immigrants in the receiving society. Castles and Miller (2009) argue that this divide is artificial and make a case for research that engages with the migratory process as a whole. While this argument is persuasive, the ease of perceiving the field in terms of that dichotomy helps show that the concept of integration is very broad and is implicated in a number of other concepts covered in this book (e.g. multiculturalism, citizenship, ethnic enclaves).