

# HUMAN TRAFFICKING ON THE US-MEXICO BORDER

Is there a nexus with immigration policies?



The U.S.-Mexico border presents a distinctive set of challenges for combating human trafficking. The involuntary transport of human beings in order to exploit their labour or sexuality is nothing new. Yet conditions in the current era of globalization—growing economic inequalities within and among nations, increasing flows of labour and products across national borders, and the growth of informal economies and organized criminal networks, to name a few—are causing it to proliferate on a global scale (Farr, 2005).

Many of these conditions are magnified along the U.S.-Mexico border; yet the policy responses necessary to counteract the human trade have been slow to emerge. Even a few appraisals of existing policies have suggested that they could do more harm than good.

Misdirected policy efforts run the risk of creating a migratory space that heightens exploitation of trafficking victims and increases the dangers for all unauthorized migrants.

Irregular migration - population movements outside the scope of governments' efforts to manage population flows within their territories - takes various forms. Entrepreneurial irregular migration occurs when individuals, on their own behalf, enter or remain in a country without authorization. Migrant smuggling occurs when migrants purchase or secure the help of others to facilitate their movements. Both types are voluntary, and though they may be risky, if not fatal, they do not impinge upon migrants' human rights. Human trafficking, by contrast, involves coercion, abuse of power, and human rights violations, as vulnerable victims are transported, harbored, and enslaved. As states attempt to gain better control of their borders by enacting more restrictive immigration policies, migrants' resulting vulnerability often forces them into the hands of smugglers and traffickers (Aronowitz, 2004).

This is happening along the U.S.-Mexico border, where human trafficking is flourishing despite, and according

to several experts because of increasingly stringent attempts of the U.S. government to police and control the nation's borders (Pizarro, 2002; Pecoud and Guchetenier, 2006).

The United States and Mexico share a long history of economic integration mediated by cross-border population flows (Ruiz and Tiano, 1987). The U.S. economy has always relied on Mexican labor in its fields and factories, though the level of U.S. labor demand has oscillated along with periodic fluctuations of the economy. When economic boom or war-related labor shortages have increased the need for migrant labor, immigration policies have softened to attract foreign labor; when economic downturns have led to excess labor supply, immigration policies have become more restrictive (Fernandez, 1977). Public sentiment toward immigrants has shifted in tandem with these economic cycles, as politicians and the media have alternatively praised them for helping the nation meet its labor needs and maligned them for lowering wage levels or taking scarce jobs from native workers. To promote this flexibility, immigration law has often served a symbolic function, allowing the public to bask in the belief that their borders are secure while at the same time allowing for a steady supply of migrant labor to flow to those economic sectors most in need of their labor (Tichenor, 2002). In turn the Mexican economy, chronically unable to provide enough jobs for its growing population, has traditionally depended on wages earned in the United States and transmitted via cyclical migration, remittances, or other flows of people or money across the porous border.

In the post-9/11 era, however, this synergism between the two nations has changed, as economic downturns and emerging forms of nationalism have given birth to restrictive immigration policies and heightened enforcement efforts aimed at securing the border. The increasing apprehensions of entrepreneurial indocumentados and small-time coyotes that smuggle unauthorized border crossers suggest that the growing militarization of the border is achieving its intended effect. Yet if anything, the human pressures on the border are increasing, as the declining fortunes of the Mexican economy in the post-NAFTA era—and the country's growing reliance on remittances from migrants' foreign earnings—make it all the more important for Mexican labour to seek employment al norte (Goldring, 2004). At the same time, despite rising unemployment in the United States, jobless Americans are generally unsuited or unwilling to meet the demand for low-wage labour in agriculture, food processing, personal services, and other highly competitive sectors, where the work force is being eroded by the workplace raids and resulting deportations of the undocumented migrants who have traditionally been the mainstay of these industries.

Labour trafficking flourishes in these conditions. When the dwindling economic fortunes of Mexican (and Central American) men and women lead to desperate attempts to cross the border at any cost, and when punitive policies make it more difficult for them to cross on their own, migrants become more vulnerable to traffickers posing as smugglers. When border patrol agents' success in apprehending small-time smugglers clears the playing field for better-organized trafficking networks working hand in glove with corrupt local officials, their networks flourish and expand into new territories. When businesses have a hard time attracting low-wage workers to replace those apprehended and deported by immigration agents, they may turn a blind eye to the illicit methods of traffickers posing as labour recruiters. The unintended consequences of restricted immigration policies can frequently go unnoticed, and it could be argued, can contribute to labour trafficking along the U.S.-Mexico border.

A thorough understanding of the economic conditions that swell the ranks of border crossers could contribute to developing a viable solution. Often, the implicit equation of migrant smuggling with labour trafficking can lead to misguided attempts to combat the latter by attacking the former (Pizarro, 2002). And since labour trafficking networks often merge with organized crime networks that traffic in drugs, weapons, pornography, and other contraband, restrictive immigration policies may paradoxically promote the rise of gang violence, lawlessness, and femicide in Juarez, Tijuana, and other border cities, which threatens to spill over into the United States.

If, without efforts to lessen the economic imbalances between the United States and Mexico, restrictive immigration policies can be said to have the unintended consequence of promoting labour trafficking, then anti-trafficking policies must go beyond a strictly law-and-order approach to address the root causes of the problem. Some observations have suggested that a punitive approach to undocumented migration may do more harm than good. A more effective approach would be guest worker programs and other initiatives that

allow for regulated cross-border movements, particularly if they are closely monitored to ensure that employers respect workers' rights and avoid labour exploitation.

Such a strategy could contribute to minimizing the conditions that allow labour trafficking to flourish along the U.S.-Mexico border than policies that aim only to prevent irregular immigration at any cost.

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