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The Disappearing of a Migration Category: Migrants Who Sell Sex

Laura Agustín

Migrant women selling sex are generally neglected by migration and diaspora studies. The moral panic on ‘trafficking’, a prolonged debate within feminism on commercial sex and some activists’ attempts to conflate the concept of ‘prostitution’ with ‘trafficking’ combine to shift study of these migrants to domains of criminology and feminism, with the result that large numbers of women’s migrations are little known. This article reveals the silences at work and where the attention goes, and theorises that the shift from conventional study to moral outrage facilitates the avoidance of uncomfortable truths for Western societies: their enormous demand for sexual services and the fact that many women do not mind or prefer this occupation to others available to them.

Keywords: Migration; Sex; Prostitution; Trafficking; Diaspora

In recent years, the field of migration studies has opened up to diverse theories; transnationalism and border zones have been accepted and women are understood to be more than mere followers in men’s footsteps. So it is strange that a whole category of migration should be discursively shunted—or perhaps tidied away—into another domain. I refer to women who leave their countries and later are found selling sex in someone else’s, at which point they disappear from migration studies (where they would be migrants) and reappear in criminological or feminist theorising (where they are called victims). This article examines how this switch takes place, and for whom, and how silences on sexual matters contribute to this major removal of agency from large numbers of present-day migrants. The switch is not immediately evident: after all, ‘trafficking’ studies are part of the migration field—or are they? Actually, the topic might be said to have rapidly become a field of its own, but the domain where it is located is ever more frequently criminology, where it can be compared with other kinds of illicit trade. My argument is that, while some migrants who sell sex, along

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with their migrations, can usefully be studied within the criminological frame, the vast majority should be treated by migration scholars, who need to resist an apparent taboo on sexual matters that leads to shyness or delicacy rather than straightforward study.

For the past ten years, I have been examining issues related to this phenomenon, among them the demand for women's services in Europe and the wave of 'helping' and protection projects that have grown up around people generally conceived of as needy. Information on potential travellers' situations and habits comes from my own field work and has been confirmed by a variety of other studies. I have personally interviewed people planning to travel in Mexico, the Dominican Republic, Haiti, Honduras, Costa Rica, Nicaragua, Ecuador, Colombia, Chile, Peru, Brazil and Argentina, as well as already-arrived migrants in a number of European countries, not only from Latin America but also West Africa, Eastern Europe and countries of the former Soviet Union. Some migrants were interviewed in 'safe houses' where they were being helped out of the sex industry, others while they were waiting for clients on the street, in bars or sex clubs and at social events in migrants' homes. To understand the discursive exclusions taking place, I have also interviewed people working in NGO projects that aim to help migrants selling sex in a number of European countries.

One discursive limitation to properly including migrants selling sex concerns the use of the term 'prostitution', whose invention and construction two hundred years ago has been demonstrated over and over (Bell 1994; Corbin 1978; Walkowitz 1980). Nowadays, when the sex sector is a vast, high-income operation worldwide, including a wide array of businesses selling sex, many of which cannot by any stretch of the imagination be called 'prostitution', and all open to migrants, it is time to leave the old, stigmatising term behind. At least for *migration studies*: this is my point. Whether selling sex should ever be accepted by feminists as a 'proper job', and therefore those selling it called 'sex workers' or not, has been extensively debated within feminist studies. But this preoccupation should not be seen as a 'hands-off' declaration for scholars in all other domains, for this way large numbers of migrants whose problems appear to be more mundane are ignored (Agustín 2003a).

The 'disappearing' from migration studies in order to reappear in criminology or feminist studies happens only with women. Male, transsexual and transgender migrants who sell sex are even more neglected in migration studies, with the difference that they do not reappear anywhere else (Aggleton 2001; Altman 2001). Even those who count migrant sex workers usually include only women, and then it is not clear whether they are including transsexuals who look like women or not—this when in some places it is estimated that as many as a third of foreigners selling sex are 'trans'. Since 'trafficking' is largely viewed as happening only to women, and since some theorists define it and prostitution both as violence against women, non-female migrants are not recognised.

In this article, I reveal the absences where one would expect to see these migrations treated, including in transnationalism and diaspora studies. The shift out of these

domains begins with a recent intense scrutiny of the way migrants are arriving at their destination, which I show to be similar for all 'irregular' travellers, regardless of the job they are going to take up. Then I show how significant diversity among migrant projects is effectively totalised as 'trafficking' by those anxious to protect exploited women, and offer an analysis of campaigns to define all migrant women selling sex as victims.

Where the Silences Are

Some authors have written about the apparent lack of interest in migrant working women in general (Lutz *et al.* 1995; Morokvasic 1984). Recently, migrant women carrying out domestic and 'caring' services have been researched in depth (Anderson 2000; Hondagneu-Sotelo 2001; Parreñas 2001), but when the subject is migrant women selling sex, it has widely been omitted or disqualified (Agustín 2003b). Those who write on 'trafficking' but also do justice to migrants selling sex in general, such as Giovanna Campani and Francesco Carchedi in Italian research, often use 'trafficking' as the starting point (Campani 1999; Carchedi *et al.* 2000)—often because research funding is interested in *exploitation*, not migration. Of more concern are those researchers who omit migrants who sell sex: statements such as 'In fact, in Iberia the domestic sector is the only economic sector that employs a large number of female immigrants from developing countries' (Mendoza 2001: 51) simply ignore the sex sector. Alternatively, those selling sex may be minimised: 'Quantitatively this sector is far less important than the migration of domestic workers' (King and Zontini 2000: 47), although the authors themselves do say directly afterward that there *are no* trustworthy data on numbers of migrants selling sex.

Obviously, there can be no correct figures where a sector is unrecognised by official accounting and therefore none are published on employment. But in parts of Europe where the demand for domestic services is lower, migrants selling sex almost certainly outnumber them, and where the demand for domestics is high, estimates of migrants selling sex are also high (Tampep 1999). Statistics cannot be our criterion for study, however, as though only large numbers of people warranted our interest. Nor can the distinction legal/illegal be the basis for research, since official counts of migrant workers inevitably include only people with legal status, so that the ILO gave their total number as 30 million in 1994, but an estimate was made of up to 80 million if illegal workers were included (Truong 1996: 28). Given the strong demand for sexual services in Europe, and the non-recognition of the businesses selling it, it is obvious that large numbers of those 'illegals' more than doubling totals must be employed in the sex industry.

Those studying the sex industry are commonly asked not only for figures on how many women 'chose' or were 'forced' to sell sex but also for definitive accounts of their experiences. Such definitions are not possible, since quite different accounts may be produced according to which group of migrants researchers have access to. Those visiting victim-services projects speak with victims, those who approach

street-workers for interview talk to street-workers, those studying escort services find out nothing about the street, and so on. The anxiety to know which group is bigger, the ‘coerced’ or the willing, forms part of a governmental drive to produce the ‘correct’ *savoir* about this population in order to decide how to control—or ‘help’—them (Agustín 2005a; Foucault 1991). The real issue is not the proportion of one experience or another but the existence of diverse and complex experiences among women coming from a variety of cultures and conditions and using sex to get money. Since this strategy is ubiquitous among migrants no matter their gender, colour or culture, there is no *per se* justification for treating this particular subgroup differently from others. Since the data are sketchy, responsible researchers need to resist totalising statements and engage in better, more normal, collection of information.

Some say that there is little empirical research because it may be dangerous to carry out, or access is impossible to a number of sex-industry venues. Given the wide array of possible sites for investigation, including phone-sex agencies, massage parlours, film production and so on, we must assume that this prejudice stems from thinking solely of the most marginalised street venues or of clubs thought to be run by gangsters. Numerous studies do not corroborate such prejudice (Allison 1994; Frank 2002; Gabinet D’Estudis Socials 1992; Hart 1999; Ratliff 2003). These do not focus on migrant workers, but they demonstrate that conventional research can be done in environments often considered marginal, clandestine or insecure.

Not only ethnographic studies are missing on migrants selling sex, but broader theories also omit to mention them. The field of transnationalism should be interested in a migration form that rarely ‘settles down’: the phenomenon is called, in Europe, ‘migrant prostitution’ because many workers tend to stay only a few weeks or months in a site and then move on, in a circuit that crosses national borders. These workers are migrant not only because they left home and came to Europe but because they keep on migrating. Alejandro Portes *et al.* define transnationalism as

a growing number of persons who live dual lives: speaking two languages, having homes in two countries, and making a living through continuous regular contact across national borders. Activities within the transnational field comprise a whole gamut of economic, political and social initiatives—ranging from informal import-export business, to the rise of a class of binational professionals, to the campaigns of home country politicians among their expatriates (1999: 217–18).

Although the above definition may seem to limit the concept of transnationalism to a back-and-forth movement between two set places, there is no reason to make this limitation. José Itzigsohn *et al.* (1999) describe transnational social fields as ‘immigrant communities that do not delink themselves from their home country’, and go on to name an array of businesses that can be considered transnational: small grocery stores, restaurants, boutiques, beauty-parlours, car-repair shops, remittance agencies, legal and tax service agencies and carwashes—mostly small businesses in the service sector. Migrants selling domestic, caring and sexual services often engage

in several economic endeavours at once, as well, one of which commonly consists of buying and selling with the country of origin.

Much of the transnational literature has concerned Dominicans who live between Santo Domingo and New York (Georges 1990; Grasmuck and Pessar 1991), but Dominican women are also the protagonists of a migration between the island and particular neighbourhoods of Madrid (Aravaca, Pozuelo), and some of these describe a triangle with New York, as well as changing sites as family members move around and new commercial and affective connections are made. If transnationalism is accepted as fluid, there is no reason why the sometimes heightened itinerancy of those selling sex, or indeed the fact that they sell sex at all, should disqualify them from research into transnationalism, or from understanding many of their businesses as entrepreneurial. In the case of one Dominican woman I interviewed, she had first come to Spain to visit her sister who sold sex in a bar, later worked the sex-club circuit all over the north of Spain and finally set up her own flat where migrants sell sex, live and leave from for escort jobs. She is now running her sixth flat in the same northern city (Agustín 2001a, 2004).

But she, like many others I interviewed, also engaged in other money-making activities, because flexibility is an important characteristic of migrating people. In his discussion of flexible labour as characteristic of present society, Manuel Castells describes how current downsizing of large corporations is widely predicated on subsequent subcontracting of individuals for services on a temporary basis, without job security or benefits; he refers to the replacement of 'the organisation man' with 'the flexible woman' (1997: 10). For Iordanis Psimmenos, 'transferability' is one component of this flexibility, described as the ability 'to be transferred across places or labour procedures, according to market necessities' (2000: 84). Flexibility entails willingness to move with and adapt to changing labour markets, and can be seen in the growing presence of women in sweatshop manufacturing, 'export-processing' zones, home-based piecework and domestic, caring and sexual services. By all criteria, many migrant women in Europe qualify as transnationals, including women doing domestic and sex work, and the inclusion of their experiences in the field of transnationalism would enrich its study.¹

Diaspora studies also evade mention of women selling sex. More informal definitions of diaspora, which refer to any communities living far from their origins, would certainly have to include many migrants working in Europe. But diaspora studies often seem to be referring to communities in the abstract, not current migrants, as though diaspora were something more profound or complex than mere migration. Since diasporas begin with ordinary migrants, this discrepancy is curious. Homi Bhabha, referring to postcolonial migration, mentions 'the major social displacements of peasant and aboriginal communities, the poetics of exile, the grim prose of political and economic refugees', a list which appears to omit *ordinary* working migrants (Bhabha 1994: 4). But even when they are directly referred to, they are rarely workers in free-trade zones or domestic service, and I have found only one exception to the silence on women selling sex. Unfortunately, it is negative.

Discussing Mira Nair's film *India Cabaret*, Arjun Appadurai begins by describing young women from Kerala who 'come to seek their fortunes as cabaret dancers and prostitutes in Bombay', a neutral enough treatment. Two sentences later, however, he refers to 'these tragedies of displacement', without providing any reason, and likewise criticises the men who frequent the cabarets as returnees from the Middle East, 'where their diasporic lives away from women distort their very sense of what the relations between men and women might be'. Appadurai provides no references and no theoretical backup for these typically moralistic opinions about how sex and relationships 'ought' to be (1996: 38–9). This kind of treatment may be worse than silence on the subject, as everyone involved ends up constructed as victimised or crippled.

With so many obvious fields for looking at the travels and experiences of people selling sex, the lack of interest is odd. I maintain that this lack actually covers a hyper-interest, but that this gets detoured into areas where a couple of glaring facts will not have to be confronted: first, that the demand for sexual services is so great that hundreds of thousands of women, men and transsexuals can make a living from it in Europe, and second, that many people either do not mind this occupation or prefer it to the others available to them—in the case of women, as badly-paid domestic and care workers often required to work in semi-feudal conditions. I argue that Western societies' anxiety to avoid facing these truths leads to the throwing up of a great smokescreen around questions impossible to answer (did someone *really* know what the work would be like?), which facilitates an endless, repetitive debate. One of these questions concerns how migrants arrive in Europe.

The Manner of Arriving

Until recently, the *manner* of migrating was not a central issue in migration studies. It was assumed that travellers got the money together somehow and walked or took a car, bus, train, boat or plane, landing somewhere where they knew someone. Until they tried to make money, asked for help or presented some kind of social problem, they were more or less invisible. But Europe has become very concerned about *how* escalating numbers of illegal migrants get out of their own countries and past European border controls, so the study of these questions has proliferated rapidly, from attempts to define protocols on the 'trafficking' and 'smuggling' of human beings to academic research that examines mechanisms like travel-agency offers and family information networks in promoting migration.

For people who want to travel to Europe, there are two official choices: to enter as a tourist or temporary business traveller, with an appropriate visa if required, or to enter with a job offer and working papers in hand.² Obtaining a tourist visa can be next to impossible for citizens of many countries, or may require years of waiting because of country quotas. The potential tourist/migrant may be able to get a visa but not have the money to buy tickets and survive while looking for work. Many who want to travel actively search for work-and-travel offers at home, while others search

for them, to sell them trips and jobs. These vendors in the informal economy are known by a variety of names, from businessmen and travel agents to 'coyotes' on the Mexican border and 'snakeheads' in China. They are often relatives or friends, and they may be tourist acquaintances met during vacations who temporarily enter the field in order to bring friends over to visit or work. They may play a minimal part in the migration project or offer a 'package' which links them closely to the migrant at every step of the way. Marriage may be part of the deal.

Without access to a charge account or formal bank loan, the potential traveller probably contracts a debt at the beginning of the journey. Services offered for money may include the provision of passports, visas, changes of identity, work permits and other documents, as well as advice on how to look and act in interviews with immigration officials (at the border, in airports, on trains and buses, in the street), the loan of money to show upon entrance with a tourist visa, pick-up service at the airport, transportation to another country or to pre-arranged lodging and contact information about potential employers. These services are not difficult to find in countries where out-travel has become normalised over time, so that necessities are known beforehand and those offering services come to specialise. In certain countries, formal-sector travel agents offer these informal services.

All these conditions characterise travels to Europe no matter what job is eventually undertaken, for people without a work permit. And the traveller's necessity continues once inside Europe: migrants need people to provide advice, addresses of safe and inexpensive places to stay, where to get a safe job with decent pay and without egregious labour abuses, information on whom to trust and whom not and so on. Such contacts, or intermediaries, will provide translations, information on labour and cultural norms, medical references and other, conventional travel advice. Migrant workers in any sector need this kind of help (as do tourists and business travellers). The entry of outside agents into the migration network attempts to redress the imbalance between the number of people seeking entry and the limited visas offered, an imbalance that creates 'a lucrative economic niche for entrepreneurs and institutions dedicated to promoting international movement for profit, yielding a black market in migration' (Massey *et al.* 1993: 450). Or, as Campani says, 'a great number of people not necessarily tied to crime take advantage of the activities connected to the exportation of migrants and have no interest in stopping it' (1999: 232). In a study comparing the migration strategies of women migrants, different levels of independence and abuse were found among those facilitating travel, but no correlation of abuse exclusively with sex work:

To come to Spain, my brother-in-law sent me money. My cousin encouraged me to come telling me I could work as waitress in the bar her husband had opened. When I arrived, I found out that he wanted me to work in the bar, but without pay, he said the bar didn't make enough to be able to pay me. I came with no winter clothes, my cousin said she would lend me and she didn't (Oso 2003: 32, my translation).

Such networks have always existed, and there have always been abuses: agents' charging exorbitant prices for tickets or fixed documents, or not carrying out tasks they agreed to, such as picking people up on arrival or delivering them to safe hotels, not to mention misrepresenting future jobs, whether in agriculture, factories or anything else. But only with heightened attention to the sex industry has the entrepreneurial side been attacked as *totally* corrupt and exploitative, with the salacious tinge that comes from implying that the 'exploitation' is sexual. Travel which results in selling sexual services is positioned, according to the latter view, as completely different from all others.

Trips to Work in the Sex Industry

Given the lucrative nature of the sex sector, networks of informed people have grown up all over the world to facilitate finding jobs in it. News of current employment opportunities moves rapidly, but the average newcomer will have no access to this information without meeting some insiders—in this case, people who have connections with or work directly in some branch of the sex industry. Acquaintance-ship with one or two trustworthy people, whether they charge money for information and services or not, may be the key to a successful migration. The difference here, then, is the moral charge associated with selling sex. While illegal migrants may strike up conversations about job possibilities in a variety of migrant venues, including churches, parks, phone-call shops and cafés, mentioning sex work is problematical, because of the stigma, even when it is a common source of income.

Nowadays, research largely shows that migrant women who work in the sex industry knew that their work would have a sexual aspect.³ It can be argued, however, that 'knowing beforehand' is a poor measure of exploitation and unhappiness, since it is difficult, if not impossible, to know what working conditions will feel like in future jobs (a characteristic not limited to sexual labour). The sex jobs migrants might have done or seen at home may have little in common with what they are expected to do in Europe: for example, to stand nude in a window or next to a highway for twelve hours a day or perform oral sex repeatedly, day after day, with no other social contact with clients. Some forms of deceit are severe: for instance, when part of the migration 'package' has included signing a contract without understanding the extensive surveillance and little liberty it implies, what foreign money is worth or even the language in which the contract has been written. On the consumer side, people eager to travel appear to do little research to test what they are told by vendors and allow false documents to be prepared for them which will render them vulnerable abroad. Often enough, the agents doing deception are members of migrants' own families.

Some entrepreneurs take tremendous advantage of these situations, withhold personal documents and threaten migrants and their families at home. Others use less obvious tactics, counting on the psychological dependency recently-arrived and disoriented migrants may feel. In a minority of cases, there can be total deceit: a

traveller who never thought of doing *anything* sexual when accepting a trip to Europe, who was given misleading information about a completely different sector (usually domestic) and who was physically forced to sell sex. But the concept of force also has to be taken apart. Some people may 'feel' forced who actually *could* physically escape; others start out doing domestic work but feel 'forced' into sex work because of the differential in pay. And people widely understand that any project to migrate, become self-sufficient or simply make more money than usual carries with it risks and dangers. Gail Pheterson reported on research with sex workers in Nairobi that asked them if they realised that sex jobs could be dangerous. The women answered that they were not selling sex in order to live safely but to earn money and be independent (Pheterson 1996: 18). Larissa Bogdanova has said about young provincial women with Moscow 'sugar daddies':

To return to the provinces and to live as poorly as your parents would be like dying. So there is no choice! You have to pay for your right to live in the capital, to have a good job and a flat with what you have got. With your body . . . today thousands of girls are calmly and calculatedly selling themselves. The stupider ones do it just for money, those with more brains and bigger plans do it for a prestigious job and a place to live (in Pickup 1998: 1000).

Obviously, an infinite array of relationships is possible between migrant and entrepreneur, boyfriend or sugar daddy. The relationship involving women who live inside sex establishments and rarely leave until they are moved to another place without being consulted receives the media's usual attention, it being taken for granted that this represents a total loss of freedom. In many cases, however, migrant workers *prefer* this situation, for any of a number of reasons: if they don't leave the premises they don't spend money; if they don't have working papers, they feel safer inside in a controlled situation; if someone else does the work of finding new venues and making arrangements, they don't have to do it; or having come on a three-month tourist visa they want to spend as much time as possible making money. The tragic situations so often referred to have been accessible to the media and NGOs precisely because the police have become involved, whereas migrants who have not sought out or run into the police are often invisible to reporters and activists seeking out victims.

Research shows that, even when migrants say they feel deceived, they usually complain of the working conditions they are forced to accept, and not about the work being sexual *per se*.⁴ Often they prefer to remain in the industry, but in less exploitative conditions, because of the amount of money they can earn. Paying off debts in the shortest amount of time is nearly every migrant's primary goal, so the focus is on the future, not on past abuses. Conversations with migrants frequently reveal this kind of pragmatic, future-oriented focus. A recent proposal to help women out of selling sex in Madrid made front-page news in one national newspaper, and a sub-article reported the responses of several women interviewed: Sofia and Susan, from Cameroon, said, 'If they gave us *papers*, as well as financial help to live on, we would leave it to work in something else.' Mayra and Vicki, from Colombia, replied,

‘Let them legalise it, that’s what they ought to do.’ But Katia said she would only change jobs ‘to be a model’ (my translation).⁵

Conversations with agents who facilitate trips to work in the industry also reveal a wide variety of attitudes and projects. One owner of several sex clubs in Pamplona, Spain, explained to me that at age 40 he was looking around for a new source of income and hit upon opening a bar where all the women would be from Russia and the Ukraine. He knew someone in Berlin and someone in Kiev, which gave him his route, and he travelled several times to talk to women who might be interested in coming to Spain. In the years since that beginning, he travels little, because the women, satisfied enough working for him, contact people back home and make arrangements for documents and tickets there for those who want to go. The owner admits that he has got rich from the sex business but is indignant that the label ‘trafficker’ is applied to everyone indiscriminately, and to prove his basic decency he has been legalising women as workers with rights to social security.

Such an example does not mean that all ‘traffickers’ are benevolent but the opposite: that all are not monsters. As all those selling sex are not victims. Sietske Altink comments that the word ‘victim’ may be used in a technical way (when you are robbed you are legally a victim), but that it is also a word that transmits shades of meaning that demand that *these* victims be chaste and ignorant. This concept

ignores the sense of responsibility which leads women to migrate in search of work. . . . ‘It hurts, but don’t call me a poor thing’ one woman . . . said. Victims can also be very tough who will do anything to avenge the damage done to them and make a better life for themselves. Some victims don’t go to the police but start trafficking for themselves, or side with the traffickers to avoid reprisals (Altink 1995: 2).

When there is an obviously violent case of someone practically shanghaied and forced to work, everyone agrees that it is a crime. But some cases of ‘rescue’ by police in raids on sex work venues end in failure when arrested workers refuse to denounce anybody. Here, critics usually conclude that workers were afraid of reprisals, but it could just as well be that the workers had nothing to denounce. Nonetheless, *doubt* is always planted about the condition of the sex worker’s state of mind, if not of her soul—an exercise not applied to any other job in the world. Nickie Roberts describes migrants from the North of England in London in the 1960s, when she worked as a stripper in Soho:

A lot of the girls were Northerners who, like me, had hitched down to London with lots of high hopes, big dreams and fuck-all else. One or two had escaped from children’s homes and crazy fathers who beat or raped them. These were the ones the media and all the ‘experts’ call ‘sick victims’. They were nothing of the sort—they were kids who had the guts to do something about their bad ‘home’ situation: they ran away, and found sanctuary in the sex industry. That may sound absurd, but it isn’t. Those young runaways, some as young as 14, 15, were independent; they had control over their lives, whereas back where they came from they had none (1986: 57).

None of this nuancing of issues lessens the multiple abuses sometimes committed by those facilitating migration, whether migrants end up working in sex or any other job. Informal arrangements to travel differ according to local conditions and ports of entry (as well as the competence of those making arrangements, and luck), not because of which job migrants have on arrival. There is no inherent difference about trips that take people to work in the sex industry.

Granting agency to migrating individuals does not mean denying the vast structural changes that push and pull them. On the other hand, it does not mean making them over-responsible for situations largely not of their own making. Global, national and local conditions intervene in individuals' decisions, along with doses of good and bad luck. Many situations come up during a migration in which migrants have to choose between doing things the 'right', or legal, way, or doing them so that they might turn out positively. This brings to mind the conversation I had with a Colombian woman through the bars of the detention centre where she was being held in Bangkok after spending a year in prison. Ángela's anguish did not derive so much from having been in prison as from her own feelings of guilt because she had (semi-)knowingly broken the law, allowing a fake visa to be prepared for her in order to get into Japan. She was caught, but it was her family who had helped her with this visa and other arrangements, and her resultant conflicts over love and blame were tormenting her. While this woman had been a victim, she had also made choices and felt responsible, and I would not want to take this ethical capacity away from her. She was 'caught' in global forces, but she also wanted to be—though not, of course, in such a negative way.

This example is typical of the complicated stories migrants tell and warrants creative, interesting research. Instead, the bulk of attention is spirited away from migration studies to another domain entirely.

Where the Attention Goes: 'Trafficking'

By the mid-1990s, concern had taken off about this issue, but as John Salt has said:

The enormous interest and concern for trafficking and human smuggling in governmental, inter-governmental and non-governmental organizations, in the media and popular opinion, is running ahead of theoretical understanding and factual evidence (2000: 32).

A fear of huge-scale 'trafficking' has contributed to the carving-out of new areas of research such as transnational criminality and 'modern forms of slavery'. The ascendent emphasis is on hypothetical large-scale crime organisations dedicated to enslaving migrants, particularly women, although the UN Crime Commission's own research found little proof of such activity (CICP 2003). Rather, opportunist networks appear to form, related to situations where migration is seen as a solution to problems. Networks connecting current, former and potential migrants stimulate mobility, and as networks gain experience, the costs and risks of migration diminish.

Migrant networks spread, institutions supporting transnational movement develop, and the social meaning of work changes in receiving societies. The general thrust of these transformations is to make additional movement more likely. . . (Massey *et al.* 1993: 448).

Figures on ‘trafficking’ are all questionable, because of all the caveats referred to in the previous discussion of statistics but with an added problem relating to the most basic definitions of terms. Not everyone involved, on both sides of the research relationship, agrees about the meanings of the basic terms being used, because these attempt to concretise enigmatic issues of will, consent and choice: for example, the extent to which people travelling with false papers knew and ‘chose’ what awaited them, whether they understood the meaning of *using* such papers, whether they felt in love with an entrepreneur or agent, whether they knew what a contract meant, how their parents’ participation in a deal affected their judgement or if they understood how a debt would affect them. If such epistemological questions are often unfathomable when involving people secure in their homes, they become more so when pertaining to those who have left homes behind to face cultural disorientation on a grand scale through migration. When projects count victims, then, they sometimes refer to everyone who has entered a country accompanied by someone else and is now selling sex, sometimes to people who have agreed to denounce a ‘trafficker’ according to the local law, sometimes to everyone who gives money to a ‘boyfriend’ and sometimes to all illegal migrants who sell sex, and they may also count victims in countries of origin or destination or both and include transit countries or not and so on (Kangaspunta 2003). They are almost certainly only counting women. And since ‘victims’ are the only migrant women selling sex who can benefit from anti-‘trafficking’ projects, some women may falsely claim to have been victimised or exaggerate their plight. Finally, since most locales of the sex sector are not included as such in government accounting, there can be no proper counting of ‘sex workers’, either. In short, though statistics on victims of ‘trafficking’ are published daily in Europe, no one *can* have trustworthy numbers.

Nonetheless, numerous feminist and activist authors insist that hundreds of thousands of women have been forcibly ‘trafficked’ to Europe, that ‘prostitution’ can never be a job in the conventional sense of the word and that those disputing these ideas are actually enemies of migrant women themselves. The purpose of most of this work is polemical:

Whatever levels of knowledge and ‘consent’ are involved, however, women are *never* made aware of the extent to which they will be indebted, intimidated, exploited and controlled. They believe . . . that they can travel to a richer country and earn large amounts of money in a short space of time, which they can then use to move themselves and their families out of poverty and despair. *In reality*, they are told they owe a huge debt which must be repaid through providing sexual services, and they are able to exercise virtually *no control at all* over their hours of work, the number of customers they serve, and the kinds of sex they have to provide (Kelly and Regan 2000: 5, my emphasis).

Here the authors take as the only truth the worst cases that have come to light, while empirical research reveals that many women *do* achieve the goal of earning a large amount of money in a short time, from which they pay off debts and then decide whether they will continue in the trade or not.⁶ The Coalition Against Trafficking in Women (CATW), an international NGO, has been agitating for some time for a discursive change that would make 'prostitution' *by definition* a form of violence against women, with issues of women's possible 'consent' being removed from any consideration. CATW also proposes that the word 'prostitution' be made equivalent to the word 'trafficking'.

While CATW represents an extreme end of the spectrum of opinion on these words, some feminists with a history of bringing subtlety to similar debates do not apply the same sensitivity when selling sex is involved. In a discussion of gendered violence, two of the authors cited above have actually argued *against* creating a dichotomy between passive victims and strong survivors, drawing attention to the ways people may be both at the same time, and against the dichotomy 'victim' and 'perpetrator', acknowledging the complexities surrounding issues of consent (Kelly *et al.* 1996). Perhaps there is a greater disposition to recognise subtleties in relationships considered 'domestic'?⁷ If so, increased familiarity with migration and the understanding that people who migrate are normal people with the normal range of complex relationships should help decrease the tendency to dichotomise.

The violence against women framework has been used since the 1980s to reveal the widespread, routine nature of gendered acts of aggression, and by naming these as violence has facilitated a widespread social understanding of the insidious workings of gender oppression. The problem comes about through the *roles* proposed (perpetrator and victim), which tend to be treated as *identities*. As Ratna Kapur points out, this result is difficult to avoid:

In the context of law and human rights, it is invariably the abject victim subject who seeks rights, primarily because she is the one who has had the worst happen to her. The victim subject has allowed women to speak out about abuses that have remained hidden or invisible in human rights discourse (2002: 5).

The person designated a victim seems to become a passive receptacle, encouraging some people 'to propose strategies which are reminiscent of imperial interventions in the lives of the native subject' (Kapur 2002: 6). Such victimising is not unique to the 'trafficking' problem, as Vanessa Pupavac shows in her study of the pathologising of refugees from Kosovo by those aiming to help them: regarded as not resilient, dysfunctional and incapable of recovery, they are rendered politically illegitimate (2002). Numerous discussions on Western feminism and 'Third-World' women have warned against this tendency (see, for example, Mani 1990), which is now being reproduced about migrant women, especially those selling sex. An insistence on the violence framework has also led to a widespread focus on crime and punishment, with definitions so open that enormous numbers of men are threatened with incarceration (Agustín 2001b).

The lack of a coherent definition of the term ‘trafficking’ has inspired an avalanche of meetings, conferences and reports all over Europe (and, indeed, the world). In multiple sessions held in Vienna between 1998 and 2000, the United Nations’ Commission for the Prevention of Crime and Penal Justice argued over the concepts of trafficking, trade and smuggling of human beings, with the emphasis often on women and children. The discussion was contentious, with two lobbying groups trying to influence national representatives who formed the Commission, above all over the definitions of words such as consent, obligation, force, coercion, deceit, abuse and exploitation. In October 2000, agreement was reached on two protocols to be appended to a UN Convention against Transnational Organised Crime (UN 2000), but definitions are still conflictive and ambiguous; entire documents of footnotes and explanations have been published that reveal the conflict behind the final words of the agreement (CATW 2003; IHRLG 2002). The protocols produced two concepts: ‘smuggling of migrants’ and ‘trafficking’. The gender distinction is clear, the ‘trafficking’ protocol expressing a presumed greater disposition of women—along with children—to be deceived, above all about ‘prostitution’, and—somehow—a lesser disposition to migrate. In the ‘smuggling’ protocol, on the other hand, men are seen as capable of migrating but of being handled like contraband (‘prostitution’ is excluded from this protocol).

The conflation of migrations to work in sex with ‘trafficking’ has been the subject of numerous critiques (Doezema 2000; Irwin 1996; Pickup 1998), but its contradictions were already acknowledged more than ten years ago:

Given the substantial means (legislation, regulations and institutions) set up in recent years to restrict all entries by nationals of third countries and to limit admissions of asylum seekers, is there not a [serious] risk that potential migrant flows may be diverted to totally illegal access channels? Does not this trend towards ‘criminalisation’ of individual movements of migrants have the paradoxical consequence of promoting the development of organised trafficking in persons? (Marie 1994: 19).

Numerous authors have attempted to distinguish between the concept of ‘trafficking’ and migrations in which people sell sex (Agustín 2003a, 2005b; Alexander 1996; Carchedi *et al.* 2000; Skrobanek *et al.* 1997), but in the press and in NGO and academic fora, the focus on criminal abuse of migrants continues, while other vital issues are often ignored, for example police persecution and lack of labour protections. Anti-prostitution forces often react with outrage when people bring up such ideas, which provides one reason why treating issues remains within a limited domain. But I do not think that is the whole reason, by any means.

New Directions for Research: The Migration Framework

The argument I am making should not be understood as part of a ‘debate’ over whether migrant women who sell sex are ‘trafficked’ or not, or whether more women

have a bad or good experience of migration. Rather, I argue that a diversity of projects and experiences granted to other migrants must be granted to these as well, allowing them to be studied as transnational migrants, as members of diasporas, as entrepreneurial women, as flexible workers and as active agents participating in globalisation. Not to do so is to further stigmatise people using sex for instrumental ends and perpetuate a tendency to view commercial sex as the end of virtue and dignity. I have written elsewhere, using numerous women's testimonies, how both apparent dichotomies ('trafficking' versus migration and prostitution versus sex work) are seriously problematised when these voices are carefully listened to (Agustín 2005b).

Despite the fact that ethical research must never originate from a claim that the subjects investigated do not know their own minds, many writing about the sale of sex disqualify the stated desires of women and transsexuals, as well as men, to travel, see the world, make a lot of money and do whatever work is available along the way. This is research that begins from a moralising position. A migration framework, on the other hand, allows consideration of all conceivable aspects of people's lives and travels, locates them in periods of personal growth and risk-taking and does not force them to *identify* as 'sex workers' or 'victims' (or as maids, or 'carers', for that matter). The publication of research that looks at the lives of women selling sex in a variety of ways could contribute to how society at large considers them and facilitate Western societies' acceptance of its own desires to purchase so much sex.

Notes

- [1] Migrants selling sex often mention that they also do domestic labour, either as a second job or as part of the first. Researchers with migrant domestic workers do not appear to ask them if they do sex work as well, rather mentioning questions of 'sexual abuse' in houses where they work. Nevertheless, some researchers acknowledge that sexual labour often forms part of the expectations of those employing domestics, though not always in print. Taboos are very strong here; though far from 'protecting' women from stigmatisation, they act to maintain the oppressive dichotomy of 'still virtuous' versus 'bad' or 'fallen' women.
- [2] Among those who have written about these processes are Ruggiero (1997) and Schloenhardt (1999).
- [3] The following studies interviewed migrant women in Ghana, Niger, the Dominican Republic, Thailand, Colombia, the Philippines, Austria, Russia, Italy, Holland, Spain, Portugal, Turkey, France and Albania, with similar results: Agustín (2001a); Altink (1995); Andrijasevic (2003); Brussa (2000); Bueno (1999); Cabiria (2002, 2004); Campani (1999); Carchedi *et al.* (2000); Casal (2000); COIN (1992); Corso and Trifirò (2003); Danna (2003); de Paula Medeiros (2000); Gülçür and Ilkcaracan (2002); Janssen (2005); Kennedy and Nicotri (1999); Likiniano (2003); Mai (2001); Oso (2003); Pickup (1998); Piscitelli (2004); Polanía Molina and Claasen (1998); Ratliff (1999); Ribeiro and Sacramento (2005); Riopedre (2004); Rodríguez and Lahbabi (2004); Signorelli and Treppete (2001); Skrobaneck *et al.* (1997); Tabet (1989); Unal (2005); Ward *et al.* (2004).
- [4] See previous note on sources.
- [5] See the article 'Si me dan "papeles", lo dejo y trabajo en otra cosa', *El Mundo*, 1 August 2003: 2.

- [6] See note 3, above, for the relevant literature.
- [7] Liz Kelly's concept of a continuum of sexual violence emphasised that sexual violence exists in most women's lives, and that variation is only found in the form the violence takes, the way in which women define the violent events, and the impact the events have on them immediately and over time (Kelly 1988: 48).

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