**The republican path to freedom: How a universal basic income can mitigate global human trafficking**

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**ABSTRACT**

Global human trafficking is an urgent problem that requires a radical solution. However, counter-trafficking efforts continue to employ a liberal criminal justice approach that focuses on prosecution, rather than prevention. This produces short-term, ineffective solutions. Instead, I argue that the root cause of human trafficking is economic vulnerability, not organized crime. Rejecting the liberal framework, I recommend adopting an economic lens that is grounded in the republican principles of economic equality and liberty as nondomination. In order to fulfill these two principles and address the root cause of trafficking, I propose implementing a universal basic income (UBI). Only when a person is not monetarily vulnerable enough to be trafficked can trafficking be reduced. A UBI offers an effective mechanism to prevent such a horrific trade and is key to ensuring freedom for all.

**I. INTRODUCTION**

Although it is difficult to estimate the number of trafficked persons, the International Labour Organisation (ILO, 2014: 7) estimates that 21.9 million individuals are currently being exploited in forced labour worldwide. Despite global efforts to reduce the prevalence of human trafficking, all strategies have failed to do so. This horrific trade in human beings requires urgent solutions that break from the status quo. In this paper, I argue that the prevailing criminal justice approach to fighting trafficking is ineffective and can never substantially reduce trafficking. I propose that if there is to be any hope of mitigating human trafficking effectively, the international community must adopt an economic lens in understanding and addressing trafficking. In doing so, counter-trafficking efforts will thus be able to tackle what I argue is the most important underlying cause of trafficking – economic vulnerability. This economic lens is grounded in republican theory and illustrates how a republican conception of liberty as nondomination and its dedication to greater economic equality are key to mitigating trafficking. The implementation of a universal basic income (UBI) is instrumental in achieving this goal.

In the first section, I examine the problem of global human trafficking – its definition, magnitude, victims, and perpetrators. After demonstrating the seriousness and complexity of the issue, I critique the dominant criminal justice approach as well as the critical gender perspective. I demonstrate that an economic lens is the only effective way to address trafficking and highlight the importance of economic vulnerabilities making individuals susceptible to trafficking. After illustrating the superiority of an economic lens, I discuss the underlying theories behind a criminal justice and economic framework – liberalism and republicanism, respectively – specifically in regards to their conceptions of liberty and their attitudes toward economic equality. I argue that republicanism ought to frame any approach to human trafficking and that any liberal approaches will ultimately fail to mitigate trafficking significantly. Most importantly, I propose implementing a UBI to promote the republican conception of freedom as nondomination and republican principle of economic equality. While a UBI is not a new republican policy proposal, my suggestion innovatively applies it to mitigating global human trafficking. Such a proposal extends the current empirical debate on human trafficking from one of temporary solutions to confronting the root cause: domination. Granted, as long as the world follows a capitalist system, global human trafficking will remain a profitable industry and continue; however, a UBI offers an effective mechanism to help prevent such a horrific trade and is key to ensuring freedom for all.

**II. METHODS**

I will now briefly outline my methodology. As seen above, I will analyse an empirical circumstance – global human trafficking – and normatively evaluate the existing approaches to solving it. In response to this evaluation, I will supply a normative recommendation of a superior approach on the basis of republican theory. I will then provide policy recommendations in the form of a UBI to demonstrate how the proposed normative recommendation would practically operate in the world and successfully mitigate trafficking.

**III. DEFINITIONS**

*Human Trafficking*

 For the purposes of this paper, I will define human trafficking in accordance with the international legal definition as outlined in the United Nation’s (UN) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol):

"the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs” (UN General Assembly, 2000).

In the section entitled, ‘The Problem of Global Human Trafficking’, I will discuss

interpretations of this legal definition and offer my own understanding of the term.

*Global*

When conceptualizing human trafficking as a *global* phenomenon, I mean not only the transportation of victims[[1]](#footnote-1) across national borders from source to destination countries, but also in a broader sense, meaning the global occurrence of trafficking across the world, even if there is no movement of victims involved.

**IV. THE PROBLEM OF GLOBAL HUMAN TRAFFICKING**

*What is Human Trafficking?*

 While Aronowitz (2013: 1) claims that the world has reached “almost universal agreement” in what constitutes human trafficking through the Palermo Protocol, I argue that there is still no single agreed upon definition of trafficking, which has resulted in confusion and ineffective policies.

 The general conception put forth by the media and understood by the public involve “narrow portrayals of impoverished women and girls trafficked into the sex industry by shady figures connected to organized crime” (Chuang, 2006: 139). Such images reflect the beginnings of the trafficking discourse where advocates drew attention to the “White Slave Trade” in the late 1800s – namely, forced prostitution of white women (Gozdziak & Collett, 2005: 100); in fact, the term ‘human trafficking’ was first used in the media when describing cases of women from Eastern Europe forced into prostitution in Western Europe in the 1990s (Koettl, 2009: 5). These “popular, sensationalized image[s] of trafficked persons” (Chuang, 2006: 141) detract from the full meaning of human trafficking and make many victims invisible to the public eye and policymakers.

Despite this “over-emphasis on sex trafficking, to the neglect or exclusion of labour trafficking” (Chuang, 2006: 152), the Palermo Protocol provides the most thorough definition agreed upon at the global level and demonstrates the complexity of trafficking. It goes beyond the popularized idea of trafficking only involving sex and focuses upon the end goal of the trade: *exploitation* (UN General Assembly, 2000). According to the Palermo Protocol, human trafficking becomes the “umbrella term for all forms of coerced or surreptitious – in other words, *non-consensual* – exploitation” (Koettl, 2009: 6).

 In addition to the Palermo Protocol, the U.S. Department of State’s Victims of Trafficking and Violence Protection Act (TVPA) of 2000 also influenced other nation-states to pass similar laws; this act intends to fight “severe forms of trafficking” and includes forms of labour trafficking instead of only sexual exploitation (Lize & Whitaker, 2014: 381; Gozdziak & Collett, 2005: 102).

 Despite the Palermo Protocol and the influential TVPA, civil society, governments, and scholars continue to differ in their interpretations of what human trafficking entails. According to the United Nations Office on Drugs and Crime (UNODC), many countries continue to define human trafficking as only the exploitation of women, mostly for sexual purposes, in their domestic laws (UNODC, 2006: 78). They also often “lack the will or necessary resources” to “fully implement” international trafficking legislation (Karlsson, 2013: 82). As a result, there is a lack of coordination in international and domestic legislation.

There is also a difference in terminology, especially in the meaning of trafficking, slavery and forced labour. While terms like ‘forced labour’ and ‘modern-day slavery’ are often used interchangeably to describe trafficking in media reports and sometimes in academic literature[[2]](#footnote-2), some argue that forced labour, slavery, and trafficking are completely separate terms. For the International Labour Organization (ILO), forced labour is the umbrella term for slavery and trafficking (ILO 2012: 19-20). The ILO divides forced labour into either sexual or labour exploitation and considers neither organ trafficking nor forced marriages in its reports (ILO, 2012: 20). On the other hand, the human rights organisation, Anti-Slavery International, uses slavery as the umbrella term that includes trafficking as one of many types of slavery and differentiates trafficking from other types. The U.S. Department of State (2014: 29) describes trafficking as a “compelled service” that follows “a number of different terms, including involuntary servitude, slavery, or practices similar to slavery”. Unfortunately, this “lack of a common vocabulary and framework for discussing the problem” hinders efforts to end trafficking (Koettl, 2009: 4).

To make matters more complicated, some argue that movement across or within borders is required to be considered human trafficking (Chuang, 2006; ILO, 2012; Lize & Whitaker, 2014: 380), while others require no movement at all since ‘exploitation’ ought to be the driving factor in understanding what constitutes trafficking (Koettl, 2009; Polaris Project, 2014; U.S. Department of State, 2014). This variation originates from different interpretations of the following line in the Palermo Protocol to describe human trafficking: “the recruitment, transportation, transfer, harbouring or receipt of persons…for the purpose of exploitation.” Some authors, like Chuang (2006: 152-153), believe that the international definition makes clear that the “movement or recruitment of the person is a defining element” and that the U.S. Department of State’s interpretation results merely from its desire to avoid accommodating migrants and changing border policies. In contrast, Koettl (2009: 2) argues that the international definition includes any instance in which people “are forced or lured into exploitation – no matter if movement of the victim is involved”. In a similar fashion, the U.S. Department of State (2005) alleges that movement is “not what constitutes trafficking”, but instead “the force, fraud or coercion exercised on that person by another” is the “defining element of trafficking” (11). Vital to my own interpretation of the aforementioned line in the Protocol is the word ‘or’, implying that for an action to be considered human trafficking, it requires *either* the “recruitment, transportation, transfer, harbouring *or* [emphasis added] receipt of persons”. Thus, I argue that human trafficking does not require movement.

Another point of debate is what ought to be considered ‘force’ (Bales & Robbins, 2001: 29). Many argue over whether economic imperatives can be counted as ‘force’. For example, should a person who consents to exploitative labour out of economic necessity be regarded as a victim of trafficking? Koettl (2009: 2) calls this “consensual exploitation”. The international legal definition emphasizes that the means of trafficking must include some sort of force, threat, or coercion. Koettl (2009: 2-4) argues that, according to the legal definition, only “non-consensual exploitation” can be considered trafficking. This mainly results from the idea that even if the working conditions are horrific and exploitative, if a person can technically leave an arrangement, then economic pressures do not constitute ‘force’ (ILO, 2012). However, Koettl (2009) also argues that this is not as straightforward as it appears; while some trafficked victims may be misled, physically abused, or threatened, one could argue that economic imperatives “might “coerce” victims into accepting exploitative work arrangements” (Koettl, 2009: 5). In addition, Koettl (2009: 9) notes that the Palermo Protocol includes “‘the abuse of power or the position of vulnerability’ as a means of coercion” for trafficking; consequently, when “an employer exploits the economic vulnerability of workers”, this potentially can be seen as “non-consensual exploitation” (Koettl, 2009: 9).

In this paper, I will include “non-consensual exploitation” in my definition of human trafficking. I believe that this does not depart from the international definition given that, as Koettl (2009: 9) illustrates, “the abuse of power or of a position of vulnerability” is considered a means of coercion. Due to the scope of this paper, I will not be able to fully discuss this debate on economic imperatives and the concept of “agency”[[3]](#footnote-3) that often arises in discussing prostitution but will assume economic necessity can force a person into human trafficking.

 Thus, I will define human trafficking utilizing the international legal definition put forth in the Palermo Protocol and will interpret it as including consensual economic exploitation but not requiring movement. In the next section, I will discuss the magnitude of global human trafficking.

*Magnitude*

 As seen in the previous section, there is no agreed upon definition of human trafficking. Without a clear definition, the extent of global human trafficking is uncertain. Individuals or groups who define human trafficking as only sexual exploitation or only exploitation that involves transnational movement will clearly have a much smaller estimate of the number of global trafficking victims than those who adhere to the more comprehensive international legal definition. Furthermore, scholars, NGOs, international organizations and governments often use differing methodologies and typically fail to state their methodology when making estimates (Aronowitz, 2013: 18; Gozdziak & Collett, 2005: 111). As a result, the United Nations Educational, Scientific and Cultural Organization (UNESCO) has gone so far as to launch a ‘Trafficking Statistics Project’ that “attempts to ascertain the methodology” that groups employ when making trafficking estimates and to determine their legitimacy (Aronowitz, 2013: 17; UNESCO, 2008). The results are not promising as numbers differ greatly between organizations (UNESCO, 2008; Aronowitz, 2013: 18). For example, the US. Department of State estimates that 600,000-800,000 human trafficking victims crossed transnational borders in 2008, while the ILO estimates 2.44 million victims were trafficked within and outside national borders (UNESCO, 2008).

In addition, many agencies and organizations report estimates based only on those they have assisted (Aronowitz, 2013: 16). Likewise, law enforcement agencies often only report their “rescues” from raids they perform, even though many victims stay with their oppressors out of fear and thus are not counted (Aronowitz, 2013: 16). These numbers will obviously vary greatly depending on the amount of training law enforcement receive on human trafficking and how much individuals trust the police and civil society organizations. The reality is most victims are too afraid to report that they have been trafficked and do not cooperate with the police (Aronowitz, 2013: 16).

The clandestine nature of human trafficking also means that the great majority of victims are not identified. Estimating numbers of individuals involved in any activity that is illegal, especially in the informal economy, is difficult. However, especially with the high profits associated with trafficking, some officials have no incentive to identify the victims since the traffickers will pay them to look the other way.

Despite the aforementioned difficulties, the ILO is making strides in approximating the extent of global trafficking and discusses its methodology in depth. While this paper utilizes a different definition of human trafficking than the ILO and includes other types of trafficking like organ removal, its 2012 Report on forced labour offers an important look into the hidden world of trafficking. According to their estimates, a total of 20.9 million people are currently in forced labour situations around the world, and 90% of these individuals are exploited in the private economy (ILO, 2012: 13). In the private realm, 68% are forced labour victims while 22% are forced into sexual exploitation (ILO, 2012: 13). In addition, the majority – 56 per cent – are exploited within their “place of origin or residence” (ILO, 2012: 17). Both of these statistics shatter the image that exploitation takes place only after transnational movement and only for sexual purposes. Granted, most of the detected sexual exploitation does involve crossing borders; however, 66.3 per cent of victims of forced exploitation entail no movement from their origin (ILO, 2012: 16). According to their statistics, women make up 98% of victims forced into sexual exploitation and 40% of labour exploitation while 45% of all forced labour victims are men and boys (ILO, 2012: 17). As far as geographical region, countries differ in their numbers depending on whether they are a source, transit or destination country; destination countries are often wealthy and developed while source countries are mostly poor and developing (ILO, 2012: 15).

From “messy definitions” to “slippery statistics ridden with methodological problems” (Gozdziak & Collett, 2005: 111), estimating the magnitude of human trafficking is difficult, to say the least. However, I argue that whether current statistics are over-estimates or merely “reflect the tip of the iceberg” (Aronowitz, 2013: 20), even the lowest estimates reveal that horrors of human trafficking affect far too many individuals.

*Types of Trafficking*

While the international community mainly focuses on sexual and labour trafficking, organ trafficking is included in the Palermo Protocol and constitutes an egregious form of exploitation. All three forms of trafficking will be discussed in more detail throughout the rest of this paper.

*Who Are the Perpetrators?*

 According to the United Nations Global Initiative to Fight Human Trafficking (UNGIFT), traffickers are individuals who “enable or partake in the trade and exploitation of individual human beings” (UNGIFT, 2008: 2). Information on the identity and motives of traffickers is lacking, to say the least. What is known is mainly ambiguous and illustrates a gap in knowledge that contributes to failed attempts in tracking down perpetrators and convicting them (UNGIFT, 2008: 2). For example, Kamazima et al. (2011: 77) describes traffickers as “males or females with varied age, marital status, relationships with victims, socio-economic status, experience and occupations”. This vague description of traffickers illustrates the largely unhelpful data that is available today.

Many reasons exist for the lack of information on traffickers. Besides the fact that the trade is often hidden and thus impedes robust information gathering, human traffickers are often a part of large criminal networks whose profits, secrecy, and extensive hierarchies and contacts pose great difficulties to law enforcement in making any convictions (OSCE, 2009: 5; UNGIFT, 2008: 2). Traffickers take advantage of vulnerable individuals, porous borders, and low transportation costs that globalization has generated; transporting vulnerable people across borders and within countries is done at relative ease (OSCE, 2009: 5). In fact, the UNGIFT reports that the “vast majority of traffickers” never “come into contact with the criminal justice system at all” (UNGIFT, 2008: 2). Because profit is the main motivation behind trafficking, those involved range from single person operations to extensive networks of organized crime groups (OSCE, 2009: 11). According to the ILO (2014: 13), global forced labour reaps $150.2 billion in profits every year for exploiters; such profits reflect the high demand for victims and the low costs of the business. Human trafficking is different from past slavery because slaves used to be costly to purchase and to maintain (Bales, 2004: 4); nowadays, trafficking boasts “big profits and cheap lives” where humans are “disposable tools for making money” (Bales, 2004: 4). With low conviction rates, it also means low risk (UNGIFT, 2008: 2).

*Who are the victims?*

Because of the varying definitions and hidden nature of human trafficking, there is simply “no reliable data” on the identity of the victims (Gozdziak & Collett, 2005: 121; Lize & Whitaker, 2014: 387). Gozdziak & Collett (2005: 122) attribute this to the lack of a consistent research methodology that is currently in its “infancy” and claim that available data often results from only personal accounts and “overviews”. For example, an author who defines human trafficking as only sex trafficking will argue that the identity of the victims are mainly women and girls, which will be vastly different from other scholars and organizations who define human trafficking according to the Palermo Protocol definition and examine other types of trafficking where potentially men and boys are exploited most. Since there is no broad consensus, I will not make any broad claims in this section as to the identity of the victims. However, one key characteristic of those being trafficked is that they are vulnerable (Aronowitz, 2013: 24; Anti-Slavery International; Lize & Whitaker, 2014: 379-80; Bales, 2004: 11; Wheaton et al., 2010: 117; Koettl, 2009: 7) – whether in terms of age, gender, ethnicity, race, geographical origin, native language, or employment, socioeconomic, or migratory status, amongst others. In the section entitled, ‘Critique’, I will explore these vulnerabilities in more depth and argue that economic status ought to frame the discussion on how to mitigate human trafficking.

**V. CRIMINAL JUSTICE, GENDER, AND ECONOMIC APPROACHES**

 In this section, I will first explore the current and mainstream criminal justice approach used to understand and fight global human trafficking. I will then offer a brief discussion of a gender perspective on trafficking and a gender-sensitive critique of the current approach. Finally, I will argue that an economic lens is superior to both a criminal justice and gender framework in addressing human trafficking.

*Current Criminal Justice Approach*

The dominant paradigm of criminal justice emerged in the 1990s when human trafficking became tied to national security, illegal migration, and international crime organizations (Chuang, 2006: 147; Aronowitz, 2013: 27). Chuang (2006: 147) highlights that it was only once human trafficking became associated with security and crime did states agree to take international action and create the Palermo Protocol; in fact, efforts in the 1980s and 1990s to enact a human rights framework that would address the underlying socioeconomic causes were mostly ignored (Chuang, 2006: 147). As a result of the Palermo Protocol, countries around the world introduced new anti-trafficking laws; in fact, almost 100 countries passed such laws by the end of 2008 (Karlsson, 2013: 82). These domestic laws reflected the Palermo Protocol’s “narrow view of trafficking as a criminal justice problem” (Chuang, 2006: 148).

 Under the current paradigm, there is a broad consensus that to end this horrific trade of human beings, the three P’s must be addressed: prosecution, protection, and prevention (Office to Monitor, 2011; UN, 2000; Chuang, 2006: 137). In other words, an effective solution must not only prosecute the traffickers, but also protect the victims and prevent future trafficking. Both the TPVA and the 2000 Palermo Protocol reflect this triage. In theory, this appears to be an effective and comprehensive approach. However, nation-states and the international community as a whole predominantly confront trafficking through a criminal justice or “law and order” approach; under this paradigm, prosecution receives the vast majority of attention, disregarding protection and neglecting prevention (Chuang, 2006: 137; Gozdziak & Collett, 2005: 104). This prioritization is clearly illustrated on the website of the United Nations Inter-Agency Project on Human Trafficking (UNIAP), which states that “Human trafficking is not ‘caused’ by poverty, lack of education, lack of legal status, or any other vulnerability factor: human trafficking is caused by human traffickers – criminals who commit criminal acts against victims and vulnerable people.” The UNIAP’s emphasis on the perpetrators reflects its priority on the first P, prosecution. As a result, most efforts are placed “upon intelligence gathering, dismantling criminal groups, and arresting and prosecuting traffickers” (Aronowitz, 2013: 27). While the Palermo Protocol and the United States TPVA acknowledge the need for more than just prosecution, tackling the root causes of trafficking through effective prevention efforts remain just “rhetoric” (Chuang, 2006: 138).

 Because human trafficking is such a profitable business[[4]](#footnote-4) with an almost negligible likelihood of being caught, an unending supply of vulnerable people, and an unrelenting demand for cheap labour and sexual services, some argue that the key to stopping trafficking is increasing risks (Sidharth, 2011: 70). In other words, efforts should be placed upon enacting tougher penalties on convicted traffickers and enhancing law enforcement efforts in order to increase conviction rates (Sidharth, 2011: 70). Similarly, while acknowledging other factors and the need for the three p’s, the ILO claims that impunity is one of main causes of forced labour and that law enforcement is essential for reducing it (Andrees, 2008: 11).

Overall, the criminal justice paradigm dominating current international protocols, agreements, and domestic laws insists that human traffickers are criminals who must be identified, arrested, and prosecuted in order to stop trafficking. Efforts to address the larger socioeconomic context are deemed irrelevant by the criminal justice framework.

*Critical Gender Perspective*

 While the criminal justice paradigm offers a rather clear-cut approach, there is no single gender perspective on human trafficking. Due to the complexity of the gender lens and the limited scope of this paper, I will offer only a brief discussion that touches on some of the main points put forth in many papers and reports advocating this approach.

 Fundamental to the *dominant* gender perspective is that sex and gender are two distinct concepts – sex refers to biological differences while gender is a social construct (Thorborn, 2000: 2; Peterson, 2005: 502-505). In today’s highly unequal, patriarchal world, gender creates power dynamics that privilege masculinity over femininity (Thorborn, 2000: 2). For Peterson (2005: 501), gender is a “*governing* code that pervades language and hence systematically shapes how we think, what we presume to ‘know’, and how such knowledge claims are legitimated”. This pervasive masculinized hegemony devalues any work or traits associated with femininity; thus, femininity is associated with “lacking agency, control, reason, ‘skills’, culture” while masculinity is associated with rationality, purpose, control, and ability (Peterson, 2005: 501). As a result, work that is culturally expected of women – “domestic, reproductive and caring labour” – is seen as less than or inferior to work associated with masculinity – paid labour outside of the home (Peterson, 2005: 500).

 Applied to trafficking, a typical gender perspective argues that gender inequalities produce vulnerabilities that shape and cause human trafficking. Advocates argue that all people are trafficked, not just women and girls; thus, it is not “woman-exclusive” while being “woman-centered” (D’Cunha, 2002: 7). However, scholars often focus most of their attention on women and children because arguably, they are the most vulnerable and likely to be affected by trafficking (D’Cunha, 2002: 7-8). This is not surprising given that women and girls face “institutionalized discrimination” (Bales & Robbins, 2001: 29)[[5]](#footnote-5) around the globe and lack fundamental freedoms in many countries. In particular, sexual exploitation affects far more women and girls than men and boys; according to the ILO (2012: 14), 98% of sexual exploitation victims are female. The objectification of women in today’s patriarchal society allows men to use women and girls for their own sexual desires (Lize & Whitaker, 2014: 388).[[6]](#footnote-6)

D’Cunha (2002: 4) critiques current counter-trafficking efforts for failing to be “gender responsive” even if they do target women and girls. She argues that the current discourse focuses on helping people after they have already been trafficked and neglects prevention efforts; even when it does introduce preventive measures, they focus only upon “micro-level livelihood projects” that do not acknowledge the impact of globalization and macro effects on women (D’Cunha, 2002: 4).

Similarly, Chuang (2006) critiques the dominant paradigm for focusing on prosecuting traffickers instead of addressing the root causes. She argues that current efforts fail to address the socioeconomic environment and globalizing trends that create vulnerabilities and impel individuals, mainly women, to migrate (Chuang, 2006: 140). For example, globalization has led to a “feminization of poverty” in which women make up a disproportionate number of the world’s poor (Chuang, 2006: 141). Women are often forced to migrate to escape poverty and economic hardships arising from their de-valorisation in society and the global political economy; likewise, gender-based violence, discrimination, and oppression push vulnerable women and girls to migrate and accept risky employment (Chuang, 2006: 141). In addition, Chuang (2006: 142) points to the use of structural adjustment policies that countries must implement in order to receive loans from the International Monetary Fund and World Bank; these policies force governments to cut budgets, in particular social and welfare programs that are vital to the poor who often are women (Chuang, 2006: 142). Chuang (2006: 145-147) argues that countries, like the U.S., ignore the root causes, so they do not have to alleviate socioeconomic problems and change their border and migration policies. Instead of addressing the gender, social, and economic inequalities that push people, especially women, to migrate, the international community focuses on short-term, ineffective efforts focused on criminal justice (Chuang, 2006).

 Thus, a gender perspective highlights how the social construct of gender creates vulnerabilities and inequalities that often lead to trafficking; current counter-trafficking efforts fail to be sufficiently gender-sensitive and to address the socioeconomic and gender inequalities that often lead to human trafficking. In the following section, I argue that an economic lens is both superior to the criminal justice and gender paradigms.

*Economic Lens*

 I will first discuss the flaws of the criminal justice perspective. I will then address the advantages and disadvantages of a gender paradigm. Finally, I will propose that an economic lens is superior to both frameworks in producing effective solutions to trafficking.

*The Shortcomings of the Dominant Discourse*

The dominant criminal justice paradigm is greatly flawed in terms of approach and efficacy. While prosecution is important for deterring traffickers and bringing them to justice, human trafficking remains largely hidden, and law enforcement has failed in identifying and convicting perpetrators. In 2006, there were only 5,808 prosecutions and 3,160 convictions worldwide (Andrees, 2008: 17); given the previous estimates discussed earlier on the magnitude of trafficking, these numbers are shockingly small. Besides conviction rates, the number of trafficked victims has also not decreased despite “hundreds of millions of dollars” poured into law enforcement strategies (Chuang, 2006: 138). In fact, while there is no reliable data on the extent of trafficking, many argue that the number of people trafficked has increased (Bales, 2007: 270; Bales, 2004: 4; D’Cunha, 2002: 3). Even if the absolute number of victims has not increased, trafficking is a widespread global phenomenon that does not seem to be fading but is most likely intensifying.

Putting time, energy and resources into hunting perpetrators all around the globe is a short-term strategy that will never stop the trade in human beings. Trying to fight trafficking in this manner is similar to what has become known as the “hydra effect” (UNRIC, 2014); authors use this analogy to describe the ineffectiveness of law enforcement strategies that focus on capturing drug cartel leaders to stop drug trafficking despite the fact that as soon as one leader is arrested, another one immediately is available to take her or his place (UNRIC, 2014; Villarreal, 2012). Similarly, arresting a few traffickers does not eliminate the supply of profit-hungry traffickers and most importantly, does not address why human trafficking is occurring in the first place. It completely neglects the root causes of this trade. Even if states confiscated more of traffickers’ assets and heightened penalties[[7]](#footnote-7) to increase risks associated with trafficking, individuals would continue to engage in trafficking in today’s capitalist society where profit is the aim of any business.

Since international and domestic efforts predominantly focus upon prosecution, they will never effectively reduce trafficking rates. Trafficking does not occur simply because there are ‘bad’ people or criminals who exploit others and need to be arrested. The current paradigm only looks at the surface of this complex, multifaceted problem; instead, an effective framework must address the root causes perpetuating the business of trafficking.

*The Gender Perspective: On the Right Track*

The gender perspective offers a valid critique of the dominant discourse of trafficking but is an inadequate approach to mitigating all types of human trafficking. This framework offers critical insight into the flaws of the current discourse, exposing how counter-trafficking strategies are not gender-sensitive, fail to protect victims, and over-emphasize prosecution. This critical perspective also attempts to more fully grasp the demographics and vulnerabilities, in particular gender, that ultimately push people into the hands of traffickers; through this lens, one can recognize that women and girls are disproportionately forced into sexual exploitation. Furthermore, it not only highlights the importance of gender in power dynamics and resulting inequalities, but also addresses the significant intersectionality of gender with race, class, sexuality, and ethnicity, amongst others. Such a perspective allows one to grasp trafficking more fully, especially the link between feminized poverty, the global political economy and masculinized hegemony.[[8]](#footnote-8)

While the social construction of gender and the resulting power dynamics clearly increase the vulnerability of women and girls, I argue that the gender framework is inadequate in fully addressing the global phenomenon of human trafficking. I do not claim that this perspective is incorrect or even undesirable; it offers policymakers and researchers a more enlightened picture of and critical insights into human trafficking. Furthermore, if I were only focusing upon sexual exploitation, gender may be the more accurate framework. However, in this paper, I aim to put forth the most comprehensive approach that would effectively reduce all types of human trafficking in capitalist society.

To the detriment of other types of trafficking, feminist literature on trafficking often emphasizes sex trafficking or debates the differences between prostitution and trafficking (Kempadoo et al., 2005).[[9]](#footnote-9) In fact, several studies argue that there has been an over-representation of women and girls in human trafficking statistics (World Bank, 2009: 6; Griffiths & Bales, 2010: 718). UNODC (2006: 65) reports that men exploited in forced labour often do not report their abuse. Moreover, many countries’ legislation only includes women in their counter-trafficking laws (UNODC, 2006: 78) and thus fail to count men and boys in their national statistics. In addition, labour trafficking victims may be are afraid to report to the authorities out of fear of “retaliation and blacklisting from jobs” (Lize & Whitaker, 2013: 390). This is significant for men and boys, given that 60% of those enduring labour exploitation in the private sector are male (ILO, 2012: 14).

While a gender perspective may be able to use gender and power to interpret the demographics of different types of trafficking and explain why fewer men report their abuse than women, it does not offer a satisfactory solution to the problem. Even in an ideal situation in which there were gender equality and sex trafficking were completely eliminated, human trafficking would still flourish because economic inequality, domination, and the profitability of trafficking would still continue. However, if the situation were reversed where economic inequality and domination were eliminated while gender inequalities persisted, I argue that trafficking would be greatly reduced, although regrettably not eradicated. While gender inequalities may be one root cause of trafficking, I argue that policymakers, researchers, and scholars ought to focus upon economic vulnerabilities in order to effectively address human trafficking.

*The Economic Paradigm: Empowering the Vulnerable*

 While the gender perspective offers valuable insights into trafficking, I argue that an economic paradigm will offer the most effective solution to all types of human trafficking.

 Along with Louise Shelley (2010), I view human trafficking as a business. It generates profit from satisfying perverse sexual desires and cheap labour demands by exploiting a large supply of vulnerable individuals. In a profit-seeking economy, “slavery is a booming business” (Bales, 2004: 4), with global profits reaching $150.2 billion annually from forced labour (ILO, 2014: 13). Trafficking businesses thrive because of their ability to make immense profits (Belser, 2005: iii), and it is this profit that is the “driving motive” for engaging in this exploitative practice (Wheaton et al, 2010: 117). Without an economic incentive, there would be little reason to exploit another human in this manner.

In contrast to the criminal justice approach, I concentrate on what compels traffickers to decide to join this horrific business and what makes individuals vulnerable to this economic exploitation in the first place. In other words, what are the underlying causes of human trafficking?

I argue economic vulnerability is the key driver of human trafficking. According to Bales (2004: 11), in past forms of slavery, the question was “Are they the right color to be slaves?” but in modern-day slavery, the question is “Are they vulnerable enough to be enslaved?” This vulnerability is found in “poverty, not color or religion” (Aronowitz, 2013: 29). While many factors play into vulnerability, as seen in the gender paradigm, economic status plays a vital role in determining who is most vulnerable to trafficking. While I acknowledge that it is not *always* a poor person who is trafficked, poverty is frequently the underlying source of vulnerability to trafficking. Even though Aronowitz (2013: 24) admits that “available data” demonstrates that those trafficked are “not necessarily the poorest people in a country”, she alleges that the most vulnerable are usually the poor who lack education, income, and employment. Moreover, most trafficked individuals that international organizations and civil society groups assist originate from the most impoverished countries (Aronowitz, 2013: 24). Lize & Whitaker (2014: 379-380) also argue that those “most vulnerable to trafficking” in the United States are the “economically vulnerable”. This is not surprising in a neoliberal[[10]](#footnote-10) capitalist world order where society often bows to economic competition and prioritises profit over the basic needs of fellow humans. Making profit and competing in the global market overshadow the human costs associated with trafficking, creating “disposable people” (Bales, 2004).

Fundamentally, it is the lack of basic needs that propels most people into trafficking. Chuang (2006: 147) highlights how “deeply rooted trafficking is in the underlying socioeconomic forces that impel workers to migrate”. Global trends have “bred an ever-widening wealth gap between countries and between rich and poor communities within countries…[which] has created a spate of ‘survival migrants’” that venture abroad “as a means of survival” in desperate need of employment (Chuang, 2006: 138). Without addressing the economic consequences of globalisation, individuals will continue to be trafficked and potentially re-trafficked because if they are one of the few to be rescued, they will still be returned to the same “socioeconomic conditions that rendered them vulnerable to abuse in the first instance” (Chuang, 2006: 139).

Since movement is not required in the definition of trafficking, it is also key to recognize the economic dynamics that compel workers to accept risky employment ‘opportunities’ within their own communities. Even if a worker ‘agrees’ to an exploitative job – ‘consensual exploitation’ (Koettl, 2009: 2) – no one ought to be ‘forced’ into accepting a job that is dangerous or demeaning in order to satisfy his/her basic needs. An economic lens is vital to understanding how poverty and a lack of alternative economic means compel individuals to accept risky job offers.

One type of trafficking that I have not discussed as of yet, but is key to grasping the importance of an economic perspective, is organ trafficking. While organ trafficking comes in many forms, I will focus upon a situation in which a person agrees to sell his/her organ out of economic desperation but is not paid or because a trafficker forces a person to sell an organ.[[11]](#footnote-11) Research indicates that those who agree to sell one of their organs to recruiters due so “because they have virtually no other means to provide support for themselves…[it] is a desperate alternative available to the poor” (Budiana-Saberi & Delmonico, 2008: 925). Traffickers exploit the “poverty, vulnerability and destitution” of economically desperate individuals and sell their organs for profit (Budiana-Saberi & Karim, 2009: 48). In stark contrast to sexual exploitation, research demonstrates that most victims are male; in fact, 95% of victims in Egypt, for example, report to be male (Budiana-Saberi & Karim, 2009: 49). Fighting this type of horrific trafficking requires an economic perspective that recognizes the need to address economic vulnerability. No individual should be so desperate for an income that he or she sells an organ.

An economic perspective sheds light on how economic vulnerability and poverty make one susceptible to trafficking or ‘consensual exploitation’. In order to effectively address trafficking, policymakers and researchers must adopt an economic lens and effectively address such vulnerabilities. In the following sections, I will discuss how the republican principles of economic equality and liberty as non-domination offer the tools to fight economic vulnerability.

**VI. THEORETICAL FOUNDATIONS: LIBERALISM VS. REPUBLICANISM**

Now that I have shown how an economic lens is pertinent to understanding the economic vulnerabilities that largely cause human trafficking, I will now discuss the theories underpinning the criminal justice and economic approaches, specifically liberalism and republicanism, respectively. My focus will be on contrasting liberal and republican conceptions of liberty, the value they place upon economic equality, and how they differ in their approaches to human trafficking.

*Liberalism: Freedom and Economic Inequality*

 The theory dominating the world order and underpinning the criminal justice and law enforcement approach is liberalism. Under this theoretical framework, freedom is primarily understood as the absence of interference (Berlin, 1969: 121; Shnayderman, 2012: 44; Pettit, 1993: 15; Pettit, 2011: 391). Steven Wall (2001: 217) explains interference as the following: “A interferes with B if A hinders B from doing what B would have done in the absence of A’s action…to hinder someone from doing something is either to prevent him from doing it or to make it more costly for him to do it”. Thus, to be considered interference, it typically “requires a positive action” (Wall, 2001: 218).

This conception of liberty that underpins the dominant approach to human trafficking is key to understanding the manner in which the international community addresses this global trade in people. Since freedom is merely defined as a lack of interference and interference requires positive action, officials and organizations will only pay attention and take action in situations in which there are literal interferences in people’s lives, meaning actual instances of trafficking. It does not matter if a person is economically vulnerable – all that matters is whether he or she has been trafficked. As a result, trafficking efforts do not focus on prevention but instead merely prosecution and potentially some protection measures post-trafficking. This is exactly what has happened in global counter-trafficking agreements, specifically the Palermo Protocol, and in domestic laws around the world, such as TPVA. Under this idea of liberty, law enforcement will continue to focus on catching perpetrators, following money trails, and gathering intelligence on organized crime networks. These strategies consequently produce only regulatory, short-term fixes and fail to effectively reduce the prevalence of human trafficking.

Following this conception of liberty, liberalism does not place much value, if any, on economic equality. Precisely by not addressing inequalities in the definition of liberty, liberty as non-interference is “compatible with stark inequalities in income and wealth” (Swan, 2012: 434). This is clear in today’s highly unequal liberal global order, with rising economic inequalities between and within developing and developed countries (Oxfam, 2014: 1; OECD, 2011: 21). Because rectifying economic inequalities may entail government interference and thus restrict liberty, liberals often reject redistributive policies, despite their potential benefit to general societal economic well-being. Also, since one may argue that income inequalities are not a result of direct interference, freedom remains unharmed.

This attitude toward economic inequality has a detrimental impact upon counter-trafficking strategies. As illustrated in the previous section, an effective mechanism must address economic vulnerabilities that make individuals susceptible to trafficking. In order to do so, there must be an acknowledgement that differences in wealth and income make a person more vulnerable and negatively impact a person’s freedom, especially when they are ‘forced’ to sell their organs or engage in ‘consensual exploitation’. Overlooking economic inequality dismisses one of the most important underlying causes of trafficking and thus can never mitigate it effectively.

*Republicanism: Freedom and Economic Equality*

 In contrast to the liberal conception of liberty as noninterference, the republican tradition defines freedom as nondomination, meaning that an agent does not have “the capacity to interfere on an arbitrary basis in the affairs of another” (Pettit, 2011: 397). The ability to interfere *arbitrarily* is key to the republican definition of liberty; no one ought to be able to interfere at one’s “pleasure” or discretion (Pettit, 2011: 392). Furthermore, Wall (2001: 220) argues that this arbitrary nature consists of having to “live at the mercy of another” and/or be “ruled in a capricious manner”. However, even if agent A does not actually interfere in the life of agent B, agent B still experiences domination if agent B is “vulnerable to arbitrary interference” (Wall, 2001: 221). Agent B’s not knowing if or when Agent A will interfere makes Agent B less free. This concept of *vulnerability* is fundamental to the republican notion of freedom. To be considered domination, actual interference is thus not required because “someone loses freedom to the extent that they live under the thumb of another, even if that thumb is never used against them” (Pettit, 2011: 396).

 In addition, republican theorists highlight that for Agent A to be free, not only must Agent A not be subjected to or vulnerable to the arbitrary interference of Agent B, but also Agent B “must lack the capacity to interfere arbitrarily in [Agent A’s]…life” (Pettit, 2011: 398). This notion that one must lack the *capacity* to dominate in order for freedom to exist reflects the republican tradition’s dedication to greater economic equality. If no one is to have the *capacity* to interfere and “not just be unlikely to interfere”, then the republican conception of freedom “requires a…substantial commitment to redistribution” (Pettit, 2011: 398, 402). This stands in stark contrast to the liberal ideal of freedom. Stuart White (2010) alleges that economic equality is an essential principle of republicanism, since “the dependence of the poor on the rich gives the rich power to interfere” arbitrarily “in the lives of the poor”.

Clearly, the republican conception of freedom as nondomination and ensuing support for greater economic equality provides an essential theoretical foundation to the aforementioned economic lens. If a republican framework were applied to global trafficking approaches, counter-trafficking efforts would focus upon reducing domination in order to prevent cases of trafficking, instead of waiting for an interference to occur and chasing an endless supply of traffickers. In order to do so, a republican approach would examine what makes persons vulnerable to interference. In stark contrast to liberalism, republicanism elucidates how one’s vulnerability to interference, and not just instances of actual interferences, significantly reduces freedom. Given that I argue economic vulnerabilities are one of the most important drivers of trafficking, this is a significant contribution. In addition to addressing the poverty that makes some individuals vulnerable to trafficking, a republican approach would work toward eliminating traffickers’ capacities to dominate; this may require a redistribution of resources. Liberal policies promote ineffective regulatory changes that shy away from economic structural changes in fear they may impede the liberty of the wealthy and result in unjust interference; however, republicanism allows for radical structural economic changes that are needed to fight trafficking, given that economic domination is arguably the most significant underlying cause of the issue. Following the republican tradition, global efforts would switch their focus from prosecution to prevention and enact long-term, structural solutions.

**VII. POLICY RECOMMENDATION**

In this section, I argue that a UBI is vital to mitigating human trafficking by enhancing economic equality and embracing liberty as nondomination.

*Defining UBI*

 Republicans often promote a UBI in order to reduce economic inequality (White, 2011; Pettit, 2007). Simply, a UBI “provides everyone in a society, as an unconditional right, with access to a certain level of income” (Pettit, 2007: 1). The word ‘unconditional’ is key to a UBI since everyone would receive this income no matter their willingness to work, employment status, current income, or any other conditions (Lovett, 2009: 826; Pettit, 2007: 1). Because all individuals receive a UBI without needs testing, it is nonarbitrary, resulting in “no new domination” (Lovett, 2009: 827).

*Republicanism and UBI*

 Owing to the principles of liberty as nondomination and economic equality, republicanism intrinsically supports the implementation of a UBI (Raventós, 2007; White, 2011). In today’s highly unequal world, many individuals lack basic goods and services and thus are vulnerable to the arbitrary interference of those who are more economically advantaged. By granting a sufficient level of income for all members of a society through a UBI, individuals will arguably be less vulnerable to this domination and depend less on others. According to Aristotle, “the man who does not have a guaranteed material existence cannot be free because he necessarily depends on another or others in order to live” (Raventós, 2007: 54).

*Human Trafficking and UBI*

 Because economic vulnerability is arguably the most important cause of trafficking, implementing a UBI is essential to preventing the economic exploitation of individuals. A UBI would reduce not only non-consensual, but also consensual exploitation. As far as consensual exploitation, individuals would no longer be forced to accept exploitative and demeaning jobs out of economic desperation. Not having to worry about an income would open doors and opportunities for the poor. Nonconsensual exploitation would also decline. By enhancing the economic well-being and security of the poor, individuals may be less likely to send their children to distant relatives or friends who deceive them with false promises of a better life for them, to accept risky employment opportunities out of economic need, to sell their children to traffickers in order to feed the rest of their family, and to sell one of their organs in order to merely survive. Providing all members of society economic security may also deter people from leaving their homelands in search of a better job; this is key since illegal migration and smuggling can quickly turn into trafficking. Likewise, a UBI would create the socioeconomic conditions to prevent re-trafficking; because poor people who are rescued today return to their impoverished backgrounds, they are susceptible to the same economic vulnerabilities. A UBI would completely change this and create the conditions in which a person would be less likely to depend on the will of another. Overall, a UBI would decrease domination and greatly reduce economic vulnerabilities that often make persons susceptible to trafficking.

*Objections*

 I acknowledge that the logistics of implementing a UBI may be complicated; however, this ought not get in the way of creating effective solutions to the horrific exploitation of fellow human beings. While most objections to UBI deal with its supposed infeasibility in a liberal world where the economically powerful dominate, I will focus upon one objection not often focused upon in the literature: a UBI is insufficient in creating economic equality.

 While the focus of the focus of this paper has been on economic vulnerability and using a UBI to reduce this, I argue that a UBI alone *is* inadequate in mitigating human trafficking. Society must impose a corresponding maximum income cap (MIC) – an upper limit placed on income. Given that a fundamental principle of republicanism is economic equality (White, 2011), a MIC would reduce the capacity of the more well-off to dominate and interfere arbitrarily as well as shrink the widening income gap that makes one vulnerable to domination in the first place. While I am not arguing that rich individuals will engage in human trafficking, I do claim that as long as one has the capacity to enslave another or to interfere – even if one never does so – liberty as non-domination cannot be achieved. Even if society grants a person a UBI and the individual is thus freer than before, wealthy individuals can increase their money-holdings to such an extent that a UBI would be almost meaningless in terms of domination. Imagine a world in which every member of society is granted $40,000 per year, but there is no maximum cap. A person who makes $10 million per year will obviously retain the capacity to dominate. A MIC may not eliminate this capacity but would significantly reduce it, depending on the level of the cap.

 Implementing a UBI is a vital step in reducing economic vulnerability; however, a corresponding MIC is also pertinent to reducing levels of global human trafficking and must not be overlooked. A more equal society will mean less domination and less economic vulnerability to trafficking.

**CONCLUSION**

In this paper, I have argued that an economic lens, grounded in the republican principles of liberty as nondomination and economic equality, is vital to mitigating global human trafficking. Implementing a UBI has the potential to significantly reduce the prevalence of trafficking by addressing the root cause of economic vulnerability and promoting these two republican principles. I have shown that the current liberal criminal justice approach will never effectively reduce trafficking since it only addresses actual instances of interference and not vulnerabilities to interference. Consequently, the international community must switch their focus from prosecution to prevention. I have also demonstrated that a gender lens offers valuable insight into human trafficking but fails to offer effective policy tools and often neglects other forms of trafficking that mainly result from economic circumstances, especially organ trafficking. More concrete data and clear definitions of trafficking are needed to fully address this global phenomenon. An economic approach, underpinned by republican theory, that addresses the root causes of trafficking, is vital to mitigating trafficking today.

When it is estimated that a child is trafficked every thirty seconds (McColl, 2009: 793), the globe must formulate a new plan of action. This paper aims to “rise to the challenge of confronting this trade and reducing it, even if its complete elimination may be impossible” (McColl, 2009: 294). Mitigating this egregious human rights violation requires a new theoretical framework for understanding the problem and an innovative, radical policy response in the form of a UBI and potentially a MIC. Only then can the most vulnerable be treated for what they are: human.

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1. Instead of human beings, this may instead entail the transportation of organs across borders. [↑](#footnote-ref-1)
2. See Bales (2004); Aronowitz (2013); ILO (2014); OSCE (2009). [↑](#footnote-ref-2)
3. See Bales & Robbins (2001); Lobasz (2009); Aradau (2004); Weitzer (2007) for further information. [↑](#footnote-ref-3)
4. Dr. Louise Shelley (2010) is known for developing the business model approach to understanding human trafficking. [↑](#footnote-ref-4)
5. This also includes those who do not fit within the traditional ‘masculine’ gendered binary, such as gay or transgender men. [↑](#footnote-ref-5)
6. Due to the limited scope of this paper, I will not delve into the debate as to whether efforts to fight human trafficking criminalize ‘sex workers’ and disregard their agency. For more information, see Kempadoo et al. (2005); Kempadoo & Doezema (1998); and Gatrell (2010). [↑](#footnote-ref-6)
7. See Polaris Project (2013: 12) for information on prison sentences and fines given to convicted labor traffickers, which can be as low as 5 years and $500, respectively. [↑](#footnote-ref-7)
8. See Peterson (2010) for further information on this relationship. [↑](#footnote-ref-8)
9. Clearly not all feminist literature on trafficking focuses on these two subjects; however, much of the debate appears to revolve around women and girls in sex trafficking and prostitution. [↑](#footnote-ref-9)
10. When I use the term neoliberal, I refer to a paradigm that prioritizes the market over social welfare through its emphasis on privatization, liberalization, and deregulation. [↑](#footnote-ref-10)
11. See UNGIFT (2014) for elaboration on different forms of organ trafficking. [↑](#footnote-ref-11)