

Human Trafficking: A Flourishing Crime

Mayengbam Nandakishwor Singh

MA, MPhil, PGDHR, PhD, Faculty of Political Science, National Law University, (Assam) India

Human trafficking is an endemic crime growing fast all over the world. There are inherent intricacies in conceptualising a proper meaning of human trafficking. In general parlance, human trafficking means the trading of human beings illegally for various ends. As a matter of fact, human trafficking is nothing but a gross violation of human rights. It can occur in any human stations and it is wrong to assume that human trafficking necessarily involves movements of trafficked victims from place to place. Today, it is considered to be one of the biggest thriving illegal businesses around the globe. Complex laws about human trafficking are there within a country which makes police ineffective and asymmetrical laws among the countries which allow traffickers to gain upper hand. Human trafficking is a deadly crime and it is evinced that the many powerful and wealthy persons also connive in this crime. There is a need for the civil societies to be robust in this regard and media can play tremendous role in curbing human trafficking. Unfortunately, most of the preventive measures appear to be reactive and further progress is called for. One integral element that demarcates human trafficking from other illicit activities is the element of exploitation and violation of rights physically and psychologically. It is true that victims of human trafficking are always in a double whammy. They are brutally tortured during the trafficking service and even after their rescue, stigmas in society largely prevents them from becoming normal. Human trafficking, as a

subject of discourse, has evolved over a period of time. There are a horde of literatures afloat detailing multiple aspects of human trafficking and the present book under review is one that attempts to showcase the mode of operation, dimensions, forms, and the lacunas in legal and social system related to human trafficking.

The author, in the book, begins by arguing that human trafficking is a widespread global phenomenon and countries around the globe are affected by this dangerous problem. Trafficking of humans is operated through highly interconnected networking systems. According to the author, operation of human trafficking within a country is less risky as certain factors are familiar to the traffickers than doing across the borders as traffickers face several hassles like legal constraints in transporting the victims, difficulties in finding the partner across the border, easily identifiable looks of the victims, opposite culture and language etc. (p 4). In the process of operation, victims are recruited first, and they are transported and finally, victims reach the destinations for service.

In the second chapter, the author delves into the diverse ways to combat human trafficking. One way of curbing is to nip at the whole recruitment stage so that the supply chain will be frozen. The transit stage is less focussed and the movement of victims and nefarious activities of traffickers are neglected. Much of the focus is on the destination point where

rescue of the victims and persecution of the trafficker take place. It is based on the idea that the freezing of the demand will solve this problem. The author's point is that stringent laws is not the ultimate solution and firm confidence building to the victims must be taken up. Victims often have deep fear psychosis and are under the belief that traffickers are more powerful and they can harm them. So, the trafficked victims avoid cooperation with the agencies that catapult human trafficking to perpetuate.

In the next chapter, the author explains about how victims are convinced about the benefits of this trade. Then traffickers convince the victims about the stigma in society about the trade. Traffickers also threaten the victims about the unwanted consequences if they disobey them. Sometimes, victims tend to develop a feeling of closeness with the traffickers, a typical 'Stockholm syndrome.' Victims are drugged to enhance their service and confined to isolated rooms. Trafficking victims are used in prostitution for sexual exploitations; in sex tourism; in bride trafficking for sex; in pornographic acts; in entertaining rich people; in forced industrial and agricultural labour; in child soldier for criminal activities; in clinical drug trial for testing various drugs and medicines; organ trafficking for donor seekers and so on (pp57-101).

Chapter four examines the socio-economic stratification in society as the main cause of human trafficking. Women and children who happen to be the vulnerable targets of traffickers are the result of gender bias. Certain culture of early marriage is another cause for human trafficking because traffickers use fake arrangement of marriages which eventually lead to flesh

business. Poor victims are lured into this trade under the guise of improving their economic well-being. The system in which powerful men engages in the exploitation of victims also propel this activity. Natural calamities and conflict hit zones also promote human trafficking. The UN peace keeping forces in various countries, as reported, have high demand for girls.

The next chapter is about how most of the law enforcement agencies hardly have sufficient knowledge about human trafficking and the lack of proper training. There is lack of coordination among the law enforcing agencies and anti-human trafficking agencies are not located in the correct places. As victims often distrust police, they refuse to assist fully the police forces in nabbing the culprits. Sometimes laws are not easily comprehensible and the traffickers have complicit with the law enforcing agencies. For the author, identifying the prospective victims to prevent the recruitment process is the first step to prevent human trafficking. Along with it, protection of victims through raid and rescue operation and dealing with the perpetrators with stringent laws are other steps. A strong networking of police and civil society organisations is also essential.

The following two chapters focus on the need of taking all the stakeholders on board for combating human trafficking and the need for justice to be accessible equally to all. The government, civil societies and NGOs have all responsibilities to check human trafficking. Sharing of all the information and intelligence among them and developing the common goals are the ways forward to curb this crime. Even the corporate sector can be of useful in this regard in the form of 'corporate social

responsibilities.’ Any social policy must not be framed in a one sided manner and the concerns of everyone in society must be accommodated. As there are multiple diversities, muting the voices of others as unworthy must be avoided.

In the eight chapters, the authors claims that the awareness about human trafficking is evolving far and wide and the discussions on the ways to combat human trafficking is widening. Women studies and other disciplines around the globe have taken note of the threat it poses. Alongside, there is a need to revamp the criminal justice system. The law enforcing agencies must advance their methods of handling this activity, and punishment to the offenders must be strictly as per the laws. In the case of any conflict between community entrenched human trafficking and the anti-human trafficking legislatures, the latter can prevail in the right spirit.

Chapter nine narrates an account of the Bedia community of Madhya Pradesh, India about its sex trafficking. In Bedia community, women are breadwinners and they are to choose either marriage or prostitution once they reach the puberty age. Girls choose to be prostitutes as it gives them financial independence. Many girls disavour marriage because prostitution is ruled out after marriage and heavy compensation for the break-up of marriage. Later on, women urge their daughters who are born out of prostitution, to join in the flesh business for survival. Police extorts money from the customers and the Bedia women by threatening them under law. For the author, practice of prostitution Bedia women is a sex trafficking because the any consent made by the girls at the young age is not valid under the UN Palermo Protocol (p 259).

In the last chapter, the author highlights the importance of understanding the aspects of human trafficking and the reasons for the vulnerability of the prospective victims. It emphasises on the need for basic education about human trafficking and the active cooperation among government agencies, NGOs and civil society organisations in dealing with this crime. It concludes with the point that human trafficking is a thriving business in the developed countries, not just in the undeveloped and developing countries.

There are some notable limitations in this book which the author could have handled skilfully. The book does not address emphatically about various protocols, agreements and treaties under the UN relating to human trafficking. At times, the author presents a very dim view about the steps taken to curb this menace all over the globe. The impression that a reader tends to get is that the trafficking of humans is running in full swing without much checkmate from the authorities around the world. This is a gross misrepresentation of facts by the author as several countries have initiated stringent legislative measures towards human trafficking despite several hiccups. Besides, the book could have been extensive had it incorporated about the consequences and after effects of the human trafficking such as the violation of human rights, transfusion of deadly diseases, physical and psychological traumas, social and economic conditions and so on. For instance, the author could have analysed the usual responses of the society and the state once the victims of human trafficking are rescued. It is because the nailing of human trafficking also largely depends on the reactions from the state and society

after the rescue operation. The pertinent point here is that if the reaction is favourably positive, the victims can become proactive in curbing this criminal activity.

On the question of measurements to curb human trafficking, the book focuses largely on the mechanical aspects. It tends to emphasise on how government machineries and civil societies must improve their old approaches towards human trafficking. It pays less attention to other fundamental aspects such as the empowering of individuals, role of local governments in the grassroots level and mandatory application of specific fundamental rights etc. The author does not explore the plausible ways of enhancing human capabilities which can be a tool to curb human trafficking. Less empowerment of individuals leads to poverty which in turn becomes a cause of human trafficking.

There are some places in the book where the author sounds slightly philosophical. For instance, the author tries to explain certain aspects of justice by John Rawls and others in the abstract manner which in fact diverts it from the main theme of the book. There is a little loss of sequential

continuation in some parts of the book and readers may find certain disconnections in the book. Through some statistical data, the book could have highlighted how countries around the world are thriving in human trade. It might have indicated the rate of revenues which countries gather through human trafficking so that readers can know the countries which are in the forefront of this organised crime.

Overall, this book is presented in a lucid manner by explicating the fundamental nuances of the human trafficking. Areas in the book that show about how perpetrators coerce the victims to join the trade are illuminating. Similarly, parts of the book which explain about the modes of human trafficking are engaging and sensitising. The author has succeeded, to an extent, in highlighting certain lacunas in the existing social and legal system, especially in India, that incapacitates the preventive measures. Such highlighted drawbacks in the present system would alert all the stakeholders in human trafficking. This book would come in handy for those who are new to the discourse on human trafficking. For the scholars, academicians, activists, and policy makers who are dealing with the issues of human trafficking, this book is a good reading.

References:

1. Shelley, Louise, *Human Trafficking: A Global Perspective*, New York: Cambridge University Press, 2010.
2. Rawls, John, *A Theory of Justice*, Massachusetts: Harvard University Press, 1971.

Note: This is a Book Review by **Dr. Mayengbam Nandakishwor Singh** of *Combating Human Trafficking* by Veerendra Mishra, New Delhi: Sage Publications India Pvt Ltd, 2015; pp 285, Rs 995