


ORIGINAL ARTICLE

‘Males are Undeserving; Females are Ideal Victims’: Gender Bias Hides Demand in Human-Smuggling Networks

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Abstract

The objective of this paper, based on interviews with 95 human smugglers (*coyotes*) involved in agriculture and 51 in prostitution, is to provide a comparative analysis of the networks transporting (mostly) male migrants intending to work in US agriculture and those recruiting women/girls for the US sex industry. Networks carrying females for sex work are bigger and use more fraudulent recruitment strategies. However, migrant smuggling for agriculture is not totally different from sex trafficking; similarities between the types of networks analysed dwarf their differences. Smugglers frequently use some form of deception to convince their would-be clients/victims to undertake risky journeys. I conclude that both networks are demand-driven. Smugglers serve the interests of US agribusinesses and sex business owners rather than those of the males and females they recruit.

Keywords: agriculture; prostitution; migrant smuggling; trafficking; Mexico; Central America; United States

Introduction

Humanitarian visas handed out by countries to migrants who have been victims of fraud, deception, abduction or coercion are granted mainly to females, and principally to those recruited by sex trafficking networks and exploited in prostitution.¹ The smuggling of male migrants, on the other hand, has been defined as a phenomenon that entails consent and complicity.²

¹United States Department of State, *Trafficking in Persons Report* (hereafter *TIP*), June 2021, p. 60, ‘Global Law Enforcement Data’ table: <https://www.state.gov/reports/2021-trafficking-in-persons-report/> (all *TIP* reports cited in this article were last accessed 7 March 2022). Hannah Hobbs Horowitz explains how the data in the *TIP* table relates to the number of visas granted to victims of sex trafficking: see ‘Protecting Victims of Human Trafficking: Understanding the Variation in T Visa Approvals’, Doctoral dissertation, Duke University, 2019, pp. 22, 29, 30, 35, 36 and 37. In this article I use the terms ‘females’ and ‘males’ rather than ‘women’ and ‘men’ to avoid any suggestion that all those who are smuggled are adults (adults are considered to be capable of consent; minors are not).

²For example in Arizona State Legislature, Senate Bill 1070, ‘Support Our Law Enforcement and Safe Neighborhoods Act’, 23 April 2010, hereafter ‘SB 1070’. See [note 6](#).

There is broad consensus among scholars that female migration for the sex trade is an involuntary, demand-driven phenomenon relying on sex trafficking networks that recruit females through deception or coercion.³ By contrast, male labour migration is described by Jason de León as a supply-driven phenomenon relying on migrant-smuggling networks that transport men who consent to be smuggled.⁴ The US Victims of Trafficking and Violence Protection Act (TVPA) defines the recruitment and transportation of people for prostitution, and the facilitation of their entry into the United States (even if they are not minors or coerced), as sex trafficking.⁵ On the other hand, smuggled men have been identified as partners in the commission of the crime of migrant smuggling. For example, Statute SB-1070, as interpreted in Maricopa County, Arizona, assigned the same level of responsibility to smugglers (*coyotes*) as to migrants.⁶

Because male smuggling involves labourers, who are necessary to the US economy, it is not investigated or subject to the same scrutiny as sex trafficking which, under US law, is illegal, and therefore not regarded as economically essential. Nevertheless, some elements of trafficking of females for prostitution and of the smuggling of males for farmwork permit a certain degree of comparison. Agriculture and the sex trade are characterised by strict supervisory systems aimed at increasing labour yields. Farmworkers and females in prostitution have only one rest day per week and a working day that often exceeds ten hours; they are routinely cheated out of their wages, which are attached to productivity targets (number of customers in prostitution or kilograms harvested in agriculture).

Some scholars argue that the conceptualisation of trafficking as an overwhelmingly female phenomenon and of smuggling as a predominantly male phenomenon marginalises trafficking situations suffered by men.⁷ This article addresses this issue

³Donna M. Hughes, 'The "Natasha" Trade: The Transnational Shadow Market of Trafficking in Women', *Journal of International Affairs*, 53: 2 (2000), p. 643; Sheila Jeffreys, *The Industrial Vagina: The Political Economy of the Global Sex Trade* (New York: Taylor and Francis, 2009), p. 191; Janice G. Raymond, Donna M. Hughes and Carol J. Gomez, 'Sex Trafficking of Women in the United States', in Leonard Territo and George Kirkham (eds.), *International Sex Trafficking of Women and Children: Understanding the Global Epidemic* (New York: Looseleaf Law Publications, 2010), p. 6; Shamere McKenzie, 'Two Questions, the Same Answer: The Role of Demand in Prostitution and Sex Trafficking', *Dignity: A Journal of Analysis of Exploitation and Violence*, 2: 3 (2017), <https://digitalcommons.uri.edu/cgi/viewcontent.cgi?article=1076&context=dignity> (last accessed 8 Feb. 2022).

⁴Jason de León, 'The Efficacy and Impact of the Alien Transfer Exit Programme: Migrant Perspectives from Nogales, Sonora, Mexico', *International Migration*, 51: 2 (2013), p. 12.

⁵United States, Congress, Public Law 106-386, Victims of Trafficking and Violence Protection Act of 2000, 28 Oct. 2000, Sec. 103 (9).

⁶SB 1070. See Karen E. Bravo, 'On Making Persons: Legal Construction of Personhood and their Nexus with Human Trafficking', *Northern Illinois University Law Review*, 31 (2010), p. 495. In this paper the terms '(human) smuggler' and '*coyote*' are used interchangeably.

⁷Corinne Schwarz *et al.*, 'Human Trafficking Identification and Service Provision in the Medical and Social Service Sectors', *Health and Human Rights*, 18: 1 (2016), p. 188; Samuel V. Jones, 'The Invisible Man: The Conscious Neglect of Men and Boys in the War on Human Trafficking', *Utah Law Review*, 1143: 4 (2010), p. 1181; Nicole Littenberg and Susie Baldwin, 'The Ignored Exploitation: Labor Trafficking in the United States', in Makini Chisolm-Straker and Hanni Stoklosa (eds.), *Human Trafficking is a Public Health Issue: A Paradigm Expansion in the United States* (Cham: Springer, 2017), pp. 67–92; Cynthia L. Wolken, 'Feminist Legal Theory and Human Trafficking in the United States: Towards a New Framework', *University of Maryland Law Journal of Race, Religion, Gender and Class*, 6:

by asking the following research question: how are networks that smuggle males intending to work in agriculture functionally different from those trafficking females for the US sex industry? The study provides a comparative analysis of the networks that transport migrants from Mexico and Central America for US agriculture and of those that recruit females from the same region for the US sex industry.

The organisation of the paper is as follows. Firstly, I examine the conceptualisation of male labour migration as autonomous in opposition to female sex trafficking, regarded as forced. Then I describe the methodology used and the limitations of the study. Finally, I compare migrant-smuggling networks operating in the US agricultural sector with those that transport females demanded by the US sex industry.

Autonomous Labour Migration and Forced Sex Trafficking

Male and female migrants can fall victim to unscrupulous employers in destination countries.⁸ Mexican farmworkers employed in US agriculture have been identified as a particularly vulnerable population.⁹ However, the US State Department has repeatedly noted that the United States does not adequately investigate labour trafficking cases, especially in agriculture.¹⁰ Of the prosecutions and convictions brought under trafficking-specific criminal statutes in recent years in the United States by the Department of Justice, 95 per cent involved predominantly sex trafficking cases, while only 5 per cent involved mainly labour trafficking.¹¹

Anti-trafficking rhetoric prevalent in the United States is focused on an ideal notion of the victim, who deserves protection and assistance because s/he lacks agency.¹² The victim who is complicit in his/her illegal entry into the country is

2 (2006), p. 411; Erin O'Brien, *Challenging the Human Trafficking Narrative: Victims, Villains, and Heroes* (London: Routledge, 2018).

⁸International Labor Organization and Walk Free Foundation, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage* (Geneva: ILO Publications, 2017), p. 30, https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575479.pdf, last accessed 4 March 2020; Jones, 'The Invisible Man', p. 1148.

⁹Walk Free Foundation, 'The Global Slavery Index, 2016', p. 127, <https://downloads.globalslaveryindex.org/ephemeral/GSI-2016-Full-Report-1644319166.pdf>, last accessed 8 Feb. 2022; Jones, 'The Invisible Man', p. 1156; Simón Pedro Izcara Palacios and Yasutaka Yamamoto, 'Trafficking in US Agriculture', *Antipode*, 49: 5 (2017), pp. 1306–28.

¹⁰TIP, June 2016, <https://www.state.gov/j/tip/rls/tiprpt/2016/index.htm>, p. 392; TIP, June 2017, <https://www.state.gov/reports/2017-trafficking-in-persons-report/>, p. 419; TIP, June 2019, <https://www.state.gov/wp-content/uploads/2019/06/2019-TIP-Report-Narratives-T-ZSpecial-Case.pdf>, p. 489.

¹¹TIP, June 2020, <https://www.state.gov/wp-content/uploads/2020/06/2020-TIP-Report-Complete-062420-FINAL.pdf>, p. 516; TIP 2019, p. 489; TIP, June 2018, <https://www.state.gov/reports/2018-trafficking-in-persons-report/>, pp. 442–3; TIP 2017, p. 415; TIP 2016, pp. 388 and 389.

¹²Jennifer Chappell Deckert, Sherry Warren and Hannah Britton, 'Midwestern Service Provider Narratives of Migrant Experiences: Legibility, Vulnerability, and Exploitation in Human Trafficking', *Advances in Social Work*, 18: 3 (2018), p. 890; Jones, 'The Invisible Man', p. 1146; Wendy Chapkis, 'Trafficking, Migration, and the Law: Protecting Innocents, Punishing Immigrants', *Gender and Society*, 17: 6 (2003), p. 929; Wolken, 'Feminist Legal Theory', p. 414.

denounced and subject to deportation.¹³ Foreign females exploited in prostitution reflect the popular image of the ideal victim, legitimate and worthy of assistance.¹⁴ Male migrants, however, do not elicit sympathy because they do not fit the archetype of innocence, vulnerability and helplessness.¹⁵ This creates a dichotomy between the representation of innocent females taken from the safety of their homes and guilty males who voluntarily violate immigration laws for economic gain.¹⁶

According to Gilberto Rosas, today's dominant political ideology of 'paternal, racial liberalism' demands macabre narratives, for example during asylum proceedings.¹⁷ Migrant lives can be made to matter only in the wake of exceptional violence. Violence suffered by a 'quasi-chattel labor force in agriculture' is unremarkable. By contrast, victimised femininities become 'necro-subjects' – people 'subordinated to the politics of death' – in order to be freed from detention and deportation.¹⁸

The defenceless-female/male-offender dichotomy emanates from the close relationship between gender and power. This dichotomy is rooted in paternalistic patriarchy, which infantilises females and ignores the plight of males. Stereotypes regarding gender and power in traditional Mexican culture emphasise male dominance and female submissiveness. Males are assumed to be brave and fearless while self-sacrificing females are supposed to live a life of patient suffering.¹⁹ According to Felicia Pratto and Angela Walker, power is the aspect of social life most strongly associated with gender; it is therefore gendered. In all societies, males accumulate more power than females. The foundations of male domination are violence, resource control, asymmetry of social obligations and gender stereotypes. Males limit the power of females through physical and psychological abuse and violence, occupational segregation, social systems of obligations and cultural ideology that limits females' freedom.²⁰ But gendered power also mutilates males because it regards them as criminals and renders invisible their vulnerability and their need for protection. Females, considered by nature weaker than males, are grouped with children into a single category characterised by dependence and helplessness.²¹ Females' lack of power makes them more likely to be seen as victims of deception, threats, abuse and coercion. By contrast, the concentration of power in males' hands presupposes that they shape their own destinies.

¹³Jennifer Lynne Musto, 'What's in a Name?: Conflations and Contradictions in Contemporary U.S. Discourses of Human Trafficking', *Women's Studies International Forum*, 32: 4 (2009), p. 283.

¹⁴Rachealle Sanford, Daniel E. Martínez and Ronald Weitzer, 'Framing Human Trafficking: A Context Analysis of Recent U.S. Newspaper Articles', *Journal of Human Trafficking*, 2: 2 (2016), p. 153.

¹⁵Jerome A. Lewis, James C. Hamilton and J. Dean Elmore, 'Describing the Ideal Victim: A Linguistic Analysis of Victim Descriptions', *Current Psychology*, 40 (2021), pp. 4324–32.

¹⁶Chapkin, 'Trafficking, Migration, and the Law', p. 924.

¹⁷Gilberto Rosas, 'Necro-subjection: On Borders, Asylum, and Making Dead to Let Live', *Theory and Event*, 22: 2 (2019), p. 318.

¹⁸*Ibid.*, pp. 306, 304.

¹⁹Marcela Lagarde y de los Ríos, *Los cautiverios de las mujeres. Madresposas, monjas, putas, presas y locas* (Mexico City: Siglo XXI, 2011).

²⁰Felicia Pratto and Angela Walker, 'The Bases of Gendered Power', in Alice H. Eagly, Anne E. Beall and Robert J. Sternberg (eds.), *The Psychology of Gender* (New York: The Guilford Press, 2004), pp. 242–68.

²¹Kate Millet, *Sexual Politics* (New York: Columbia University Press, 2016 [1969]), p. 88.

Gendered power classifies females and males into different categories of people under international law. The male category is autonomous and invulnerable; therefore it does not need to be protected by the State. In contrast, since females cannot defend themselves the female category must be protected by laws that males do not need.²² Under this ideological framework, males cannot be treated as victims because they have complete control over their destinies. While migrant females are coerced victims, migrant males make choices.²³ Gender is visible in the trafficking literature almost exclusively through female figures. Males (unless as victimisers) seem not to exist.²⁴ Trafficked males are usually blamed for their own exploitation.²⁵

Academic discourse tends to distinguish between voluntarily smuggled men seeking better economic opportunities and trafficked females demanded by the sex industry.²⁶ Migration theory further conceptualises irregular labour migration as an autonomous, spontaneous and self-perpetuating process. For some theorists, the key actor in irregular migration processes is the individual (neoclassical theory), for others, the family (the new economics of labour migration) and, for yet others, the community (migration networks theory, cumulative causation theory and transnational theory).²⁷ Mexican migration to the United States has been understood as an autonomous phenomenon of a social nature supported by migrants' social networks.²⁸ Douglas Massey and collaborators argue that, in the initial stage, migration flows are induced by labour demand; but, when migration networks mature, migration processes become autonomous and self-perpetuating.²⁹ This conceptualisation makes all male labour migrants complicit in the migration process. Fred Krissman questions the concepts of 'migration network' and self-generated migration, and points to the need to consider both employers demanding migrant labour and smugglers responding to this demand.³⁰

Migrant-smuggling networks are understood as structures serving the interest of the migrants they recruit. By contrast, sex trafficking networks are conceptualised as organisations that respond to sex industry demand. The first type of network is described as supply-responding organisations, while sex trafficking networks respond to demand. Networks that smuggle male labour are conceptualised as

²²Ulla Wikander, *De criada a empleada. Poder, sexo y división del trabajo (1789–1950)* (Madrid: Siglo XXI, 2016), p. 80. Wikander's book was originally published in German in 1998.

²³Jeffery P. Dennis, 'Women Are Victims, Men Make Choices: The Invisibility of Men and Boys in the Global Sex Trade', *Gender Issues*, 25 (2008), p. 19.

²⁴Laura A. Hebert, 'Always Victimizers, Never Victims: Engaging Men and Boys in Human Trafficking Scholarship', *Journal of Human Trafficking*, 2: 4 (2016), p. 283.

²⁵Jones, 'The Invisible Man', p. 1184.

²⁶Karla Lorena Andrade Rubio, 'La demanda de migrantes indocumentadas en la industria del sexo de Nevada', *Ciencia, Técnica y Mainstreaming Social*, 5 (2021), pp. 74–84.

²⁷Douglas S. Massey, 'A Missing Element in Migration Theories', *Migration Letters*, 12: 3 (2015), pp. 279–99.

²⁸Alejandro Portes and József Böröcz, 'Contemporary Immigration: Theoretical Perspectives on its Determinants and Modes of Incorporation', *International Migration Review*, 23: 3 (1989), p. 612.

²⁹Douglas S. Massey, Jorge Durand and Nolan J. Malone, *Beyond Smoke and Mirrors: Mexican Immigration in an Era of Economic Integration* (New York: Russell Sage Foundation, 2003), p. 20.

³⁰Fred Krissman, 'Sin Coyote ni Patrón: Why the "Migrant Network" Fails to Explain International Migration', *International Migration Review*, 39: 1 (2005), p. 34.

structures that violate the rights of the State but not the human rights of individuals. Conversely, sex trafficking networks are conceptualised as human rights-infringing organisations. In the first case, the victim to be protected is the State. In the second case, persons are the victims. This dichotomic conceptualisation of male migrant smuggling as autonomous and female sex trafficking as forced defines men as non-deserving. Men's assumed autonomy prevents visualisation of the scope of male labour trafficking. However, both agriculture and prostitution are industries dependent on the importation of irregular migrants. In the United States, employers in both sectors have forged partnerships with human-smuggling networks. According to my respondents, some US employers had monetary arrangements with the immigration authorities allowing undocumented migrants to cross the border and/or to be employed.³¹ Employers reward *coyotes* for migrants brought to the north. Migrants are, in a sense, sold. It is not only *coyotes* transporting females for prostitution who call their clients 'merchandise'; some smugglers recruiting men for agriculture do the same.

Methodology

Due to the clandestine nature of the population under study (migrant smugglers), the 95 interviewees who transported men to be employed in agriculture and the 51 who carried females for prostitution³² were selected through snowballing, including purposive sampling. The fieldwork was carried out between April 2008 and December 2019 in different parts of Mexico: Chiapas, Mexico State, Mexico City, Nuevo León, San Luis Potosí and Tamaulipas. Interviewees played a leading role in the networks they belonged to. They were assisted by recruiters, managers of safe houses, *caminantes* (walkers/guides) and *raiteros* (drivers), whom they paid for their services. Interviews followed a form that consisted of closed questions about the sociodemographic characteristics of respondents and open-ended questions about recruitment strategies utilised by smugglers, etc.

All study protocols received approval from the Ethics Committee of Tamaulipas University's 'Migration, Development and Human Rights' research group.³³ Informed oral consent was obtained from the respondents, and they were provided with verbal information about the study purpose. They did not receive financial incentives. Respondents were informed about the voluntary nature of their participation in the study and were told that the information they shared would be handled confidentially and processed anonymously. They were encouraged to express their views in an environment of anonymity, with a receptive interlocutor. Respondents knew that they would have to answer sensitive questions because, before accepting invitations to participate in this study, many consulted colleagues

³¹Simón Pedro Izcara Palacios, 'Corruption at the Border: Intersections between US Labour Demands, Border Control, and Human Smuggling Economies', *Antipode*, 51: 4 (2019), pp. 1210–30.

³²Although I concentrate on the 'males smuggled for agriculture and females trafficked for sex work' model, I have come across cases of females smuggled for agriculture. None of the interviewees, except for Zeferino, trafficked boys for prostitution.

³³Karla Lorena Andrade Rubio, 'Protocolo del Comité de ética de la investigación del CAC UAT-CA-73', Universidad Autónoma de Tamaulipas, 2009, https://www.researchgate.net/publication/316554261_Protocolo_del_Comite_de_etica_de_la_investigacion_del_CAC_UAT-CA-73 (last accessed 8 Feb. 2022).

interviewed in previous years. This made them more confident about the anonymity of their testimony. In some cases, the interviewees accepted the invitation to participate in this study after thinking about it for several months or more. To ensure the anonymity and confidentiality of the data collected, each respondent was assigned a code; the names used in this article (see [Appendix](#)) are therefore pseudonyms.

It is difficult to estimate the degree of veracity of the interviewees' responses. I used different strategies to arrive at truthful answers to questions about problematic ethical behaviour.

Limitations of the Study

The main limitation of this study is the comparison of two categories that are only partially comparable: trafficking of females for prostitution and smuggling of males for farmwork. This comparison has an investigative purpose, which seeks to argue, based on empirical data, that the defenceless-female/male-offender dichotomy is a fallacy since the elements linking these two categories are stronger than those dividing them.

These categories are not equivalent because trafficking of females for prostitution involves minors on a greater scale than smuggling of males for agricultural work. In the sex trade, a minor is more lucrative than an adult woman; however, in farmwork, a minor is not as productive as an adult. In the sex trade, minors are a preferential target for many traffickers while, in agriculture, smugglers principally target young married males (who work harder than the single because of their family commitments).³⁴ The high number of minors trafficked for prostitution reflects their lack of agency and inability to consent. In addition, the sex trade has different connotations from agricultural work: prostitution, in addition to stigma, potentially carries a greater risk of violence.

Agriculture was chosen as the category for comparison with prostitution because farmwork, contrary to work in urban sectors, has certain similarities to sex work. Conditions faced by migrants employed in rural areas are considerably worse than those in urban areas. Farmworkers are more vulnerable to exploitation and abuse due to their isolation. They rarely leave the ranches, have few days off, and their working hours are exceptionally long.³⁵ Moreover, as David Spener has argued, demand-driven labour-brokerage *coyotaje* is important in agriculture: smugglers involved in agriculture are contractor *coyotes* serving the interest of US agribusiness.³⁶

In both industries, *coyotes* seek to recruit willing people with experience. Females are recruited primarily at nightspots, while males are mainly recruited in rural areas. US employers who finance human smuggling obtain more benefits when migrants participate voluntarily in these industries. A girl or woman who does

³⁴Simón Pedro Izcara Palacios, 'La precarización extrema en el mercado de trabajo agrario en Estados Unidos', *Colombia Internacional*, 89 (2017), p. 123.

³⁵Simón Pedro Izcara Palacios, 'Migración irregular y aislamiento social. Los jornaleros tamaulipecos indocumentados en los Estados Unidos', *Revista Internacional de Sociología*, 68: 2 (2010), pp. 473–98.

³⁶David Spener, *Clandestine Crossings: Migrants and Coyotes on the Texas–Mexico Border* (Ithaca, NY: Cornell University Press, 2009), pp. 118–19.

not wish to work in the sex trade or a man or boy who does not want to do farmwork has to be forced to work. To force migrants to work employers need to invest in an expensive resource: violence. It is only organised crime syndicates that can generate economies of scale using violence because they can transfer this resource from one industry (drug trafficking, extortion, kidnappings, etc.) to another (e.g. sex trafficking) at no cost.³⁷ However, my respondents reported no recourse to violence amongst their US employers in agriculture and the sex industry.

In some cases, *coyotes* working in agriculture and sex work are the same people: those who recruit and transport females for prostitution often also transport migrants required by employers in other economic sectors or on behalf of relatives residing in the United States. Four interviewees worked for employers who demanded both farmworkers and sex workers: migrant farmworkers isolated in rural areas try to find/buy female companionship during their days off; sex workers fulfil their needs, thereby keeping them on the ranches.

The dividing line between smuggling and trafficking depends on the client/victim choosing to participate in a given business (agriculture or sex trade) – the will and perception of the client/victim. This cannot be explored with the methodology used in this study due to the absence of migrant testimony. Migrants' discourse overestimates their agency and autonomy because they are unaware of employers' involvement in human-smuggling organisations.³⁸ *Coyotes* serve the interest of US employers rather than the males and females they recruit. Would-be clients who the smugglers know will not be accepted by US employers are not transported to the north. According to the interviewees' testimony, sometimes males and females who have the resources to pay the fees charged by smugglers are not taken to the United States because their profile does not meet US employers' requirements. By contrast, a would-be migrant whose profile meets US employers' requirements, but who does not wish to migrate and does not have economic resources, can be persuaded. US employers' preferences determine who is smuggled or trafficked. I interviewed *coyotes* because they have a deeper understanding than migrants of employers' involvement in human smuggling. The similar *modus operandi* of *coyotes* involved in agriculture and sex work reveals the lack of autonomy of males smuggled for agricultural labour and of females trafficked for prostitution.

During the period under review (2008–19), conditions changed drastically for Central Americans seeking to move through Mexico, due to the intensification of the war on drugs in Mexico and increasingly draconian enforcement of immigration rules on the US southwestern border, increased enforcement in Mexico from 2014 – when the country implemented its Programa Frontera Sur (Southern Border Plan)³⁹ – and the formation of migrant caravans. These changes have affected the human-smuggling industry. *Coyotes* have turned to Central Americans because migrants from that region are increasingly dependent on smugglers' services and pay double the rates of Mexican migrants. Central Americans

³⁷Diego Gambetta, *The Sicilian Mafia: The Business of Private Protection* (Cambridge, MA: Harvard University Press, 1993), p. 252.

³⁸Izcara, 'Corruption at the Border', p. 1220.

³⁹Decreto por el que se crea la Coordinación para la Atención Integral de la Migración en la Frontera Sur', *Diario Oficial de la Federación*, 8 July 2014, http://www.dof.gob.mx/nota_detalle.php?codigo=5351463&fecha=08/07/2014 (last accessed 21 Feb. 2022).

must pay to transit through Mexico and to cross the US border, while Mexicans pay only to cross into the United States.⁴⁰ In addition, the inability of many migrants to pay the exorbitant fees charged by smugglers has led some employers in industries like agriculture and sex work to finance human-smuggling operations in order to ensure a constant supply of capable workers.⁴¹

Human-Smuggling Networks in Agriculture and Prostitution

Over the past two decades human-smuggling networks in the North American region have undergone specialisation. There are some mixed networks, which transport males and females from Central America and Mexico to the north. However, networks that transport Central American migrants tend not to recruit Mexican migrants, those carrying males tend not to recruit females, and those that take migrants to be employed in a specific economic sector tend not to transport people who are engaged in a different activity.⁴² This specialisation process aims to achieve greater efficiency. Mixed networks were very common a few decades ago but now are less so for two reasons. Firstly, networks carrying Central American migrants must pay higher fees to drug cartels and Mexican authorities than those transporting Mexicans; human-smuggling organisations therefore cut their operating costs by transporting Mexican and non-Mexican migrants separately. Secondly, the human-smuggling business is increasingly driven by labour demand, and US employers demand workers with specific characteristics.⁴³

Networks smuggling females from Mexico and Central America for sex work in the United States are described by neo-abolitionist scholars as trafficking organisations that violate victims' human rights because they transport minors who cannot consent or recruit females through deception.⁴⁴ However, the line dividing migrant smuggling and sex trafficking is not as clear as the academic literature would like it to be. Sexual labour attracts far more critical attention than farm labour in part because of the power of the agricultural lobby seeking to turn attention away from the abuse and mistreatment of undocumented workers.

As is the case with the *coyotes* interviewed by Gabriella Sanchez, my respondents, far from considering themselves criminals, were proud of the work they did.⁴⁵ Even those who transported females for prostitution believed that they

⁴⁰María Dolores París Pombo, 'Trayectos peligrosos: Inseguridad y movilidad humana en México', *Papeles de Población*, 22: 90 (2016), p. 166.

⁴¹Simón Pedro Izcara Palacios, 'Las caravanas de migrantes y las economías de tráfico humano y el trabajo excedente', *Andamios*, 18: 45 (2021), p. 34.

⁴²Simón Pedro Izcara Palacios, 'Los transmigrantes centroamericanos en México', *Latin American Research Review*, 50: 4 (2015), p. 54.

⁴³Simón Pedro Izcara Palacios, 'Contrabando de migrantes y demanda laboral', *Andamios*, 14: 35 (2017), pp. 359–78.

⁴⁴Hughes, 'The "Natasha" Trade'; Jeffreys, *The Industrial Vagina*; Raymond, Hughes and Gomez, 'Sex Trafficking'. Neo-abolitionists regard human trafficking as the forcing of 'women and girls ... into "sexual slavery" by social deviants'; their campaigns have led to 'criminal justice responses that target prostitution and leave unquestioned the exploitative labor practices and migrant abuse that characterize the majority of trafficking cases': Janie A. Chuang, 'Rescuing Trafficking from Ideological Capture: Prostitution Reform and Anti-Trafficking Law and Policy', *University of Pennsylvania Law Review*, 158: 6 (2010), pp. 1658–9.

⁴⁵Gabriella E. Sanchez, *Human Smuggling and Border Crossings* (New York: Routledge, 2015), p. 4.

provided them with a valuable service. Many interviewees repeated the idea that the profession of *coyote* was, more than a paid job, a kind of 'priesthood' that helped and contributed to the well-being of migrants. Zulema said that her job was to take care of and protect the females she brought to Texas, because young girls needed more care than older migrants.

Some interviewees thought they were 'guided by the hand of God, like Moses'. Accordingly, during the Easter season, many *coyotes* travel hundreds or thousands of kilometres to gather together to give thanks to God. As Leonardo said: 'People are grateful to God and to us, the people who help them, that's because we help them from the heart.' Interviewees emphasised the demonstrations of appreciation from males and females whom they carried to the north. Juan said that females brought to Texas expressed their gratitude for being taken care of, and Patricia described the girls taken to the casinos and clubs of Texas, Florida, California, New York, Louisiana and Colorado as humble people who were grateful to the *coyotes*. According to Spener the very negative public image of *coyotaje* (associated with deaths, abuses, accidents and arrests) is due to the immigration authorities' well-developed public relations infrastructure, which cannot be challenged by non-abusive *coyotes*.⁴⁶

All interviewees had low levels of education (see Table 1), generally the result of deprived childhoods. Both groups, *coyotes* in agriculture and in the sex trade, had been involved in human smuggling for almost a decade. However, their profiles showed subtle contrasts. Smugglers involved in agriculture were slightly older than those who transported females for the sex trade. Interviewees involved in the smuggling of agricultural workers were 37.5 years old (all ages/years are average) and were better educated than those engaged in the sex trade. They started work at 9.8 years but got involved in human smuggling at an older age than *coyotes* involved in prostitution (27.7 years). Interviewees involved in prostitution were 36.5 years old, had lower levels of education (5.4 years) and began work at the age of 11. They became involved in human smuggling at age 26.3.

Smugglers transporting farmworkers took them principally to the southeastern US states, while interviewees transporting females took them principally to Texas and California (see Table 2). Most interviewees indicated that Texas was their destination. However, many males and females transported from Mexico and Central America to the United States are distributed from Texas to other areas. As Zulema said: 'Some stay in Texas, some are taken to other states.'

A typical journey from Central America to the United States lasts more than two weeks; some trips carrying females take less time than those carrying males because smugglers can use bureaucratic evasion schemes, whereby 'migrants get around the paperwork requirements and/or applicant queues imposed by the U.S. government to enter and work in the country with its official authorization'.⁴⁷ Bureaucratic evasion *coyotaje* is more easily operated with females because they can change their

⁴⁶Spener, *Clandestine Crossings*, p. 204.

⁴⁷David Spener, 'Global Apartheid, *Coyotaje* and the Discourse of Clandestine Migration: Distinctions between Personal, Structural, and Cultural Violence', *Migración y Desarrollo*, 10 (2008), pp. 115–40, here p. 118.

Table 1. Sociodemographic Characteristics of Human Smugglers Interviewed

	Agriculture (<i>n</i> = 95)			Prostitution (<i>n</i> = 51)		
	Min.	Max.	Average	Min.	Max.	Average
Age	21	48	37.5	23	45	36.5
Years of schooling	0	17	6.1	0	12	5.4
Age when started work	5	23	9.8	6	22	11
Age when started in human smuggling	16	41	27.7	16	33	26.3
Number of years involved in human smuggling	4	21	9.6	3	20	9.9

Source: Author's elaboration from data recorded during interviews.

hairstyle and make-up in order to look like the pictures in the genuine passports and visas rented by the *coyotes*.

Migrants usually travel through Central America by bus. On the Mexico–Guatemala border they traverse the Suchiate River on handmade rafts. Most Central American migrants travel through Mexico along the eastern route;⁴⁸ others follow the western or central routes. Transportation by train was significant in the south and along the western route but this has reduced since the implementation of the Programa Frontera Sur in 2014. Migrants using the western route sometimes travel by boat from Guerrero to Sinaloa, and from Sinaloa they continue by land. Others travel by bus or car, hiding in the backs of vans or packed into trucks. Migrants travelling the central route are usually transported by bus or by van, and those travelling the eastern route go by bus. Since 2014, however, many *coyotes* have been choosing alternative routes.⁴⁹ Crossing the US border is the hardest part of the trip. Migrants must walk across inhospitable terrain for four or more days until they have passed the 100-mile ‘border zone’, where immigration checkpoints are located and Border Patrol agents enjoy enhanced powers. After that a *raitero* will take them to their destination.

Trips for females are often shorter and safer because some networks transport their clients by air or have them enter the United States at a port of entry. These trips are more expensive, but are usually paid for by US sex business owners. The most frequently used flights depart from Mexico City and arrive at the Mexican border cities. However, in the last decade some smuggling networks have switched airports from Mexico City to Chiapas (in the far south) to avoid females being kidnapped by Mexican drug cartels. By contrast, international flights are rare.

As can be seen from Table 3, networks smuggling females for sex work are more specialised than those recruiting migrants to work in agriculture. More than half (58.8 per cent) of the networks involved in prostitution transport females only for the sex trade, while two-fifths (42.1 per cent) of the networks involved in

⁴⁸Rosalba Jasso Vargas, ‘Espacios de estancia prolongada para la población migrante centroamericana en tránsito por México’, *Frontera Norte*, 33 (2021), p. 12.

⁴⁹*Ibid.*, p. 4.

Table 2. Destinations of Migrants Transported by Human Smugglers

	Smugglers transporting males for agriculture (<i>n</i> = 95)		Smugglers recruiting females for prostitution (<i>n</i> = 51)	
	<i>n</i>	%	<i>n</i>	%
Texas	42	44.2	38	74.5
North Carolina	12	12.6	0	0.0
Florida	11	11.6	3	5.9
Louisiana	8	8.4	2	3.9
Virginia	8	8.4	0	0.0
South Carolina	4	4.2	1	2.0
Arizona	3	3.2	0	0.0
Illinois	3	3.2	1	2.0
Mississippi	3	3.2	0	0.0
Oklahoma	3	3.2	1	2.0
Oregon	3	3.2	0	0.0
Arkansas	2	2.1	0	0.0
Georgia	2	2.1	0	0.0
New Mexico	2	2.1	1	2.0
Missouri	2	2.1	1	2.0
Tennessee	2	2.1	0	0.0
Alabama	1	1.1	1	2.0
California	1	1.1	9	17.7
Colorado	1	1.1	1	2.0
Idaho	1	1.1	0	0.0
Iowa	1	1.1	0	0.0
Michigan	1	1.1	0	0.0
Minnesota	1	1.1	0	0.0
New York	0	0	1	2.0
Canada	2	2.1	0	0.0
Total	119	125.7	60	118

Note: Percentages sum to more than 100, and the number of smugglers exceeds *n*, because some smugglers transported migrants to several destinations.

Source: Author's elaboration from data recorded during interviews.

farming carry only males to work in agriculture. By contrast, 41.2 per cent of networks involved in prostitution and 57.9 per cent of networks engaged in agriculture are mixed. About a fifth of the interviewees (23.5 per cent involved in the sex trade and 20 per cent in agriculture) transport men, women and children to be reunited

Table 3. Degree of Specialisation of Human-Smuggling Networks

		<i>n</i>	%	<i>n</i>	%
Networks involved in agriculture (<i>n</i> = 95) (all 95 networks transport males for agricultural work)					
Transport only males intending to work in agriculture				40	42.1
Mixed networks	Also transport females intending to work in agriculture, sex work, catering, cleaning, domestic service or construction	45	47.4		
	Also transport males intending to work in construction, catering, cleaning or factories	9	9.5		
	Also transport migrants for family reunification	19	20		
		Subtotal		55	57.9
Total				95	134.8
Networks involved in prostitution (<i>n</i> = 51) (all 51 networks transport females for sex work)					
Transport only females for sex work				30	58.8
Mixed networks	Also transport males intending to work in construction, farming, catering, cleaning or factories	17	33.3		
	Also transport females intending to work in agriculture, catering, cleaning, domestic service or construction	8	15.7		
	Also transport migrants for family reunification	12	23.5		
		Subtotal		21	41.2
Total				51	113.7

Note: Percentages sum to more than 100 and subtotals to more than *n* because mixed networks cover more than one category.

Source: Author's elaboration from data recorded during interviews.

with their families. A third of networks involved in prostitution transport men intending to work in construction, farming, catering, cleaning or factories, and a sixth carry females intending to work in different jobs. Almost half of networks engaged in farming transport females intending to work in agriculture, sex work and domestic service, and a tenth recruit males for non-agricultural jobs.

Types of Networks

Human-smuggling networks can be characterised by number of cells and lines, smugglers' employment regime and type of employment (see Table 4). A cell is a structure led by a smuggler and supported by a small group of assistants that operates between Zones 'a' and 'b'. A line is the set of actors needed for a group of migrants to be transported from a starting Point 'A' in the country of origin (Mexico or Central America) to an arrival Point 'B' in the destination country (the United States/Canada). When a smuggler operates a single journey between

Table 4. Typology of Human-Smuggling Networks

Type of network ^a		Cells per line	Lines	Employment regime ^b	Employment type
Single-cell	Seasonal	1	1	Semi-autonomous	Part-time and wage employment
	Systematic	1	≥ 1	Semi-autonomous	Full-time and self-employment
Multi-cell	Low division of labour	≥ 2	Several	Regular	Full- or part-time and self-employment
	High division of labour	≥ 2	Several	Regular	Full-time

Notes:

^aSeasonal networks are operated by part-time smugglers at specific periods of the year; systematic networks are operated by full-time smugglers throughout the year.

^bSemi-autonomous' smugglers are freelancers. They charge migrants and receive a bonus from US employers.

Smugglers who work under a 'regular' employment regime usually run a fixed number of trips per year, transporting the same number of people in every trip.

Points 'A' and 'B' in Zones 'a' and 'b' the structure is regarded as single-celled. For example, in 2003 David started recruiting males from Tamaulipas for employment in agriculture in North Carolina. He travelled between Tamaulipas and North Carolina three times per year (in April, July and December) and collaborated with three people: a hotel owner in Texas, a *raitero* and a ranch foreman in North Carolina. David stated that he was the main element of his smuggling network because he recruited the migrants and guided them from the beginning to the end of the journey. When a network of smugglers operates a journey between Points 'A' and 'B' via other intermediate points the structure is characterised as multi-celled. In multi-cell networks, a line is operated by two or more smugglers. For example, in 2010 Vicente began transporting Guatemalan, Honduran, Salvadorean, Brazilian and Colombian migrants from Tamaulipas to Texas. The males were employed in construction, and the females in prostitution. Vicente was the final element in a line operated by five smuggling cells. The first cell moved migrants from Guatemala to Chiapas, the second cell from Chiapas to Mexico City, the third from Mexico City to Veracruz, the fourth from Veracruz to Tamaulipas, and Vicente led the fifth cell. This line operated once a week transporting as many as 400 migrants per year.

The implementation of more restrictive immigration policies and the fragmentation of drug cartel territories have transformed the typology of human-smuggling networks. Many seasonal single-cell networks have been replaced by multi-cell networks. This is because the latter have more resources to deal with greater cartel violence and increased border surveillance. Fifteen of the interviewees began working in single-cell networks that mainly transported males for agriculture, but later became involved in multi-cell networks carrying females for the sex trade. They did this not only because recruiting females for sex work was more profitable but also because leading a single-cell network posed more risks than participating in a better-connected multi-cell network.

The most important feature of human-smuggling networks is the number of cells per line, because this aspect determines the smugglers' degree of autonomy. That is why, in this study, the networks have been divided into two broad groups: single-cell and multi-cell. Single-cell networks are characterised by a higher level of autonomy.

The typology of smuggling networks in the farming sector is different from that of networks in the sex trade (see Table 5). Males smuggled for agricultural jobs are principally transported by seasonal single-cell networks. (Seasonal networks are operated by part-time smugglers at specific periods of the year.) By contrast, most networks transporting females for the sex trade are either systematic single-cell or systematic multi-cell networks. (Systematic networks are operated by full-time smugglers throughout the year.) Seasonal single-cell networks resemble Gustavo López Castro's 'local *coyotes*', systematic single-cell networks seem to be like 'border *coyotes*', and multi-cell networks present some similarities to 'border business *coyotes*'.⁵⁰

Agricultural sector seasonal single-cell networks are composed of a line formed by a cell. These networks are run by a lone smuggler. He charges migrants a fee, but also receives financial compensation from a US agribusinessman. Seasonal single-cell networks operate from one to four times per year, principally during the harvesting seasons, and the majority of the smuggler's earnings comes from legal employment in the ranch to which the migrants are brought.⁵¹ The smuggler sometimes holds a position of responsibility – such as foreman or supervisor – in this ranch.

Systematic single-cell networks transport migrants employed in both agriculture and prostitution. These networks consist of one or more lines comprising a single cell. Each line is led by a smuggler, who is supported by a small number of assistants and by a US employer. Some networks transport workers to an association of farm producers; others to an (illegal) 'pseudo-employment agency' which finds jobs for undocumented workers and assists employers to fill vacancies. Smugglers operating systematic single-cell networks derive most of their income from migrant smuggling. Some invest their income from this illegal activity in legal ventures.

Multi-cell networks are rare in agriculture but very common in the sex trade. These comprise one or more lines, and each line contains several cells operated by two or more smugglers. Each cell operates between two intermediate points between Point 'A' in the country of origin and Point 'B' in the destination country. In multi-cell networks, pairs of cells converge at safe houses (nodal points), where smugglers working on the same line exchange migrants. *Coyotes* employed in multi-cell networks are wage workers dependent on a *patrón* (boss) at the top of

⁵⁰Gustavo López Castro, 'Coyotes and Alien Smuggling', in Mexico–United States Binational Migration Study, *The Binational Study on Migration between Mexico and the United States*, vol. 3: *Research Reports and Background Materials* (Mexico City: Mexican Ministry of Foreign Affairs; Washington, DC: US Commission on Immigration Reform, 1998), p. 968, <https://repositories.lib.utexas.edu/bitstream/handle/2152/64167/U.S.%20Commission%20on%20Immigration%20Reform.pdf?sequence=3&isAllowed=y> (last accessed 8 Feb. 2022).

⁵¹Simón Pedro Izcarra Palacios, 'Coyotaje y grupos delictivos en Tamaulipas', *Latin American Research Review*, 47: 3 (2012), p. 47; 'Contrabandistas de migrantes a pequeña escala de Tamaulipas, México', *Perfiles Latinoamericanos*, 21: 42 (2013), p. 115.

Table 5. Typology of the Networks Studied

		Agriculture				Prostitution			
		<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%
Seasonal single-cell	Operate once a year	31	32.6			1	2.0		
	Operate several times a year	37	38.9			1	2.0		
	Subtotal			68	71.6	Subtotal		2	3.9
Systematic single-cell				17	17.9			24	47.1
Multi-cell	High division of labour	5	5.3			12	23.5		
	Low division of labour	5	5.3			13	25.5		
	Subtotal			10	10.6	Subtotal		25	49.0
Total				95	100			51	100

Source: Author's elaboration from data recorded during interviews.

the smuggling network. They receive a fixed amount per trip, and their annual income is relatively stable.

Multi-cell networks with a high division of labour are different from those with a lower division of labour. The former comprise lines with several cells which operate relatively frequently. Accordingly, each line transports hundreds of migrants annually. Some migrants are transported 'in packages' from the place of origin to the destination point.⁵² Smugglers involved in these networks earn all their income from this illegal activity and generally specialise within it. The work process is separated into several tasks, each task being performed by a different person. 'Multi-cell' smugglers are involved only in transport activities: they do not recruit migrants. Therefore, such smugglers do not usually have assistants. This specialisation allows these networks to operate many times per year. The most active networks operate on a weekly basis.

In some cases, the same human-smuggling network comprises different lines, some of which specialise in the sex trade, while others transport men for agriculture or other economic activities. Humberto, aged 32, was very experienced, having been taught the trade by his father. When he was 16 Humberto assisted his father as a *caminante*. In 2002 he was arrested and sentenced to three years in prison, and in 2005 he was deported to Mexico. A year later his father found him a job in a large human-smuggling network administered by a *patrón* who delivered migrant labour to US employers in different sectors (agriculture, construction, factories, hotels, fishing and sex work). Smugglers worked in different lines; each line specialised in a different type of migrant. Humberto was given a job in a line transporting females for sex work by plane from Chiapas to Chihuahua, Sonora and Baja California: because he had worked as a smuggler from a very young age, he was able to manage the higher stress levels entailed in this work.

Most cells are led by men. Accordingly, only two of the study interviewees were women. However, some multi-cell networks involved in prostitution recruit women to lead cells, because it is easier for them to build trusting relationships with other females. This was the case with Galatea: she worked as a prostitute for seven years, during which time she met the *patrón* of a large human-smuggling network. When the Mexican social assistance system threatened to remove her three children because of her work in prostitution, the *patrón* offered her a job smuggling females for sex work. He had dozens of *coyotes* working for him in different lines. One line smuggled Mexican females for sex work, another specialised in Central American females, yet another line smuggled females intending to work in other jobs, while other lines transported males for work in farming, construction or factories. Galatea, with her experience, was put in command of a cell within a two-celled line smuggling females for sex work. Galatea's cell transported Mexican females by bus or van from Mexico City to Chihuahua, where they were transferred to a *coyote* who walked them across the desert into the United States. In Galatea's network there was another female *coyote* working in a three-celled line smuggling Central American girls for sex work.

⁵²A 'package' is a group of migrants (principally girls) recruited in Central America transported swiftly to the United States by a line composed of several cells. The word derives from the lexicon of drug-smuggling.

Multi-cell networks with a low division of labour comprise lines with fewer cells. Smugglers involved in these networks perform several tasks: transportation, recruitment, etc., and must therefore hire assistants. Because of their lack of specialisation, these networks are less efficient and operate less frequently than multi-cell networks with high division of labour. Accordingly, each line transports only a few dozen migrants annually. Smugglers operating multi-cell networks with a low division of labour, like those involved in systematic single-cell networks, earn most of their income from migrant smuggling. However, some smugglers are self-employed in family businesses. This is because some *coyotes* remain inactive for long periods. As Velasco said: 'I go [on smuggling trips] two or three times a year ... They don't keep me busy all year round because the *patrón* has more *polleros* [smugglers] working for him; he rotates us.' However, smugglers must always be available when the *patrón* calls them.

Networks in the sex trade operate more frequently than networks involved in agriculture, but the latter transport more people in each operation (see Table 6). This is because transporting females involves more difficulties than males; the work is described as more exhausting, riskier and more demanding because males walk faster and are more robust. Furthermore, females tire more quickly than males, and they can attract the unwanted attention of criminals, immigration agents or migrant males walking with them;⁵³ the smugglers must therefore protect them from harassment. Accordingly, transporting females requires extra expertise. This idea was echoed in statements such as 'I must be more aware and take more care' (Horacio); 'It is more work' (Raúl); 'You struggle a little more' (Santiago); 'Women require more care' (Tadeo) or 'It is more work transporting women' (Zulema). Ubaldo stated: 'It's more trouble with women, they need care, they get tired and their skin may blister. Women endure less time walking than men.' The adjective used by interviewees most often to describe females was 'delicate': 'It is more delicate to work with women' (Leonardo). Rodrigo concurred: 'Women are very delicate [when you] transport them. Some are strong, but others are not and you have to take care of them. They need a lot of care on the trip, some cry because they can't stand it and you have to be patient and treat them well.' As Patricio said: 'Women are more delicate, they need more care, and there is the risk of men who want them and try to rape them.'

Coyotes frame females as does the law: fragile and in need of protection. This is evidence of gendered power. Most power is wielded by men, and so the study's interviewees assumed that females were unable to protect themselves. *Coyotes* accepted that females could get tired, but they resented males showing signs of weakness. Smugglers are more patient with and willing to protect females than they are males.

⁵³Lynn Stephen, 'Violencia transfronteriza de género y mujeres indígenas refugiadas de Guatemala', *Revista CIDOB d'Afers Internacionals*, 117 (2017), pp. 29–50; Karla Lorena Andrade Rubio, 'Víctimas de trata: Mujeres migrantes, trabajo agrario y acoso sexual en Tamaulipas', *CienciaUAT*, 11: 1 (2016), pp. 22–36.

Table 6. Frequency of Operation of Human-Smuggling Networks and Number of Migrants Transported

	Agriculture (n = 95)			Prostitution (n = 51)		
	Min.	Max.	Average	Min.	Max.	Average
Number of times network operates per year	1	12	2.6	1	52	5.9
Number of people transported per crossing	3	30	12.4	3	20	10.4
Number of people transported annually	3	300	33.9	8	480	59.6

Source: Author's elaboration from data recorded during interviews.

Transport of Minors

Many of the networks examined transported minors.⁵⁴ Minors recruited for prostitution or for agriculture under adverse conditions are victims of trafficking according to international law. In response to demand, networks in the sex trade transported more minors (82.4 per cent) than smuggling networks involved in agriculture (49.5 per cent) (see Table 7 and Figure 1).

In the United States, farming and prostitution are two activities where the employment of minors is not uncommon. Agricultural labourers are constrained by discriminatory policies rooted in the New Deal legislation of the late 1930s. Amendments to the Fair Labor Standards Act of 1938 partially included agricultural workers in 1966, but the National Labor Relations Act of 1935 still excludes farmworkers from the category of 'employee'. Agricultural workers have no right to organise and can be fired for seeking to unionise.⁵⁵ They remain excluded from overtime and maximum hours protections. Children as young as 12 may work under certain conditions, and children as young as ten can be allowed to harvest crops.⁵⁶ Alejandro, who was employed in agriculture in Texas for eight years, said: 'As long as they could walk and the child could carry a box of tomatoes, or chilis, everything was fine, they gave him a job.' Alfonso said that he recruited migrants 'from 12 years and older' demanded by a farmers' association. Interviewees noted that migrant farmworkers had to be young to be able to stand the rigours of agricultural work. Young labourers are preferred over older workers because the former work harder than the latter. Some smugglers therefore transported only young workers. Adolfo transported male migrants in February

⁵⁴The age at which a person may legally consent to engage in sexual activity in the United States is between 16 and 18. In the principal destinations of females transported by the human smugglers whom I interviewed (Texas, Florida and California) the age of consent is 18. Under the TVPA (see note 5) 'the recruitment, harboring, transportation, provision, or obtaining of a person' who has not attained 18 years of age for labour or for the purpose of a commercial sex act is considered a severe form of sex trafficking. Consequently, my definition of a minor is a person who has not attained 18 years of age.

⁵⁵Greg Schell, 'Farmworker Exceptionalism under the Law: How the Legal System Contributes to Farmworker Poverty and Powerlessness', in Charles D. Thompson Jr and Melinda F. Wiggins (eds.), *The Human Cost of Food: Farmworkers' Lives, Labor, and Advocacy* (Austin, TX: University of Texas Press, 2002), p. 151.

⁵⁶*Ibid.*, p. 148; Walk Free Foundation, 'The Global Slavery Index, 2016', p. 127.

Table 7. Age Ranges of People Transported by Human-Smuggling Networks

Range end points ^a	Agriculture (n = 95); 47 networks (49.5%) transported minors			Prostitution (n = 51); 42 networks (82.4%) transported minors		
	Reported age ranges			Reported age ranges		
	Min.	Max.	Average of range end points	Min.	Max.	Average of range end points
Lowest point	12	25	17.5	13	20	15.7
Highest point	25	60	40.5	18	40	26.0

Note: ^a See Fig. 1.

Source: Author’s elaboration from data recorded during interviews.

and June to work in a 400-hectare orange and grapefruit orchard in Texas. He was not allowed to take workers older than 35, but *chavitos* (kids) were allowed. Likewise, Alonso transported male migrants in March to work in corn and soya fields in Oklahoma. The foreman told him not to bring workers older than 35, but 15-year-old boys were welcome. Likewise, Venustiano transported male migrants aged between 16 and 25 to work in agriculture in Texas.

The sex trade demands younger people than agriculture. Networks in the sex trade not only transport more minors than smuggling networks operating in agriculture, but the lowest point of the age ranges reported by respondents is also lower. In sex work, the average lowest (15.7 years) and highest points (26 years) of reported age ranges of women/girls were lower than for men/boys transported to do farmwork (17.5 and 40.5 years respectively; see Table 7). More than four-fifths of respondents working in the sex trade noted that their employers (owners of adult entertainment businesses or intermediaries supplying females to the sex industry) asked them to recruit minors, who were then transported because they were more in demand and the interviewees were paid more for them than for adult women. Felipe said that he transported *chiquitas* (little girls) and *morritas* (teenagers) as young as 13 because he was paid better for them. Venancio said that US sex business owners wanted minors because they earned a lot from them, and Yonatan that minors were preferred because they obtained more customers.

By contrast, nearly a fifth of the 51 sex-trade respondents indicated that they had never recruited minors. It was not possible to corroborate smugglers’ reports about the ages of their clients. Interviewees were asked at least twice whether they recruited minors and in nine cases their responses were consistent. According to these interviewees only women aged 18 years and older with experience in sex work were recruited to be brought to the United States. These respondents emphasised that they were instructed not to recruit minors. They said that having experience in prostitution was the most important requirement. Some noted that ‘only experienced women were able to make a man fall in love’. *Coyotes* recruit females at nightspots (bars, night clubs, massage parlours, etc.). In many cases, the recruitment process goes on for months until the females make up their minds to travel to the United States or until they save the money to pay *coyote*’s fee, during which time the smugglers acquire detailed knowledge about their biographies.

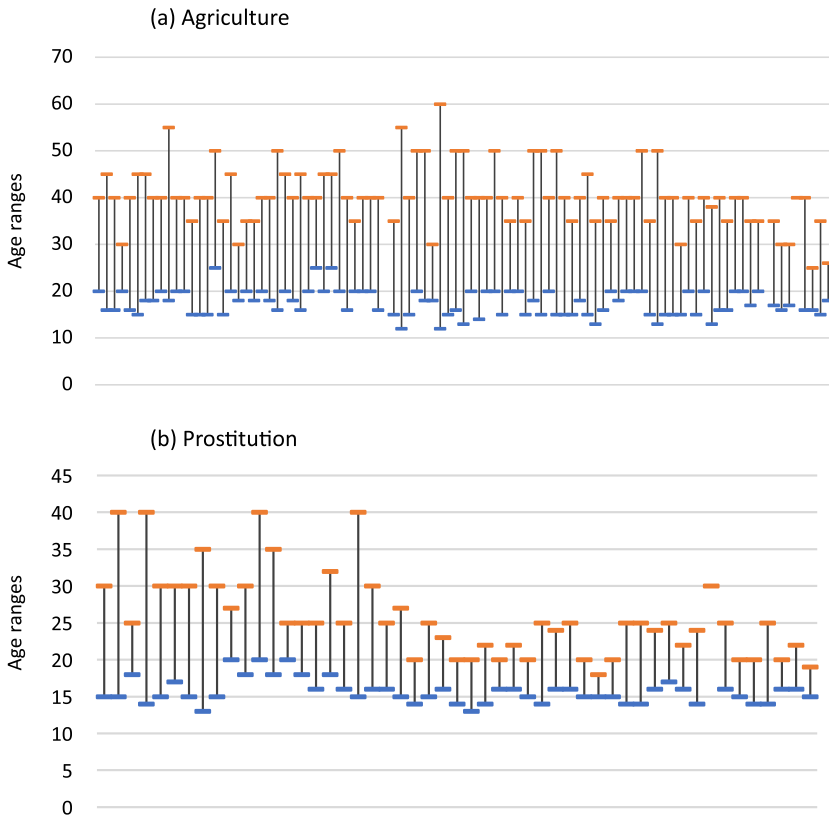


Figure 1. Reported Age Ranges of People Smuggled
 Source: Author's elaboration from data recorded during interviews.

Networks carrying minors are generally multi-celled and transport principally Central American girls. Networks moving girls 'in packages' always transport minors. For example, Sotero said that he received packages of Central American girls aged between 15 and 18. *Coyotes* working in the package system do not have any knowledge about the girls' biographies because they do not recruit them directly. While adult women must generally pay a high fee to *coyotes*, minors often do not pay this fee before travelling: it is converted into a debt to be deducted from their earnings. Therefore when underage girls arrive in the United States, they usually owe thousands of dollars.

Networks transporting only adult women are usually single-celled, and only ever transport Mexicans or Central Americans. Humberto's case was an exception. He had the profile of a *coyote* who transported minors: he was involved in a multi-cell network that used bureaucratic evasion schemes to bring Mexican and Central American females to Texas, New Mexico and California, and in more than half of cases the fees were paid by US sex business owners. However, he responded four times that he recruited only women aged between 18 and 25. He

insisted that he could not transport girls because minors were not offered jobs in prostitution.

Recruitment Methods

Recruitment methods⁵⁷ used by migrant-smuggling networks involved in farming differ from those used in the sex trade. In the first case, it is essential that migrants have work experience. These networks do not usually recruit people who have never worked in agriculture. In addition, smugglers always inform migrants about the type of work they will do in the United States. By contrast, not all networks involved in prostitution value experience as a fundamental asset.⁵⁸ In some cases, having no experience is more valued than having it. As Santiago said: ‘They don’t need experience; in fact, if they don’t know about the job, it’s better.’ Furthermore, networks in the sex trade do not always inform females about the nature of the work they will be doing in the United States. Emilio stated: ‘I tell some women about the job, others I don’t ... Some women are shy, and I don’t tell them about the job until we are there, on the other side ... Once we are there, we tell them that we don’t have the job we told them about.’

Despite the above differences, the two types of networks share more common elements at the recruitment stage than those that divide them. Males and females recruited by both these networks face longer and more exhausting working hours than the *coyotes* tell them. In addition, neither males nor females know that their wages will depend on their meeting minimum productivity targets.⁵⁹

Coyotes involved in the sex trade and agriculture face many difficulties convincing people to migrate. Both types of networks search for clients with a specific profile. Females should be young and attractive, and males must be young, vigorous and hardworking. *Coyotes* involved in the sex trade insisted on how difficult it was to recruit females who met the US sex business owners’ requirements. Enrique stated: ‘It is very hard because I can only take girls of a certain age. Some women want to go, but they are older, and I can’t take them.’ Gabriel said: ‘The most difficult thing is to find girls as I am asked to, the hardest thing is to find them according to the required requisites.’ Likewise, smugglers who transported farmworkers said that the most challenging thing was to find strong young males with experience in farmwork looking for agricultural jobs. As Gerardo said: ‘The hardest thing is to convince them to work in agriculture. Many don’t want this job because they already know about it and they know it’s tough.’ As a result, some interviewees had lowered the eligibility criteria to increase the pool of potential clients. David stated: ‘We used to look for people from ranches, people accustomed to hard work; but, because it is difficult to find them, now we are working with people from the city and from the ranch, we

⁵⁷Methods used by smugglers to recruit workers include frequenting known places where migrants can make contact with them; seeking females in nightspots; and paying recruiters.

⁵⁸Simón Pedro Izcara Palacios, ‘Recruitment Strategies Used by Mexican Sex Traffickers’, *Migration Letters*, 17: 5 (2020), p. 677.

⁵⁹Simón Pedro Izcara Palacios, ‘Abusos y condiciones de servidumbre relacionados con la implementación de los programas de trabajadores huéspedes (el caso tamaulipeco)’, *Frontera Norte*, 22: 44 (2010), p. 250; ‘Migración y trata en América del Norte’, *Revista de Estudios Sociales*, 67 (2019), p. 93.

bring people from both sides. We can no longer choose because there is nowhere to get them from.' The words '*se batalla*' ('I struggle') were heard repeatedly in many interviews. *Coyotes* involved in the sex trade emphasised the difficulty of convincing females to work in prostitution. This was reflected in expressions such as: 'The hardest thing for me is that I have to find them, tell them and convince them' (Leonardo); 'I struggle in looking for them and convincing them to go. Some are in need, but they don't want to leave the country' (Sebastián); or 'I struggle a little bit to convince them because they don't trust me' (Raúl). Migrant smugglers employed by US agribusinessmen also pointed to a lack of trust in *coyotes*. Jerónimo transported Central American workers and occasionally Mexicans to work in agriculture in Texas. He struggled to convince would-be migrants because of this lack of trust. He therefore paid people to recommend him and speak well about him. The reluctance of men to migrate, and the difficulties of convincing them to work in US farming, was reflected in expressions such as: 'It is difficult to convince them because they don't know me and there is no trust, there is mistrust' (Ignacio); 'Lately I have been struggling a little bit because people don't want to go' (Arturo); or 'I am struggling to get them to leave' (Ubaldo).

In their responses, some interviewees stated that if females were not interested in sex work, they did not insist; they just looked for others. This was reflected in expressions such as: 'If they do not want [to go], they say no, and we do not insist any more' (Raúl); 'If they tell me that this job is not for them, I do not take them' (Ubaldo); or 'I explain the job to them. If they want to go, they go, and if not, then they don't go' (Enoc). Similarly, smugglers involved in agriculture also indicated that, when a person showed no interest, they turned to others. Adrián stated: 'I try to convince them, but if they don't want to, it's OK, I invite other people', and Eduardo said: 'If they say yes, then I take them, and if they say no, then I keep looking.'

However, most respondents were not satisfied with a negative response. *Coyotes* try to convince would-be migrants by telling them what they want to hear. Many interviewees noted that having communication skills was one of the most valued qualities of smugglers. A *coyote* must know how to persuade people who do not want to migrate. As Zulema said: 'You must talk to them, tell them, confuse them with *verbo* [verbosity].'

When a female says that she does not want to work in prostitution, the *coyote's* job is to convince her otherwise. Some interviewees stated that they could not explain how they managed to persuade reluctant females. They supposed that many females just changed their minds and accepted working in prostitution. As Valerio said: 'Sometimes I don't even know how I manage to convince them, how I talk and what I tell them.' Females, because of their vulnerability, are more reliant than males on male companions to protect them on their journey through Mexico: they use smuggling services in a higher proportion than males because of the risks and violence inherent to the journey.⁶⁰ Females perceive that their journey will be safer if they are smuggled because the *coyotes* know how to navigate the routes controlled by drug cartels and corrupt authorities. As Wendy

⁶⁰Teresa Elizabeth Cueva-Luna and Teresa Terrón-Caro, 'Vulnerabilidad de las mujeres migrantes en el cruce clandestino por Tamaulipas-Texas', *Papeles de Población*, 20: 79 (2014), p. 237.

Vogt has explained, migrants who are not transported by smugglers paying the appropriate fees risk disappearance or death.⁶¹ By contrast, males are more willing to face the significant risks involved in making the journey on their own. Zeferino, a smuggler who transported females for prostitution and males for construction work, said: 'I bring more women than men. Men sometimes, to save money, risk their lives walking many miles to cross the US border.' Faced with the choice of being stuck in Mexico or being brought to the United States to be involved in sex work, some Central American females pick the second option.

Some interviewees stated that they made up stories to encourage females. Zeferino said: 'Sometimes I struggle ... but it's all about working, convincing, knowing what you're going to tell people to convince them to go and to get them excited about it.' The strategy interviewees used to convince females was to approach them with deference, in order to discover their vulnerabilities. Interviewees used economic arguments presenting the sex trade as a solution to the females' problems, with terms such as 'talk nicely', 'befuddle them', 'impress them' or '*el rollo* [the spiel] of the money' to explain how females were persuaded. Natalio described his secrets for persuading females. He compared his job with that of a salesman trying to sell something, in this case himself. He would introduce himself and 'talk nicely' about his business, and said that lying to females was counterproductive. Rodolfo said that his strategy was to befuddle females according to their needs. First, he learned about the females' life, their problems and dreams. Then he made up a story based on their needs and desires. Sebastián used the words 'hit them' metaphorically, telling the females about the high earnings they could make in the United States, the things they could buy and the money they could send to their families, but maintained that he only told the truth. Likewise, Fernando used the words '*el rollo*' to explain how he convinced females, always repeating the same long speech about the difference in earnings in prostitution between Mexico and the United States.

Migrant smugglers involved in agriculture used even more aggressive recruitment strategies. Some did not know how they managed to convince the males, but they finally migrated to the north. In Silvestre's words: 'Sometimes I don't even know how I convince them, but they are encouraged [to go] and get together everything they need to pay in order to be transported.' Many interviewees said that if males were reluctant to migrate, they did not give up until they persuaded them to change their minds. The strategies used by smugglers in agriculture are like those employed by sex traffickers. Smugglers discover migrants' vulnerabilities and use their inventiveness to persuade them, aiming to change the minds of their potential clients in order to make a profit. Smugglers use the same speech that they have rehearsed many times before to persuade people to migrate. The use of terms such as '*rollo*' or 'confusion' to describe their communication with would-be migrants indicates that interviewees' arguments are not entirely truthful.

Small-scale and part-time smugglers who are embedded in the Mexican migrant community and use their social ties to recruit migrants from their local areas are more committed to US employers than to their relatives, acquaintances or

⁶¹Wendy A. Vogt, 'Crossing Mexico: Structural Violence and the Commodification of Undocumented Central American Migrants', *American Ethnologist*, 40: 4 (2013), p. 774.

countrymen. For example, Cristóbal, a farmworker in Arizona and part-time smuggler, travelled to Tamaulipas in April, July and December to take groups of seven to 15 migrants to Arizona. His time was limited because of his work commitments. When his fellow countrymen did not want to migrate, he had to keep trying to convince them, because 'crops are perishable'. He had only a few days in which to change their minds and so had to string them along until they were convinced. Donato too was a farmworker – in Texas – and a part-time smuggler. He travelled to Tamaulipas in July and December to take groups of seven to ten farmworkers to Texas. He stated that he had struggled to convince would-be migrants, but he had learned how to be a better *coyote*: he was smarter than his countrymen because he had studied their weaknesses. His fellow countrymen were in debt in July and August, because of school expenses, and in December because of Christmas expenses. So he went to Tamaulipas to recruit workers when families were in debt.

Conclusion

Migrant-smuggling networks that provide labour to US employers are different from networks feeding the US sex industry. Most networks transporting male labour intending to work in US farming are small-scale organisations. By contrast, many networks carrying females for prostitution are well-structured and large, vertically integrated organisations, with top-down control. Human smugglers in the sex trade are more dishonest than those in agriculture. Females are not always informed about the nature of their work, and some feel betrayed. According to the interviewees some girls are forced into prostitution through the abuse of their vulnerability, but violence is not used to control and intimidate them.

However, migrant smuggling is not totally different from sex trafficking: similarities between the two types of networks dwarf their differences. Both are demand-driven. In both systems recruitment involves some form of deception. Smugglers frequently use hyperbole to convince their would-be victims/clients to risk the journey. In addition, working conditions at the destination are harsher than described by smugglers. Males and females are not locked up, imprisoned, held captive against their will or guarded to prevent them from leaving. However, they are de facto kept prisoner once in the United States. They are isolated, undocumented, overworked and scared of being deported; some are indentured workers. They are not free to change jobs, are fined for not fulfilling work quotas, and during their days off they are so tired that they only want to rest.

The perception of the smuggling of willing males and trafficking of coerced females latent in international law, in official discourse, in the media, and in academia does not adequately reflect reality. Contrary to discursive, ethical and legalistic dichotomies that frame males as undeserving of protection and females as ideal victims deserving of intervention, farmworkers recruited by migrant-smuggling networks should be considered in the same light as females transported by sex trafficking networks.

The conceptualisation of male suffering as unremarkable and male labour migration as an autonomous process places males as in the category of the non-deserving, defined by immigration law as criminals subject to deportation or imprisonment. However, gender should not be the determinant of who deserves

assistance and who does not, which is the current situation as reflected in the prosecutions and convictions brought under trafficking-specific criminal statutes by the US Department of Justice.

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Appendix: Interviewees Quoted in the Article

All the interviewees are *coyotes*. All names are pseudonyms.

Name	Age	Origin	Interview date
Adolfo	45	Tamaulipas	November 2008
Adrián	38	Tamaulipas	February 2009
Alejandro	40	Tamaulipas	April 2009
Alfonso	39	Chiapas	October 2011
Alonso	45	San Luis Potosí	January 2012
Arturo	39	Tamaulipas	April 2012
Cristóbal	35	Tamaulipas	July 2012
David	45	Tamaulipas	June 2012
Donato	40	Tamaulipas	July 2012
Eduardo	32	Puebla	September 2012
Emilio	38	San Luis Potosí	November 2012
Enoc	42	Tamaulipas	November 2012
Enrique	36	San Luis Potosí	January 2013
Felipe	35	Mexico City	March 2013
Fernando	37	Mexico City	March 2013
Gabriel	28	Mexico State	March 2013
Galatea	35	Mexico City	March 2013
Gerardo	38	Chiapas	May 2013
Horacio	30	Chiapas	May 2013
Humberto	32	Chihuahua	May 2013
Ignacio	35	Chiapas	June 2013
Jerónimo	36	Veracruz	July 2013
Juan	35	Veracruz	July 2013
Leonardo	45	Tabasco	April 2014
Natalio	39	Mexico State	April 2014
Patricio	32	Sonora	April 2014

(Continued)

Appendix: (Continued.)

Name	Age	Origin	Interview date
Raúl	45	Veracruz	July 2014
Rodolfo	38	Chiapas	July 2014
Rodrigo	39	Tamaulipas	December 2014
Santiago	30	Tamaulipas	December 2014
Sebastián	35	Tamaulipas	December 2014
Silvestre	42	Sonora	March 2015
Sotero	36	Coahuila	December 2015
Tadeo	41	Oaxaca	December 2015
Ubaldo	42	Veracruz	December 2016
Valerio	38	Tabasco	December 2016
Velasco	40	Nuevo León	December 2017
Venancio	40	Mexico City	June 2018
Venustiano	32	Tamaulipas	December 2018
Vicente	39	San Luis Potosí	July 2019
Yonatan	37	Tamaulipas	December 2019
Zeferino	40	Texas	December 2019
Zulema	35	Tamaulipas	December 2019

Spanish abstract

El objetivo de este artículo, basado en entrevistas con 95 traficantes de personas conducidas para el trabajo agrario y 51 para la prostitución, es analizar comparativamente las redes que transportan migrantes varones para trabajar en la agricultura estadounidense y las redes que reclutan mujeres/muchachas para la industria estadounidense del sexo. Las redes que transportan mujeres/muchachas para el trabajo sexual son mayores y utilizan estrategias de reclutamiento más fraudulentas. Sin embargo, el tráfico de migrantes no es totalmente diferente de la trata sexual. Las similitudes entre los tipos de redes analizadas eclipsan sus diferencias. Los traficantes con frecuencia utilizan alguna forma de engaño para convencer a sus posibles clientes/víctimas de que inician un viaje riesgoso. Concluyo que ambos tipos de redes están impulsados por la demanda. Los traficantes sirven los intereses de los empresarios agrarios y de los propietarios de negocios sexuales de los Estados Unidos por encima de las necesidades de los varones y mujeres/muchachas que reclutan.

Spanish keywords: agricultura; prostitución; tráfico de migrantes; trata de personas; México; Centroamérica; Estados Unidos

Portuguese abstract

O objetivo deste artigo, baseado em entrevistas com 95 contrabandistas de pessoas envolvidos em agricultura e 51 em prostituição, é analisar comparativamente as redes de transporte de migrantes masculinos que pretendem trabalhar em fazendas dos EUA e aquelas que recrutam mulheres/crianças para a indústria do sexo norte-americana. As redes que transportam mulheres/crianças para o trabalho sexual são maiores e usam estratégias de recrutamento mais fraudulentas. No entanto, o contrabando de migrantes não é totalmente diferente do tráfico sexual. As semelhanças entre os tipos de redes analisadas ofuscam suas diferenças. Os contrabandistas costumam usar alguma forma de engano para convencer seus possíveis clientes/vítimas a se arrisarem na viagem. Concluímos que ambas as redes são orientadas pela demanda. Os contrabandistas atendem aos interesses de empresários do agronegócio e do sexo dos EUA, e não dos homens, mulheres e crianças que eles recrutam.

Portuguese keywords: agricultura; prostituição; contrabando de migrantes; tráfico; México; América Central; Estados Unidos

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