Research into gender and migration and the gendered experiences of migrants (both male and female) presents a unique opportunity for critical legal and feminist scholarship. Just as Simone de Beauvoir showed that women were not born, but created, delimited and reproduced socially as the “Other” gender (1952), so experiences of migration are less about the individual characteristics, desires or decisions of individual migrants and are constructed instead by necessary renegotiations of expectations regarding their identity and behaviour as they move from place to place. The recognition by many migration scholars that migration itself is a “gendered phenomenon which requires more sophisticated theoretical and analytical tools than studies of sex roles and of sex as a dichotomous variable,” allows for a truly feminist conceptualisation of not just gender and migration, but of gendered migration, recognising the formative role played by social, cultural, political and economic assumptions and consequences of gender throughout the migration process (Brettell and de Berjeois, 1992; Hondagneu-Sotelo, 1994, 2003; Mahler and Pessar, 2001). The rise of postcolonial feminisms, and what have been referred to as ‘feminist geographies of difference,’ (Pratt 2000) are also key as they expand the understanding of gendered migration to include other shaping identity categories. Relations other than, but including, those of gender and class have been given more credence: nationality, sexuality, race/ethnicity, caste, and ability have all come to the fore of feminist explorations of movement, geography, and identity. We have moved beyond debating the explanatory primacy between class and gender in particular, to consider their mutual constitution. (Boris and Janssens 2000)

While there has been some research into the impact of a gendered experience of migration on female migrants themselves, this has focused predominantly on the proletarianization (McDowell 1999) of women’s migration, as flows of capital draw women, especially women of colour and women from the global south, into waged labour in commercial centres of the global north, and on specific types of gendered migration. Analyses of the experiences of migrant domestic workers and migrants engaging in sexual labour2 dominate these discussions (see, for example, Pratt 1997,

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2 I will use the term ‘sexual labour’ in place of ‘sex work’, because the latter is a more inherently politically term that engages directly in the debate about whether or not prostitution is harmful to women. ‘Sexual labour’ allows for the location of this debate within a framework of labour and migration.
Les's attention has been paid, however, to the role that structural violence plays in the creation of gendered migration experiences more generally. While it is clear that constructions of masculinity as well as gendered assumptions about men’s labour inform gendered experiences of male migration as well, this article will explore the gendered experience of structural violence in female migration, given the particular role of gender inequality in the perpetration and perpetuation of structural violence.

Discussions of the overlap between violence and migration have been subdivided into several contested categories which rely on constructed notions of consent, choice, responsibility, guilt, victimhood and credibility. This scale is informed as well by notions of acceptability of types of violence (structural, physical, sexual), power and social position of the perpetrator (state, criminal, citizen) and responsibility of the ‘victim’ (as an individual or as a class of person) for his/her/their own plight. That kind of approach to the role of violence in women’s migration also demands the decontextualisation or erasure of the larger identity and set of experiences of female migrants. The result is a scale of migratory violences, especially gendered migratory violences, which extends from subtle structural oppression of the high cost of work visas as relative to women’s wages, to the most scandalous accounts of exploitation of women in sex ‘trafficking,’ and contains within it examples such as so-called ‘unskilled’ or ‘deskilled’ female workers subjected to sexual harassment in the workplace or smuggled women who are raped to pay their passage. I will argue that a failure to suitably locate gendered migration in a context of structural violence is to ignore the very circumstances that make the undertakings of female migrants riskier, leads to experiences which are more violent and contributes to the maintenance of gender inequality in sending and receiving communities. Lastly, to highlight the value of using a framework which evaluates the structurally violent nature of gendered migration I will look specifically at the creation and maintenance of the discourse around human trafficking, in particular trafficking in women and girls.

**Gender inequality, violence, and the creation of gendered space**

Ingrained in our individual and social consciousness is a pervasive assumption of categorical difference between men and women. More than mere biological differences, we have personal and collective understandings of what it means to be a man or a woman. That is, our understanding of these differences not only creates, but also mutually reinforces identity categories and expectations about roles and behaviours. As linguist Deborah Cameron has noted, ‘men can be men only if women are unambiguously women’ (1985: 156), and the reverse is also
Central to this dichotomy is the location of women (physically and conceptually) in the private sphere – principally the home, and men in the public sphere, characterised as primary breadwinners, engaging in decision-making and public life. In the home women are responsible for reproductive labour, tending to the physical, emotional and sexual needs of men and taking responsibility for the development of children, including orienting children to the gender binary and resultant social roles for men and women. These are concepts long-studied by the social sciences (See, for example, Anderson et al 1983, Moore 1986, Domosh 1998, Tyner 2012).

Migrants often become particularly aware of the relational and contextual nature their gender takes on as their migration forces them to respond to competing discourses around who and what they are and should be (Donato 2000). These renegotiations and reinventions are a result not simply of physical relocation, but also of the navigation between identities past and present, and in the forging of relationships, personal, profitable or both, with people and structures in various places. This is a concept which can be readily explored through a feminist lens as feminist scholars have long viewed gender and what it means to be a ‘woman’ as fluid, challenging fixed notions and accepting the transitivity of identity (McDowell 1999).

While historically the study of migration and migrants was largely the domain of geographers who explored the causes and consequences of physical movements over defined topographical boundaries (see, for example, Brown and Lawson, 1985), feminist migration research approaches these boundaries as socially constructed, laden with power, and inflected by gender and difference (Marston, 2000; Boyle, 2002; Hyndman, 2004), and makes boundaries themselves the focus of inquiry, asking and addressing questions about the political and gender-specific processes tied to the making and remaking of them (Nagar, 2002). Places, both public and private, and the rules which govern their special and social boundaries, are defined by power relations (Massey 1991; Smith 1993; Kaplan 1996; Preis 1997; McDowell 1999) and are sustained by the individuals and institutions with the ability to exert or contest control; to include, exclude, acknowledge or ignore.

Sylvia Walby has described the public/private divide in terms of ‘gender regimes,’ explaining that the ‘domestic gender regime’ is based upon household production as the main structure and site of women’s work activity, the exploitation of women’s labour and sexuality and upon the exclusion of women from the public. (1997) The same basic principles underline the subjugation of women within the public life, the ‘public gender regime’ which is based ‘not on excluding women
from the public, but on the segregation and subordination of women within the structures of paid employment and the state, as well as within culture, sexuality and violence.’

In discussions of migration this construction of women private has seen female migrants characterised in various disempowering ways: as having secondary function, such as migration to accompany a male partner (Rabe 2011), or migration for marriage, and also to be used as a tool for preventing or controlling male migration (Enloe 1990).

When migrating for economic reasons women’s migration, especially from less economically developed countries, is characterised as desperate and unskilled, and based on stereotyping about both gender and ethnicity. Upon arrival in destination countries these migrant workers are seen by fellow citizens as grateful for the work (for recent examples in the press see Hoover 2012, Huang 2013, Marsden 2013), willing to accept work with poor conditions, such as low wages and long hours, and as being ‘more docile and cheaper workers than men’ (Hugo 1993) who are particularly adept at reproductive labour such as cooking, cleaning and caring; all examples of the ways in which assumptions about ethnicity, class and gender are combined to reduce female migrant workers to a simpler category of just ‘women.’

As of 2000, 49 percent of all international migrants were women or girls, and the proportion of females among international migrants had reached 51 percent in more developed regions. Women also make up just over half of all skilled migrants (Docquier et al, 2009). Saskia Sassen has referred to this increase in women’s mobility globally as a ‘countergeography,’ responding to other forces in globalisation, leading to what she deems the ‘feminisation of survival,’ placing women at the fore when it comes to supporting others, both families and states. (516-17).

An awareness of this growth in female migration, especially skilled migration, has prompted research into these women’s experiences. Unsurprisingly, research into the experiences of ‘highly-skilled’ female migrants shows that these women face challenges of a similar nature (though of a greatly different scale) when accessing labour markets. Assumptions about gender, ethnicity and class all inform these women’s mobility and employment prospects, resulting in situations where women are forced to take positions that do not match their skills and qualifications or are assumed to be less able than native (female or male) workers to be able to balance professional and familial responsibilities (Leicht-Scholten et al 2011, Docquie et al 2009.).

While recognising the challenges that highly-skilled female migrants face, a good deal of research has had a tendency to analyse the impact of women’s migration, particularly the impact on
sending countries, in ways that highlight, and then fail to resist, the structural gender inequality in sending and receiving countries.

For example, concerns are raised about the gendered ‘brain drain’ because educated women as mothers are more likely to raise children, especially daughters, who have higher levels of ‘human capital,’ (Behrman et al 1999, Haveman and Wolfe 1996) and that women’s level of education and lower levels of fertility (which are observed amongst women with higher education) are key indicators of progress for developing countries (Basu 1992). The impact of women’s migration on remittances is also of interest, as generally women have been shown to send much higher levels of remittances to larger family networks over longer periods of time (Chant 1992, Kunz 2011, Vullnetari 2011). While exploring the nexus between migration and development is important, it would seem that much of the focus on women’s skilled migration is on the impact it has on traditionally feminised areas of responsibility – fertility, upbringing of children, supporting extended family and generally sacrificing themselves for family or country.

Some research even seems to contain elements of suggestion that women’s migration is inherently selfish and that higher remittances are an attempt at apologising, or perhaps a transnational version of the ‘second shift,’ or the expectation of women in waged employment outside of the home to also carry a disproportionate level of domestic responsibility (Szalai 1972, Hochschild and Machung 2003).

Even in the loftiest terms, such as Amartya Sen’s praise for the collective benefits of women migrating “The expansion of women’s capabilities not only enhances women’s own freedom and well-being, but also has many other effects on the lives of all. An enhancement of women’s active agency can, in many circumstances, contribute substantially to the lives of all people—men as well as women, children as well as adults,” (2001: 10) one cannot help but feel there is a sense of justification. It is ok that women are migrating or improving their own lives, because it isn’t just for them, it is for everyone, in particular men and children. It is clear that even the highest-skilled female migrants are ultimately evaluated against a traditionally socially constructed view of feminine behaviour, and many still struggle against the structural barriers and assumptions that see women’s place as primarily domestic and women’s mobility as inherently problematic.

** Structural violence, gender and migration**

It is clear that there is both an academic and social understanding that women’s migration can involve violence, but as noted above, that focus has been either on the outcome of migration as exploitative (such as in exploitative labour), on violence as a ‘push factor’ or catalyst for migration
(forced or voluntary), or on women’s status as migrants leaving them vulnerable to personal violence (particularly en route). While it is acknowledged that men also migrate to escape violence and persecution, women are considered more vulnerable to such experiences in part because they either hold subordinated positions within households (as well as the larger society) or because as the transmitters of ethnic culture in their families women are targeted as representatives of a subordinated nation (Enloe 1990; Hodge 2007; Silverman et al. 2007; Yuval-Davis 1997).

This construction of the overlap between gender, violence and migration and a focus on direct violence (physical and sexual) is also used as the basis for policy development and as a source for guidance to countries addressing violence against female migrations. In 2004 the United Nations described the risk of gender-based violence to migrant women as follows:

Many women who migrate find themselves at risk of gender-based violence and exploitation. Whether they are labour migrants, family migrants, trafficked persons or refugees, they face the triple burden of being female, foreign and, often, working in dangerous occupations. In addition, it is important to keep in mind that gender intersects with race, ethnicity and religion and can result in differential access to opportunities—among women as well as between women and men. Since many migrant women are of a different race, ethnicity and religion than their host population, they may face additional discrimination on those grounds. (2004: 2)

Graeme Hugo has gone beyond merely characterising the types of violence women are likely to experience, delineating particular circumstances in which international migration is most likely to empower women. Hugo’s theory is composed of six components that when present make it more likely that a woman’s migration experience will be positive: the migration is from rural to urban areas; the migration is not clandestine or undocumented; the woman works outside the home in the destination country; the woman moves autonomously and not as part of a family group; the woman enters formal sector occupations; and the migration is longer term or permanent, rather than temporary. (2000: 299)

These analyses, while based in genuine experiences of violence among female migrants – are good examples of the failure to locate gender and migration in a framework of structural violence. First discussed by Johan Galtung in 1970 and more recently by Paul Farmer (2001), structural violence is violence exerted indirectly through social, political and economic systems. Farmer explains that structural violence is exerted not just by those in obvious positions of power, but ‘by everyone who belongs to a certain social order’ Farmer captures the relationship between agency and structural violence, stating that ‘one way of putting it is that the degree to which agency is
constrained is correlated inversely, if not always neatly, with the ability to resist marginalization and other forms of oppression.’(Farmer 2001: 307)

In part inspired by Farmer, Bourgois and Scherper-Hughes have proposed conceptualizing violence as ‘operating along a continuum from direct physical assault to symbolic violence and routinized everyday violence, including chronic, historically embedded structural violence (2004). Because experiences of violence in migration include all of those types of violence this is a helpful theoretical approach. They see violence as a ‘slippery concept that goes beyond physicality to include assaults on self-respect and personhood,’ which are given particular force and meaning in relation to social and cultural dimensions – including gender. Importantly an understanding of the structural components of violence help us to understand that most violence is not deviant, but is a simple and almost inevitable outcome of forces that limit the agency of those with the least access to resources. This is an understanding of violence that requires greater collective and social responsibility, however, as it does not attribute human suffering to convenient scapegoats such as bad luck, or to deviant forces such as criminals. It is this understanding of structural violence that informs my analysis of violence and gender in migration.

Very little has been written about violence in migration from the standpoint of structural violence, and even less has been written about the gendered components. Felipe Jácome’s 2008 paper on trans-Mexican migration as a case of structural violence offers unique insights, though largely confined to the specific experience of migrants in transit in a third country (that is neither the source nor destination country on their migration project.) Jacome explains the importance of understanding violence in migration, stating that ‘violence—in its different forms—stands logically as the biggest obstacle and disincentive to migrate, [and as such] we need to grasp the complex dimensions of the brutality taking place and the social structures perpetuating this violence.’ (3) Jacone supports his decision to use the framework of structural violence because of its ability to explore ‘more “unconventional” kinds of violence such as marginalization or discrimination’ which is necessary given the location of migration as ‘a place where on occasions, the boundaries between victim and perpetrator are blurred in the general environment of lawlessness and survival of the fittest.’ (4)

Jácome discusses the important role of structural violence in limiting agency and promoting marginalisation. In the context of transit migrants in Mexico the discussion is very much informed by the migrants’ fear of apprehension, and the resulting spatial marginalisation caused by clandestine movement. This marginalisation becomes in many cases, a way of life for irregular
migrants all around the world, and also for some documented migrants, as a result of anti-migrant sentiment or fear of repercussions for offences such as working in the informal economy. For migrant women, however, there is also what I will refer to as an element of conceptual marginalisation. This can be seen for example in the experience of women who migrate into domestic work. Not only are they spatially marginalised often in a private home as a domestic worker, they are then doubly marginalised because of social and economic assumptions about women’s place, which is reinforced by ethnic stereotyping in many instances about the place of a particular kind of woman (for example poor or non-native women.) In this way the structural violence of gender inequality runs through and intensifies marginalisation as an outcome of structural violence.

Even in research which specifically seeks to unpick issues of structural violence one can see a problematic failure to appreciate or analyse the gendered construction of migrant agency. As an example, Jácome refers to the magnitude of migrants’ decision to migrate irregularly through Mexico and how integral to that decision is acknowledging and, to an extent, accepting the likelihood of violence. This is, he writes, ‘a particularly daunting reality for women who are inherently closer to the children they leave behind, and who have to assume that they will most probably be raped. Thus, the very decision to migrate is a manifestation of desperation and an active rejection of their status quo.’ (18)

The use of the phrase ‘manifestation of desperation’ not only reduces the agency of these migrants by reducing their decision to something akin to jumping from a burning building, but also erroneously assumes that for women migrants the prospect of sexual violence constitutes a rejection, rather than an extension, of their status quo, another example of the characterisation of female migration as self-sacrificial. In reality the decisions made by migrant women are likely to exist on a much closer scale of experiences. By which I mean it is less likely that a woman who regularly does not experience serious violence, discrimination or other marginalisation (such as in poverty or access to healthcare) will find herself in a position where her only migration opportunity is one so fraught with danger. It may be, in fact, that the sexual violence experienced as part of the migration route (the actual physical process of relocating) is seen by these women as at least productive as it facilitates their movement. This is not to suggest in any way that women are actively or passively consenting to sexual violence, or to accept that it is a reasonable expectation for all female migrants, but it is similarly unrealistic to assume that female migrants’ experience of sexual violence begins when they leave home.
When viewed through a lens of structural violence one can acknowledge that women’s migration is informed not only by the threats inherent to movement (especially irregularly), but also by all of the other social factors contributing to women’s oppression globally. In every country in the world women encounter greater structural and personal barriers to enjoyment of progress and access to resources. Around the world the lives of women are impacted by having less access to formal education than boys and men, lower rates of pay in waged work, and no pay at all for household work. These are compounded by the existence (and promotion) of community-sanctioned restrictions on women’s role in public life, state-sanctioned restrictions on women’s sexual autonomy and freedom of movement, and widespread gender-based violence, including as a weapon in conflict (See, among others, Yuval-Davis 1997; United Nations 2005; Silverman 2007; Sen 2001; Hyndman 2000; Hugo 2000.)

Referring back to then to Hugo’s indicators for positive migration experiences for women, we can see how difficult to achieve they are. Firstly almost all indicators refer to (completely decontextualised) decisions that individual female migrants should make. Hugo suggests that women are best off if they migrate legally, ideally from a rural to an urban area, by themselves, into a job outside the home that is part of the formal economy, and that the move is long-term or permanent. In order to meet Hugo’s criteria women have to have access to a great deal of resources. They need to be well-educated, (or at the very least have learned skills relevant to the formal sector of an urban economy despite living in a rural setting), have qualifications or other skills (including language skills) that make them desirable to host governments and employers, be single (so they need to have resisted any cultural pressures to marry and not have had any genuine desire to do so, and they need to not have any children), and women need to be prepared to endure long periods of or permanent separation from family, friends and culture. These indicators do nothing to address the structural causes or consequences of gender inequality and violence. They are all about the individual women, the decisions they make, the nature of their specific experiences. The result is a construction of women’s agency that recognises none of the structural limitations or marginalisation they face.

**Trafficking: a case study in structural violence and migration**

As noted above, the forms of violence experienced by women in migration cover a wide range from economic violence to extreme levels of direct physical and sexual violence. Within this spectrum nothing has captured the attention of researchers and communities alike more than
accounts of human trafficking. Characterised salaciously with images of young, vulnerable women chained to bed frames on newspaper front pages under headlines about ‘sex slavery,’ or in awareness-raising campaigns showing women wrapped in cellophane like joints of meat, or held strings like a marionette. Feminist responses to trafficking discourses are wide ranging. While the majority of scholars and policy-makers writing on trafficking and migration agree that limitations have been placed on women’s autonomy and freedom of movement under the guise of anti-trafficking initiatives, and that these discourses can lead to an overshadowing of the violence perpetrated on other female migrants (see, for example, Brysk 2013, Brysk & Choi-Fitzpatrick 2012, Hua 2011, Zheng 2010), the range of theories regarding trafficking in women are extremely varied. The role of political opinions regarding prostitution are central to much of the debates about trafficking, with the extremes of the debate containing those who would say that all prostitution is inherently exploitative violence against women and therefore a form of trafficking (Bindel 2010, Jeffreys 1997, Farley 2006) and those who would say that genuine trafficking is extremely rare and that most trafficking ‘victims’ are migrant sex-workers labelled as such by either well-meaning activists or governments and moralists (feminist, religious and otherwise) who seek to limit women’s sexual self-determination. (Magnanti 2012, Agustin 2007, Mai 2010) When the trafficking definition is taken in the whole – that is with a focus on more than just sexual exploitation of women, especially migrant women who have crossed international borders, then the reality about the scope and scale of trafficking undoubtedly falls somewhere between these two extreme positions. Data on trafficking are widely contested, and even those such as the International Labour Organisation or well-respected international NGOs such as Anti-Slavery International must caveat their estimates due to obvious statistical limitations. Not only are the areas which overlap with the international legal definition of trafficking predominantly criminalised, such as irregular migration, child abuse, forced labour, drug trafficking and cultivation and indeed prostitution, making reliable data collection near impossible, but there are a panoply of indicators and definitions in use and significant questions raised about labelling of trafficking in the absence of self-identification by the ‘trafficked’ person. For example if a woman who has a contract to work as a cook and to be paid the national minimum wage in her country accompanies her employer on holiday to London, and while in the UK continues to be paid the same wage, equivalent to less than £2 per day, is it beneficial to label her experience one of trafficking? The wage is significantly below the UK’s
national minimum wage, and because of rules around domestic workers accompanying employers it stands to reason the travel was arranged and paid for by the employer. What if the employer keeps all of the household passports, including his own, in a safe? Is that a trafficking situation? And more to the point, does that administrative label serve any beneficial function to the woman herself or the UK? What impact does assigning a label of trafficking have on that woman’s ability to make decisions about her own employment and wellbeing in the country she is from?

Trafficking is a particularly useful case study on structural violence not only because it is often linked (rightly and wrongly) to poverty, inequality and a lack of rule of law, and because when it does occur it consequentially leads to additional violence (often direct and physical). Additionally, state responses to trafficking, the oft-referenced “three Ps,” prevention, protection and prosecution, often replicate and perpetuate many of these same forms of structural violence. This is true on an individual level in the defining and labelling concepts of victim and perpetrator, the assignation of guilt or innocence, and the stripping of agency and self-determination. It is also true on a societal level in the way that it distorts or erases the entire context surrounding migration, violence, poverty, development, racism, and social, political and economic exclusion. Just as Farmer has explained the way structural violence erases history to understand health inequalities, regarding both access and outcomes, so can this decontextualisation of gender, violence and migration help us to understand the creation of and responses to ‘trafficking.’

Farmer noted that ‘Erasing history is perhaps the most common explanatory sleight-of-hand relied upon by the architects of structural violence. Erasure or distortion of history is part of the process of desocialization necessary for the emergence of hegemonic accounts of what happened and why.’ Many of the social truths underpinning the causes of trafficking – poverty, gender inequality, global demand for cheap goods and services – are uncomfortable because of their obvious roots in collective behaviour that supports the political and economic status quo. Put briefly, the average citizen in Western Europe may find the notion of trafficking or slavery abhorrent, but they may not see that (or want to see it) as linked to draconian immigration rules implemented by their national government. This is the difference between active forms of oppression, which we can see, and embedded forms, which as a member of the dominant groups one is taught not to see. As Peggy McIntosh wrote, “In my class and place, I did not see myself as a racist because I was taught to recognize racism only in individual acts of meanness by members of my group, never in invisible systems conferring unsought racial dominance on my group from
birth” (7.) Or as it was put musically by a well-known feminist folk singer, “privilege is headache that you don’t know that you don’t have.” (Di Franco 2006)

Not only does this mean that our responses to trafficking and victim identification is problematic, but the overemphasis on trafficking in place of any other broader discussion of gender, violence or migration means that more women (and men) experiencing systemic abuse, are failed. As Brysk writes,

‘The disproportionate emphasis on trafficking within migration policy also slights the wider set of persons exploited and abused across borders. The individualistic emphasis and sexual focus of anti-trafficking efforts fails to address the wider issue of structural violence and economic determinants of all forms of trafficking, labor abuse, and exploitive smuggling...Finally, by putting sexual exploitation first and assuming that women are uniquely degraded by sex, anti-trafficking policy diverts attention from equally harmful and widespread forms of labor exploitation that affect equally “innocent” men and children, as well as women toiling in dangerous and debilitating non-sexual jobs.’ (260)

As noted above, this shallow understanding of violence and migration produces shallow responses, which is precisely what has happened with trafficking, especially in the area of ‘victim’ identification. Much of the victim identification process, conceptually and practically seems to constitute not just an erasure of history, but an erasure of the present. It allows those of us outside these experiences (predominantly located in western states) to attribute negative migration experiences to a faceless evil (trafficker, smuggler, criminal). We are absolved of collective responsibility for the larger global structures that have marginalised these women, and we have no need to recognise any responsibility on the part of the receiving state(s) which limited women’s access to safe and legal migration in the first place.

The construction of ‘credible’ trafficking narratives and their reinforcement through identification processes also serve a ‘civilising’ function for those who might otherwise be labelled as deviant female migrants – especially those in sexual labour – as it encourages them to seek absolution for their actions (force, fraud, coercion) allows them to reject any experiences of work or exploitation, gives them a chance to demonstrate their usefulness to the state through giving evidence against exploiters, traffickers or smugglers (often at great personal risk or risk to loved ones) and removes them from the stigmatised and politically-charged immigration categories of economic migrant, illegal migrant, or asylum seeker. In doing so the processing or creation of administratively defined ‘victims of trafficking’ allows the receiving state to manufacture the kind of women it wants as citizens – those who obey the law, those who do as they are told, those who show their
desperation/genuineness through self sacrifice (assisting law enforcement, waiting patiently for the potential of regularisation of status, often in destitution, being held in detention etc...) attributes that could almost be described as an *a priori* show of nationalism.

More than just deciding how a ‘real victim’ might look or act though, these systems also allow authorities (and citizens) to decide what kinds of characteristics are acceptable. For example, the ‘means’ of trafficking are legally defined as ‘force, fraud, coercion, deception, or exploitation of a position of vulnerability.’ Within that economic pressures, such as extreme poverty, are generally rejected from meeting the threshold of coercion, similarly those who were deceived through promises of love or relationships are demonized for being young and foolish, meanwhile if a woman alleges that a husband, brother of father was implicit in her exploitation the suggestion is almost laughable. Women are almost universally held responsible not only for their own actions or decisions (and the powerful environments which shaped them), but also the actions of others.

Some research has shown that there are overarching trends regarding who is considered a priori to be a likely victim, and in the UK much of that relates to country of origin (see Stepnitz 2012) with those from predominantly white, western or northern European states being considered more credible and those from African states being considered least credible. While those trends are reflective certainly of exclusion and indicate the potential of racial or racist profiling in those whose narratives are measured against the acceptable ‘victim’ narrative, there are more individualised, though not isolated, examples which speak to the multiple ways in which these women are constituted and reconstituted by this system.

For example, in a recent court hearing in London a young woman from West Africa, who was considered to have been trafficked to the UK and exploited sexually, was appealing an initial refusal of asylum. In hearing the evidence related to her case the judge, an older white man, remarked that it was not hard to see why she would have been chosen for sexual exploitation – she was young and beautiful. In that moment his courtroom became a microcosm of the kinds of power relations that had shaped this young woman’s entire life. A native of a former British colony, made homeless at a young age when her parents died of AIDS (likely prematurely, due to lack of access to effective treatment), she had met an older British tourist on a beach and agreed to come with him to the UK where he promised her an education. Instead she found that she was expected to provide sexual services for no pay, and was faced with the realisation that her irregular status meant she had no access to education and very little prospect of finding other work. She had claimed asylum, despite well-founded fears of disbelief and deportation, only when
a fight with the man she was living with left her sleeping rough while pregnant. The judge seemed inclined to grant her protection, based predominantly on the difficulty she would face returning as a young, single mother to a country where she had no established support network. He reserved his final decision, however, asking her before she left the court, that if he ‘let her stay’ would she ‘promise to be a good girl, find a nice man and get married?’ Being fully aware of the distribution of power in that moment she said she would do just that. As she left the court room later with her legal representative she asked if it would be ok if she went to school instead.

Other cases show the power of pervasive and damaging assumptions about women, violence and worthiness. For example in a recent processing of a young woman from the Balkans through the UK’s official trafficking identification system, the National Referral Mechanism (NRM) it was asserted that while she claimed to have been in forced prostitution she had confirmed that she had not ‘always tried to fight [men] off’ and as such she could not be considered to have been exploited.

Or the case of a young woman from another West African state, who travelled at age 11 to the UK with her mother and was left in the care of an extended family member who promised her an education. While she was indeed given access to education she was expected to maintain a level of domestic work wholly incompatible with a meaningful ability to engage with her schooling. In the processing of her case it was stated that while she had a ‘strict upbringing,’ her experiences did not amount to exploitation. Here it is the use of the phrase ‘strict upbringing’ that is especially problematic and one cannot help but wonder what kind of assumptions, about ethnicity, culture and indeed gender, have informed this decision. There is, after all, no legal test for ‘strictness’ of upbringing. It would, presumably, be rather unthinkable to assume that any authority in the UK would ignore a situation in which an 11-year old white British child was being expected to undertake more than 10 hours a day of domestic work – and most probably that much more unfathomable were that child male.

Then there are the endless cases in which women are told that they cannot be believed about their experiences either because they have made no effort to provide information or assistance to UK law enforcement (which any genuine victim of a crime would do), or because they have failed to provide information that confirms that they have a clinical diagnosis and are undergoing

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3 Identifying information withheld. Communication from the UK Border Agency to the individual’s legal representative. “NRM reasonable grounds decision” 02 January 2013.
4 Identifying information withheld. Communication from the UK Border Agency to the individual’s legal representative. “NRM reasonable grounds decision” 22 February 2013.
treatment for medical or mental health ailments considered consistent with exploitation. Women who explain finding support or solace in women’s groups, churches, or community groups are not seen to be demonstrating the appropriate proof of damage. In short, unless these women can demonstrate adherence to enough of the state’s assumptions about gender, ethnicity, victimhood and agency (an algorithm and an answer which are not fixed themselves) they are likely to be found too deviant or damaged to be considered citizens and too responsible for their own fate to be considered ‘victims.’

Revisiting women’s migration: an act of survival
Adrienne Rich, feminist writer and poet, has referred to the rejection of established interpretations and the need to approach assumptions from a ‘critical new direction.’ ‘It is,’ she writes, ‘for us more than a chapter in cultural history: it is an act of survival. Until we can understand the assumptions in which we are drenched we cannot know ourselves. And this drive to self-knowledge, for woman, is more than a search for identity: it is part of her refusal of the self-destructiveness of male-dominated society.’ (19) It is this kind of re-visiting of the framework that is required to understand our assumptions about gender, violence and migration. Recognition of the role played by structural violence is an effective tool in reshaping our understanding of women’s experiences of violence in migration, and is one that could inform future research into gender and migration as well as help to formulate effective and evidence-based practical responses. These responses need to acknowledge more than just the roles played and decisions made by individuals, but need to challenge the ways in which deeply socially embedded practice allow us to erase both individual and collective responsibility for disadvantage and violence. Farmer refers to these as subtle ‘Erasures’ which ‘prove expedient to the powerful, whose agency is usually unfettered. Imbalances of power cannot be erased without distortion of meaning. Without a historically deep and geographically broad analysis, one that takes into account political economy, we risk seeing only the residue of meaning. We see the puddles, perhaps, but not the rainstorms and certainly not the gathering thunderclouds.’ Forced migration, violence in conflict, smuggled women and abused workers are a product of complex social and economic factors, which, like complex weather systems, change and develop over time. Like the climate, these causes and consequences of these myriad forms of violence, including trafficking, are shaped and impacted by the decisions and actions of the global population. When we see only the salacious
headline about rape in the Balkans or the eye-catching poster of a tearful blonde teenager covered in bruises we see only this residue of meaning.

Migration has the possibility to be a liberating and enriching experience for many people. Unfortunately the reality of the migration experiences of many women are that the motivation to migrate is often coercive (poverty, flight from violence), the process itself is often clandestine and the reality in transit and destination countries is in some cases exploitative (including in trafficking experiences) and in many other cases replicates many of the oppressive forces that women sought to leave behind, such as an expectation to undertake domestic work or to accept lower wages or poorer conditions. These experiences are not the result of migration being a dangerous or abnormal activity. Violent or oppressive experiences in migration are a simple extension of the same types of discrimination women face globally. As such our responses to gender-based violence in migration, especially trafficking, should be refocused onto the structures in which those migration experiences take place. Unhelpful divisions between smuggling, illegal migration and trafficking, dividing people into categories of victimhood and rewarding certain groups with protection or citizenship does not combat discrimination. If anything, such processes oversimplify and obscure the actual causes and force women to present as stereotypes of weakness, vulnerability or domesticity to have access to citizenship.

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