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Lina Acalugaritei and Karen Mingst on From Human Trafficking to Human Rights: Reframing Contemporary Slavery. Edited by Alison Brysk & Austin Choi-Fitzpatrick. Philadelphia, PA: University of Pennsylvania Press, 2012. 280pp.

Lina Acalugaritei
University of Kentucky

Karen Mingst
University of Kentucky

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Abstract

A review of:

From Human Trafficking to Human Rights: Reframing Contemporary Slavery. Edited by Alison Brysk & Austin Choi-Fitzpatrick. Philadelphia, PA: University of Pennsylvania Press, 2012. 280pp.

Keywords

Human rights, Human trafficking, United Nations, Policy development

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From Human Trafficking to Human Rights: Reframing Contemporary Slavery. Edited by Alison Brysk & Austin Choi-Fitzpatrick. Philadelphia, PA: University of Pennsylvania Press, 2012. 280pp.

Trafficking in Persons is not a new phenomenon. It is a modern day form of slavery and a highly lucrative criminal enterprise. In 2009, the United Nations reported that an estimated 4 million persons are trafficked annually as forced labor. The U.N. Office on Drugs and Crime identifies 127 origin, 98 transit, and 137 destination countries.

While acknowledging that trafficking sometimes involves children and men, most of the current research is still focused on women victims of sexual exploitation. Indeed, women are the overwhelming majority of trafficked persons worldwide – 79%, most of them ending in brothels as forced prostitutes. Nevertheless, the time to "move the conversation from sex to slavery, from prostitution to power, and from rescue to rights," has come, according to editors Alison Brysk and Austin Choi-Fitzpatrick in their book From Human Trafficking to Human Rights: Reframing Contemporary Slavery. The book is a recent addition to the outstanding Human Rights series published by the University of Pennsylvania Press.

Reconstructing our understanding of trafficking from classical migration or organized crime perspective to a human rights-based approach will contribute to the design of appropriate policies. There is a need to move from prosecution to prevention and from criminalizing the victim to empowering him or her. This is the overarching theme of these eleven original essays.

The authors argue that people who are working with trafficked persons, whether governmental officials or representatives of civil society, need to know and acknowledge fundamental human rights principles and international instruments and mechanisms to ensure that the rights of victims are respected at every step in the process of responding to trafficking. As Choi-Fitzpatrick's framework suggests, the focus should be on resistance instead of classical rescue, representation instead of restoration, and rights instead of reintegration.

The first group of chapters reframes the debate from sex to slavery. Trafficking operates under an economic system that benefits from the exploitation and enslavement of vulnerable populations. Market demand in destination countries drives this market of buying and selling people. The gendered political economy is supported by cultural and ideological norms within source, transit and destination countries, where women and children lack institutional recognition for their economic, social and cultural rights. Additional root causes of trafficking may be attributed, but not limited to, the feminization of poverty, unemployment, lack of or inadequate access to resources, lack of education, and civil or political unrest. Jeff Gulati's chapter argues that social understanding of human trafficking is perpetuated by media misrepresentation, making it all the more difficult to move from criminalization to empowerment.

Chapters in the second part of the book move to the problem of power. As Brysk asserts, "the problem is powerlessness. . . and the solution to powerlessness is politics—not prohibition. . ." Yet, neither key states nor international organizations have been very helpful. Laura Hebert examines the U.S. Trafficking Victims Protection Act of 2000 and its byproduct, the Trade In Persons (TIP) Report of ranking states by tiers of compliance, which she contends is putative.

The system includes political and economic consequences for non-compliance. The articles by both Charles Smith and Heather Smith illustrate how international peacekeepers may only be exacerbating the conditions for trafficking, be it in Haiti, Kosovo, or Sierra Leone. Powerlessness is perpetuated and international organizations may be complicit.

In the third section on rights, some of the authors present a more hopeful picture. Anne Gallagher acknowledges the U.S. approach has "compelled many governments who would not otherwise have done so to take action." Yet she also reminds us that the U.S. needs to do more, namely to bring its standards into conformity with international rights standards. Bales and Choi-Fitzpatrick are optimistic that social movement organizations and transnational NGOs involved in trafficking issues can connect with broader constituencies in development, labor, and marginalized groups. Empowerment of all these groups is necessary to end multiple systems of domination.

In short, if there is one thing for which all eleven authors deserve overwhelming positive reviews, it is for each is bringing human rights back into the design of anti trafficking initiatives. Their message is that, even if it takes time, careful thinking and persistence, the battle against modern slavery can be won. And the various policy alternatives proposed by the authors are a good start for policymakers. As Bales and Choi-Fitzpatrick conclude, "[i]t is in this struggle for dignity, rights, and recognition that our common humanity comes into its sharpest focus." The book is highly recommended as a well-integrated selection of articles organized around key questions and critical perspectives. The book would benefit from a concluding essay that articulates both the policy recommendations and strategies to make those recommendations become reality.

*Lina Acalugaritei & Karen Mingst
Patterson School of Diplomacy and International Commerce
University of Kentucky*