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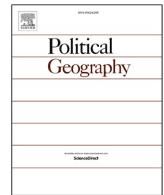

Trafficking borders

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ABSTRACT

This article offers an empirically informed conceptualisation of *trafficking borders* as spaces of restriction and negotiation, contingently produced, encountered, and escaped along the mobility routes of the targets of trafficking discourse. The concept of trafficking borders advances critical literature that considers anti-trafficking measures a vehicle of state-authorised bordering practices by demonstrating social and political spaces where the trafficking discourse coalesces several discourses, institutions, and practices as borders. The article draws on participatory action research conducted in Nepal to demonstrate the presence of borders in spaces such as households, communities, government offices, Indo-Nepal state borders, emigration detention and deportation centres, and airports. These spaces contribute to the critical understanding of locations where anti-trafficking measures curtail the rights, mobility, and choices of prospective migrant workers. Prioritising research participants' experiences of encounters with trafficking borders, the article underscores that borders are the central experience of migrant workers which they must escape to actualise their labour migration projects. The conceptualisation further attempts to position the emigration regime as an important site of theorisation and activism and demands a thorough consideration of the diverse struggles of the labour migrants before they arrive at their labour relations in the immigration regime.

1. Introduction

> 'Some borders are no longer situated at the borders at all […]. They are infact elsewhere, wherever selective controls are to be found'. (Balibar, 2002, p. 84, p. 84)

This article offers an empirically informed conceptualisation of *trafficking borders* to establish that borders are the central experience of migrant workers targeted by the discourse of 'human trafficking'. While critical anti-trafficking scholars have argued that trafficking discourse condenses a variety of discourses at borders to justify the protection of migrant workers (Pickering & Ham, 2014; Holzberg et al., 2021), this article identifies social and political spaces wherein prospective migrant workers experience, negotiate, escape, and subvert these dynamic formations of control. I conceptualise these spaces of restriction and negotiation as *trafficking borders.* Trafficking borders are restrictive formations that comprise several actors, institutions, practices, and resources to 'save' migrant workers from imagined exploitative labour relations akin to 'human trafficking'. Empirical evidence suggests that prospective migrant workers often subvert these borders to enter into labour relations. However, rather than understanding subversion as the appropriation of mobility and labour illegally denied by anti-traffickers, the 'discourse masters' of human trafficking (Doezema, 2010; Snajdr, 2013) conveniently interpret these subversive attempts as potential trafficking attempts and disperse trafficking borders into a variety of spaces. As a result, prospective migrant workers often escape and subvert such trafficking borders to actualise their migration projects.

Drawing on recently completed participatory action research (PAR) in a Himalayan region of Nepal, this article empirically demonstrates spaces wherein research participants encounter trafficking borders. Anti-traffickers of Nepal stigmatise the Himalayan region where the research was conducted as a hotspot for trafficking due to its historically high sex work and domestic work mobility. However, for the research participants, anti-trafficking measures deny their mobility and rights and reinforce the 'geographies of stigma' (Laurie & Richardson, 2020) that they historically attempt to address. To actualise their labour migration projects, research participants must subvert and escape trafficking borders that deny their mobility, rights, and other social, political, and economic opportunities. For them, the cost of subversion and escape exceeds the cost of forced immobility guaranteed by the anti-trafficking discourse of Nepal. Their refusal to accept subjugation by anti-trafficking measures questions the legitimacy of the discourse of 'human trafficking'. However, to address the problem of subversion, the discourse of trafficking, which follows Eurocentric notions of morality,

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mobility, labour, and exploitation (Doezema, 2010), coalesces diverse actors and institutions following a range of discourses, practices, presumptions, and resources to perfect its existing attempts to control labour and mobility. These trafficking borders not only coalesce diverse actors and institutions but also transform them into the servants and slaves of the discourse of trafficking. While attempts to perfect the measures produce highly localised trafficking borders, research participants' spectrum of mobility practices reveal porosity in these formations, thereby enabling a rescaling of trafficking borders. This continuous modulation of trafficking borders reveals a failure of human trafficking discourse to capture the *excess* produced by the encounter between the spectrum of mobility practices and trafficking borders.

This empirical conceptualisation of trafficking borders speaks directly to the juxtaposition of critical anti-trafficking and border studies (Anderson et al., 2011; Lee, 2013; Pickering & Ham, 2014; Hwang, 2018; Jahnsen & Skilbrei, 2018). While previous studies critique the collateral damage of positioning trafficked victims as potential subjects of rescue, criminalisation, detention, and deportation (Anderson, 2007; Aradau, 2008; Lewis et al., 2015; Plambech, 2017), this article moves beyond the immigration-centric Western critical perspectives by analysing the mobility routes of the research participants on the move for both sex and domestic work. The centrality of the analysis of mobility routes positions trafficking borders as reactionary to mobility practices. Reflecting on the conflicts between research participants' mobility practices and trafficking borders, I advance critical anti-trafficking studies (Anderson, 2007; Kempadoo et al., 2012; O'Connell Davidson, 2015) by demonstrating how research participants experience, encounter, and escape the formation of trafficking borders in spaces such as households, communities, government offices, territorial limits, and airports. Historicising the mobility practices of the research site, I show how the discourse of human trafficking attempts to continuously eliminate porosity in the existing system via the production of trafficking borders. This empirical theorisation of trafficking borders also advances critical border studies (Parker & Vaughan-Williams, 2012; Brambilla, 2014; Burridge et al., 2017), especially literature concerning the multiplication of everyday borders in the Global South (Cons & Sanyal, 2013; Doevenspeck, 2011; Lamb, 2014; Laurie, 2015). The article builds on critical literature that attempts to move beyond immigration-centric studies by underscoring the importance of the oft-ignored emigration regime as an object of activism and theorisation (Kapur, 2010; Fernandez, 2013; Hwang, 2018; Laurie & Richardson, 2020).

What follows is a detailed introduction of the methodology used for the conceptualisation of trafficking borders. I then review existing literature that draws on critical border studies and anti-trafficking studies to emphasise the relationship between anti-trafficking interventions and border control measures in the Global South. I then demonstrate trafficking borders in a variety of spaces as experienced by the research participants. These empirical insights on *'the where of the borders'* (Brambilla, 2014, p. 19) highlight (a) the symbiotic power of the discourse of trafficking, (b) the modulations in bordering practice, and (c) the dynamic interplay between porosity and control. These insights suggest *trafficking borders* as spaces of restriction and negotiation, contingently produced and encountered along mobility routes, and underscore that borders are the central experience of migrant workers targeted by trafficking discourse.

2. Methodology

I conducted my PhD fieldwork in a Himalayan region in Nepal that anti-traffickers of the country label a hotspot for human trafficking. This labelling is a direct response to the historically high female migration for sex work among the communities inhabiting that region. As a result, the research participants, often profiled as targets of anti-trafficking interventions in Nepal, attempt to escape the term 'human trafficking' and its restrictive articulations. Therefore, rather than starting from the political category of 'trafficked victims', the research navigated the international mobility of the research participants to bring their experiences and struggles to the fore. To achieve this objective, I adopted a PAR approach to ground the research in the struggles of the participants and facilitate community engagement beyond immediate interventions (Borda, 2006; Cahill, 2007; Kindon, Pain, & Kesby, 2007a,b). However, as an ex-anti-trafficker and participatory development professional, I must acknowledge that PAR conducted by anti-trafficking NGOs is often part of a 'development' project. The positioning of anti-trafficking as development (McGrath & Watson, 2018; Molland, 2018; Kotiswaran, 2019) opens up most of the PAR led by NGOs to post-structural critiques on participatory development (and research) (Cooke & Kothari, 2001). Yet, belonging to the group of unapologetic advocates of academic participatory approaches (Banks & Manners, 2012; Cahill, 2007; Kindon et al., 2007a, 2007b; Pain & Francis, 2003), I embraced the post-structural critiques of PAR to unearth situated knowledge in the practices of the community for the benefit of that community (Kesby, 2005). Therefore, on the one hand, the research aligns with Cameron and Gibson's (2005) post-structural commentary on PAR by being sensitive to multiple ground realities. On the other hand, it follows Mrs C Kinpaisby-hill (2011) advice on prioritising research participants' embodied experiences and struggles above all other realities.

Before starting fieldwork, I conducted a scoping study (June–July 2017) in Nepal and engaged with several governmental and non-governmental actors involved in managing migration and combatting trafficking. I conducted a *participatory project mapping* exercise, a snowballing tool based on multiple interrelated questions, which took me to a 2015 Gorkha earthquake-affected Himalayan village. I stayed in the village for a week and discovered that community members were concerned with mobility and labour-related issues in transit, as well as with labour relations in destination countries due to a lack of information. The process helped me to engage with several actors who provided inputs to conceptualise the PAR project. Building on the discussions and suggestions, this PAR project was organised around the constitution of a 'migrant resource centre' – the latest anti-trafficking measure in the Global South – to provide information and support to potential migrants and to promote 'safe migration'.

I conducted fieldwork from November 2017 to May 2018. During this period, I stayed in the village for more than three months. Initially, I along with a few community members organised a general meeting in the community and discussed the idea of community-wide research on mobility practices, which I circulated during the scoping study. Having obtained community-wide consent to conduct the research, we instituted a steering committee to guide the selection of *research companions* – a youth leader, an HIV/AIDS infected person, a women's leader, someone without international mobility experience, and an ex-agent/social worker. We then organised participatory training (Pain, 2004), wherein the research team reflected on various aspects of the research – duration, safe space for action and reflection, methodology, ethics, and impact of the research. Once we secured a safe space for meeting, planning, and reflecting on our activities, an iterative planning, action, and reflection process became the ethical mantra of the PAR fieldwork (Pain & Francis, 2003). We then started our interventions by conducting household visits to discuss the project in the village. Soon research companions formed their peer groups, and we started conducting focused group discussions. We determined the agenda of these discussions during our weekly action-reflection meetings and simultaneously conducted the preliminary data analysis. One immediate outcome of these meetings was the formulation of questions for the Nepalese government authorities on restrictive mobility policies. Another outcome was the need to conduct a second round of focused group discussion and simultaneously generate labour/women's rights awareness among the community members.

Meanwhile, during our action-reflection meetings, we started selecting individuals for semi-structured interviews. While the interviews were arranged by the research companions, I interviewed

research participants, sometimes in the companions' presence. We developed mobility routes based on the stories of mobility captured during the interviews. While discussing these routes in our action-reflection meetings, we decided to change the interviewing criteria to gain a holistic understanding of the spectrum of mobility practices from the community. We continued changing the interviewing criteria (e.g. sex workers, domestic workers, construction workers, those who became illegal in the destination, those who went irregularly, and those prosecuted at the destination) until the research companions and I concurred on the mapping of all forms of labour migration from the community.

During the process, some community members raised concerns over the establishment of the migrant resource centre. Since female migrants from the community migrate via irregular channels, they were concerned that the intervention could potentially restrict their mobility by reinforcing them as legitimised subjects of anti-trafficking, which the community has historically tried to prevent (discussed further in the next section). Paulo Freire, the radical Brazilian educator, refers to this development of critical consciousness from within as 'conscientization' (Pain, 2009). This critical interrogation of one of the most popular anti-trafficking interventions by those directly impacted by it speaks to the critical scholars' concern on the bordering effects of anti-trafficking interventions (Andrijasevic, 2003; Anderson & Andrijasevic, 2008; Pickering & Ham, 2014; Yea, 2020b). Furthermore, the failure to establish a centre in the community would reveal pre-emptive subversion of a form of trafficking border. Therefore, to understand different forms of trafficking border, I traced mobility routes taken by the research participants to obverse restrictions and surveillance performed by anti-traffickers of Nepal.

Over seven months, I conducted 36 in-depth interviews that captured 48 stories of mobility; 17 semi-structured interviews with household members, unlicensed placement agents, and key actors from the community; 18 focused group discussions involving more than 150 community members; and more than 50 open-ended interviews with various anti-trafficking government and non-government actors. I conducted border ethnography along more than 17 anti-trafficking/migration check posts along national highways of Nepal, four Indo-Nepal open border areas (Mahendranagar, Nepalgunj, Sunauli, and Kakarvitta), two detention centres located in Indo-Nepal borderlands, and four international airports – Kathmandu, New Delhi, Colombo, and Kuwait.

Drawing upon these empirical findings, I conceptualise trafficking borders as spaces of restriction and negotiation contingently encountered along mobility routes. These spaces are sites of immense political possibilities (Vaughan-Williams, 2009; Brambilla, 2014), which can delay, deny, or allow mobility to labour migrants. While the article acknowledges Haraway's reminder about the *'danger of romanticizing and/or appropriating the vision of the less powerful while claiming to see from their positions'* Haraway (1988, p. 584), I prioritise the research participants' experiences during encounters with trafficking borders over the perspective of the state (Scott, 1999), the perspective of anti-traffickers (Snajdr, 2013), the perspective of mobility facilitators, and, most importantly, the perspective of an auto-ethnographer (Khosravi, 2008), to offer a multi-perspectival view of trafficking borders as spaces of encounter, restriction, liminality, and negotiation (Rumford, 2012). These empirical findings offer a multi-perspectival view of mobility and control, which advances critical bodies of literature on trafficking and borders, especially from the Global South.

3. Trafficking and anti-trafficking

The term human trafficking offers diverse notions on 'victims' and 'criminals'. Historically, the term victimised women's body, sexuality, mobility, and labour (Doezema, 2010), and criminalised mobility facilitators and/or labour exploiters as traffickers (Sharapov, 2017). Victimisation and criminalisation are now institutionalised through two international legal instruments, the first of which is the United Nations Trafficking Protocol (UN, 2000) which offers the first legal, yet ambiguous, definition of human trafficking (Wijers, 2015):

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

Countries are accountable for ratifying, adopting, and implementing this international legal instrument. The second international tool is the Trafficking Victims Protection Act, domestic legislation of the US that attempts to shape anti-trafficking policies of other countries by holding them accountable to eliminate trafficking as per their 'minimum standards' (Chuang, 2014). The US Department of State categorises countries into three tiers of compliance according to their performance, and lists them in its annual Trafficking in Persons report (Chuang, 2006). These legal instruments articulate contextual, even conflicting, discourses of puritanism, sovereignty, and feminism and are conflated with other relevant political discourses in diverse contexts via strategies and interventions that (re)produce (anti-) trafficking discourses. As a result of these legal instruments, the prevention of trafficking, protection of trafficking victims, and prosecution of traffickers are now important legal and political agendas for most countries.

Popular strategies to combat human trafficking, free trafficking victims, punish traffickers, and save people from exploitation and abuse attempt:

(a) to end the labour relation in which people are trafficked or to end the demand of 'trafficking' (Crawford, 2017);
(b) to restrict migrants from entering into specific labour relations where exploitation and trafficking may happen (Pickering & Ham, 2014);
(c) to free people from selected labour relations (sex work, domestic work, brick kiln work, etc.) (Bales, 1999);
(d) to generate big (extrapolated) data to estimate the number of victims (Feignold, 2010);
(e) to link the issue of human trafficking with issues such as climate change to generate emotional mileage (Brown et al., 2019);
(f) to use digital technologies (remote sensing and GIS) to map slavery on the ground (Boyd & et al, 2018);
(g) to map the perception of stakeholders – police and students (Machura et al., 2019), magistrates (Lourenço et al., 2019), pharmacists (Palombi et al., 2019), and emergency medical service professionals (Donnelly et al., 2019).
(h) to produce 'new' indicators to identify victims (Cockbain & Bowers, 2019); and
(i) to design innovative multi-stakeholder sensitisation programmes (Konrad, 2019).

3.1. The context of trafficking and anti-trafficking in Nepal

In Nepal, concerns related to human trafficking gathered momentum during the late 90s, after several parallel and overlapping events and interventions occurred – the international anti-trafficking debate of the 90s (Wijers, 2015), the raid of Mumbai brothels and rescue of 218 Nepali sex workers in 1996 (Shree & Abhurami, 2015), the formation of national coalition and networks (Poudel, 2009), increased media reporting on human trafficking (Konrad, 2019), and increased HIV and AIDS cases (Poudel & Carryer, 2000). These events sensationalised trafficking in Nepal, and, as a result, the government introduced the comprehensive

Human Trafficking and Transportation (Control) Act in 2008, which criminalised sex work inside the territory (Shukla, 2010). This domestic anti-trafficking legislation is complemented by the Foreign Employment Act of 2007 (Pyakurel, 2018), emigration legislation that imposes migration bans for domestic work in Middle Eastern countries (Grossman-Thompson, 2019) to protect its citizens from 'labour trafficking' (Sijapati & et al, 2019). The implementation of migration bans is embedded in the strategies of almost all the anti-trafficking NGOs of Nepal.

Most of the anti-trafficking interventions in Nepal are directed towards sex work and domestic work mobility. While local anti-trafficking NGOs demand funds to intercept the criminal activities of 'traffickers', they believe that *'traffickers always think two steps ahead of them'*. Since these NGOs cannot address labour exploitation in international spaces, they rely on the interception of labour migrants at Indo-Nepal bordering areas and national/state highways. Others use awareness generation, skill development, rehabilitation, and integration and family reconciliation schemes as part of their anti-trafficking interventions. These measures influence the life of labour migrants in a complex manner. While the research participants acknowledge that international labour migration can be dangerous, they believe that this is true of all labour relations. However, their anger is channelled towards anti-trafficking NGOs of Nepal and the state, which delay or deny their right to work by restricting their international mobility without enabling alternative employment opportunities. Therefore, prioritising lived experiences of the research participants, I offer a concept of *trafficking borders* by empirically demonstrating spaces where the discourses of human trafficking configure everyday borders.

3.2. Human trafficking: A border producing discourse

The dominant discourses of trafficking demand stringent border control measures to pre-emptively protect 'victims', prosecute 'traffickers', and prohibit irregular migration. Trafficking discourse legitimises state border control measures, such as complex visa requirements, surveillance and patrolling, biometrics controls (e.g. finger printing and facial scanning), and the inclusion of non-state parties for better prevention, detention, and deportation (Miller & Baumeister, 2013; Plambech, 2017). Critical anti-trafficking scholars position these border enforcement activities, which are sometimes justified on the grounds of the nation state's survival (Lobasz & et al, 2009), as human rights violations that strip the agency of migrant workers (Mai, 2018). Critical scholars ask one to be mindful of the adverse impact of these anti-trafficking border control measures on labour migrants (Andrijasevic, 2003; Anderson et al., 2011; Ham et al., 2013; O'Connell Davidson, 2015).

Critical scholars have highlighted and critiqued the implications of the material condensation of the discourse of trafficking at state borders (Andrijasevic, 2009; FitzGerald, 2016; Miller & Baumeister, 2013; Sharma, 2005; Wong, 2005). For example, Sharma (2003) has shown how the ideologically charged discourse of trafficking enforces nationalised borer regimes and allows states to conduct migrant surveillance and deportation. The moral appeal of trafficking not only raises national consciousness towards the exclusionary acts of the states but also feeds into the operations of global capitalism (Sharma, 2017). Moving beyond the state borders, critical anti-trafficking literature has questioned the production of borders both within and beyond those of the state. They have interrogated the constitution of gendered and sexualised borders encountered by 'trafficked victims' (Anderson & Andrijasevic, 2008; Andrijasevic et al., 2012; Fitzgerald, 2012; Holzberg et al., 2021; Mai, 2018; Vuolajärvi, 2019). For example, Jahnsen and Skilbrei (2018) have suggested how anti-trafficking combines several policies, discourses, and gendered and racial presumptions, and manifests as borders along the mobility routes of migrant workers. These critical studies have showcased how the discourse of trafficking in the immigration regime interrogates the political boundaries between trafficking victims and illegal immigrants to perform detention and deportation under the veil of rescue and return in the destination region (Mai, 2016; Plambech, 2017).

However, Lee (2013) has understood these destination-biased critical approaches to trafficking and anti-trafficking as based on 'Western models of border policing […] and collateral damage bought on by the "war on trafficking"' (p. 129). Critical anti-trafficking literature, drawing on the insights of critical border studies (Parker & Vaughan-Williams, 2012), is now moving towards the realities of the Global South (Ham et al., 2013; Hwang, 2018; Laurie & Richardson, 2020; Lee, 2013; Lindquist & Piper, 2007; Parreñas & Silvey, 2018). For example, Hwang (2018) has teased out the gendered dimension of borders by highlighting how gendered discourses in the Philippines inform migration policies that entail excluding women who transgress the moral compass of the state. She has suggested that increased policing and surveillance of the migrant sex workers of the Philippines promotes a 'gendered bordering regime' (Hwang, 2018). While most of the research has highlighted how borders restrict sex work mobility, Laurie et al. (2015) have reflected on 'post-trafficking borders' produced due to the intersection of gendered discourses, a citizenship regime, and anti-trafficking measures for those labelled as trafficked victims in Nepal (Richardson & Laurie, 2019). Building on this work, Yea (2020) has highlighted borders encountered by returnee male 'trafficked victims' in Singapore. In this article, I build upon this strand of critical research to establish that borders are the foremost reality of migrant workers impacted by the discourse of trafficking. While the inability of anti-trafficking cause to address exploitation in labour relations is well established in the critical literature, this article empirically states the case of how migrant workers must subvert or escape such borders.

To conceptualise borders as the most obvious outcome of the human trafficking discourse, I draw upon critical border studies that understand borders as processual to show social and spatial decentralisation of bordering within and beyond territorial limits (Balibar, 2002; Johnson et al., 2011; Burridge et al., 2017; Brambilla & Jones, 2020). Following a processual turn in border studies, critical scholars often consider bordering as a dynamic, shifting, and contested social process that restricts mobility and rights to people on the move (Yuval-Davis et al., 2018). Bordering moves beyond the classical Anglo American understanding of borders as static impenetrable walls and recategorises borders as apparatus that 'frames, contains, and controls' migratory mobility (Casas-Cortes et al., 2015). Critical border studies also help one unearth the practices, discourses, and materiality of borders and bordering recuperating at a variety of contingent and mobile sites (Amilhat Szary and Giraut, 2015). The literature shows heterogeneity of bordering within and beyond the state, including, but not limited to, the externalisation and offshoring of borders (Casas-Cortes et al., 2015), the multiplication of bordering in everyday life (Yuval-Davis et al., 2018), the temporality of borders in camps and detention centres (Martin & Mitchelson, 2009; Tazzioli, 2018), and the borders produced due to bureaucracy (Gorman, 2017). For critical border scholars, borders are polymorphic mobile devices (Burridge et al., 2017) iterated along the turbulent migratory routes (Cobarrubias, 2020). The approach positions borders as spaces of encounter, contestation, negotiation, and refusal rather than as an apparatus of exclusion (Andrijasevic, 2009). Therefore, to locate *the where of the borders* (Brambilla, 2014, p. 19, p. 19), I illustrate how and where the trafficking discourse intermingles *'segments of social classes, groups or subjectivities into large formations which coalesce along an imagined commonality'* (Papadopoulos et al., 2008, p. 28–29). I conceptualise the aggregation of combined diverse forces as trafficking borders.

Drawing on the experience of research participants, I demonstrate the production of trafficking borders at several spaces along mobility routes. Building on the 'micro-politics of border control' (Jahnsen & Skilbrei, 2018; Pickering & Ham, 2014), I reveal the permeability of trafficking borders by highlighting *excesses* of mobility over control along the migration routes, which are often difficult to trace. This excess

reveals porosity in the existing system and forces the discourse of trafficking to rescale and respatialise its existing anti-trafficking border practices. This multiplication of trafficking borders signifies the spectrum of mobility practices that anti-trafficking discourses fail to perceive and control. The failure to control such mobility practices is embedded in popular anti-trafficking rhetoric such as 'Trafficking victims are hidden in plain sight' and 'Traffickers think two steps ahead of us', which in turn multiplies trafficking borders. Moreover, this interplay between porosity and control suggests that targets of anti-trafficking reject human trafficking as a helpful discourse. I now empirically demonstrate spaces where participants experience, encounter, and escape trafficking borders.

3.3. Community

The mobility restrictions that research participants encounter for domestic work are a recent articulation of historical restriction regarding sex work. During the 90s, the gradual proliferation of anti-trafficking awareness by the media in Nepal brought shame to some community members. As a response, some young men formed a youth club to restrict sex workers' mobility. The configuration of the club manifested a contingent anti-trafficking gaze in the community, aimed at prohibiting mobility for sex work. The evolution of a youth club in an indigenous Buddhist community that was always subjugated by the purity-based upper-caste Hindu Nepalese laws could be attributed to the process of Sanskritisation or Hinduisation (Gray, 2015). The club members sensitised community members to sex work, restricted the mobility of non-community agents, and prevented women of the community from (re)entering into sex work. Heidi, who heads a local trafficking survivors/victim support group in the community, shares her experience:

> *So, after 10 years, I came here to make a citizenship document […]. However, these people (youth club members) in the village were having sort of a social movement, and they were not allowing us (sex workers) to leave the village […]. They came to my house and told me that I cannot go to Calcutta (Indian city which has a very famous brothel area) anymore […]. These people were very adamant and did not allow me to leave […].*

Despite Heidi's plea, trafficking borders enacted by youth club members restricted her mobility. While the youth club later discontinued during the communist revolution of 1996 (Sharma & Tamang, 2016), its half decade-long bordering endeavour established a contingent anti-trafficking gaze in the community. Since then, many anti-trafficking NGOs have organised awareness generation activities to discuss the dangers of sex work and trafficking in India, HIV and AIDS, and illegal mobility in the Middle East. In addition to this, people are influenced by the employment 'promotion board' of Nepal, which employs media outlets – radio, television, and newspaper – to warn people on the dangers of moving 'illegally' (Sijapati & Limbu, 2017). Anti-trafficking interventions led by government staff, anti-trafficking actors and community members, and experiences of exploitation reinforce media-based awareness generation. Together they establish a community-wide anti-trafficking gaze that produces contingent trafficking borders upon their encounters with unauthorised mobility practices. Consequently, most of the research participants avoided disclosing their mobility plans beforehand. For example, once Meghan subverted trafficking borders in her household, she did not reveal her mobility plans to anyone except for a few of her friends who wanted to move illegally along with her. Silence was employed to avoid the production of trafficking borders along her route. Maayan, a 21-year-old recent Kuwait returnee, explains the perception of the community on women's mobility towards the Middle East.

> *It's a weird pattern in the community because half of them think that it's good, but the other half thinks that it's really bad. Some people say migrating abroad is good, and some people say it is bad.*

Many participants spoke about the differential opinions held by community members on mobility for domestic work. They are aware that many of the community members represent segments of the state and are part of anti-trafficking NGOs. Therefore, they try to avoid the production of trafficking borders along their mobility routes. Most of the participants acknowledge that whether, how, when, or whose anti-trafficking gaze will produce trafficking borders is difficult to map. As a result, they try to avoid 'safe migration' anti-trafficking initiatives that target them.

3.4. Government offices

Once participants disrupt trafficking borders in the household and community, they officially enter into the emigration regime of Nepal structured by the Foreign Employment Act of Nepal (Jones & Basnett, 2013). Community members engage with these bureaucratic institutions within several spaces – ward offices (for citizenship), district headquarters (for citizenship and passport), and the national capital (for passport) – before they leave the territory of Nepal. However, due to migration bans and anti-trafficking rhetoric in Nepal, most of these government sites are spaces for several anti-trafficking and migration interventions funded by international donors. As a result, community members often encounter dynamic trafficking borders at bureaucratic sites.

When I visited the district-level administrative office that Meghan attended, I identified two 'choke posts' (one belonged to an anti-trafficking NGO, and the other was curated by a Swedish international development agency to counsel and protect 'potential migrants') in the same office. I witnessed a patronising and condescending process of 'counselling' wherein the 'migration expert' instilled fear, stigma, and rumour to a woman who came to the centre for information. In the counselling session, the expert asked many questions on recruitment fees, debt repayment, and the name of the agent and told her about the potential trafficking she may face in the destination area. The testimonial from the same office was documented in the 2018 Trafficking in Persons report:

> *The Safer Migration Initiatives (SAMI) Staff in Sindhupalchok reported that when issuing the citizenship certificate, they also bring the recommendation letters from the Local Levels. If they bring the recommendation letters for issuing the citizenship certificate from the local levels, it becomes mandatory to produce the citizenship certificate by the district administration office to the applicant even if the applicant is suspected to be underage. The victims are so deeply influenced by the agents that the victims do not like to report that they are underage and do not like to report under which influence they are issuing the citizen certificate. Their parents are also deeply influenced by the agents.* (NHRC, 2018, p. 18)

Anti-traffickers assume that 'victims' subvert trafficking borders under the influence of their 'traffickers'. The research participants encounter these borders at local-, district-, and national-level government offices while obtaining documents such as citizenship, labour permits, and passports. They often subvert borders that delay or deny mobility and rights via several mobility practices. These subversive practices become the logic of the rescaling and respatialisaiton of anti-trafficking interventions. However, sometimes the fear of subversion rescales trafficking borders as well. Consider the statement of an anti-trafficking lawyer in Nepal:

> *The recent federal restructuring in Nepal has revealed several loopholes in the existing centralised trafficking governance structure in Nepal. We do not know how this decentralisation of power will complicate the existing anti-trafficking measures in Nepal. All we know is that it is important to intervene at the ward level to sensitize government officials and newly elected representative against the dangers of trafficking.*

This statement demonstrates that the fear of not having trafficking

borders in newly formed bureaucratic spaces become the logic of rescaling trafficking borders. While the lawyer's concern is capturing such practices in bureaucratic spaces, most of the anti-trafficking NGOs in Nepal attempt to capture mobility at national highways and Indo-Nepal borders.

3.5. Anti-trafficking choke posts

Almost everyone in the community encountered anti-trafficking choke posts along their mobility routes. Anecdotal evidence suggests that these choke posts were first installed by Maiti Nepal (a leading anti-trafficking NGO in the country) along the open Indo-Nepal border immediately after the infamous raid in Mumbai. Currently, several anti-trafficking NGOs of Nepal take part in transit monitoring intervention, which is based on the assumption that trafficking has already begun and people can be saved before they enter into exploitative labour relations (Hudlow, 2015). While Nepal is not a signatory of Palermo protocol, this transit monitoring via choke posts is redefining the provisions of border control enshrined in UN Palermo protocols by involving non-governmental actors to simultaneously combat drug, wildlife, and human trafficking. While the state permits only two choke posts per Indo-Nepal border checkpoint, my ethnographic study at four such Indo-Nepal territorial borders reveals that more than two (sometimes as many as eight) NGOs operate choke posts at a single checkpoint.

These anti-trafficking choke posts were spotted along important national highways and Indo-Nepal border areas, such as Jhapa, Morang, Parsa, Nawalparasi, Rupandehi, Banke, Bardiya, Kailali, and Kanchanpur (NHRC, 2018).

While anti-trafficking NGOs, via choke posts, claim to protect people whose trafficking process has been initiated, research participants consider such areas of intervention as unjust spaces of restriction along their mobility routes. Trafficking borders are produced when people on the move encounter anti-trafficking bordering agents along these choke posts. However, research participants highlight several strategies to subvert trafficking borders they encounter along their mobility routes. For example, Meghan explains her encounter with a choke post:

> Meghan: *We took the bus in the evening. One friend was there with me on the bus. My husband was there as well. It was an AC bus which cost 2500 NR.*
>
> Meghan: *We crossed Sunauli border early in the morning.*
>
> A: *What happened at the border?*
>
> Meghan's Husband: *Nothing happened at the border. Some people came and asked whether I have a citizenship document. I said yes and showed documents.*

While Meghan took the most expensive bus from Kathmandu, Maayan took a taxi from the Indo-Nepal open border. She, along with several women and agents, stayed in a hotel at the Indo-Nepal border for some days. During this time, they studied the logic of the trafficking borders and devised strategies to subvert them.

Meghan and Maayan's subversion of trafficking borders questions the ethics and efficacy of the manual surveillance performed by the anti-trafficking NGOs of Nepal. The anti-trafficking border agents, often known as counsellors, are NGO representatives in coloured uniforms who perform manual surveillance to 'save' women from 'trafficking'. They receive extensive training to analyse and intercept suspicious behaviours and patterns of women attempting to cross the border. Since there is no standard operating procedure in place to perform interception, this manual surveillance becomes a *hunch-based surveillance system* that delays and denies mobility for specific targets. They scrutinise every possible mobility system – buses (national and international), public jeeps, and rickshaws – that labour migrants use along their mobility routes. Moreover, to counter the mobility practices of participants such as Maayan and Meghan, these anti-trafficking NGOs train government bodies (border police, traffic police, Indian police, and the security service), mobility facilitators (rickshaw pullers and cab drivers), and infrastructural mooring regulators (hotel and lodge owners) to identify potential 'trafficking victims'.

To identify and intercept potential 'victims of trafficking', these counsellors pay special attention to specific profiles of women – those from the Tamang community, those in particular clothes, and those from the Sindhupalchok district – and they are attentive to the body gestures and eye movements of every woman trying to cross the border. Based on a hunch, they contingently restrict the mobility and rights of women. After initial screening, the NGO counsellors take their targets to their choke post for further screening. If the women can provide valid reasons for their movement with sufficient evidence, they are allowed to proceed along their routes; if not, they are subject to further screening. Counsellors contact guardians (usually a male family member) via telephone to confirm whether they are aware of the woman's mobility. If counsellors are not satisfied, they take them to the emigration detention centres.

3.6. Emigration detention and deportation centres

While many of the research participants managed to subvert trafficking borders along Indo-Nepal bordering routes, many people are intercepted by anti-traffickers. Once intercepted, the women are taken to centres, which complement most of the anti-trafficking choke posts. The names of these detention centres vary greatly – for example, 'transit home' for *Maiti Nepal*, 'transit safe house' for *Captivating International*, 'safe home' for *KI Nepal*, 'shelter home' for *Love Justice International,* and 'safe haven' for *Three Angels International*. The common purpose of these centres seems to be detention and deportation of people on the move back to their villages or rehabilitation centres located in Kathmandu. The presence of *detention and deportation centres* in the emigration regime can therefore be observed, extending the critical migration studies' argument that detention and deportation are exclusionary, violent techniques used in the immigration regime (De Genova & Peutz, 2010; Genova, 2017; Tazzioli & Garelli, 2018). These emigration detention and deportation centres transform trafficking borders into temporal sites of bordering (Martin & Mitchelson, 2009; Tazzioli, 2016) and temporal circuits of carcerality (Gill et al., 2018).

I observed one bordering process at the Indo-Nepal Kakarvitta–Siliguri border, which was once used by many of the community members to attend Indian brothels. I noticed that one NGO counsellor, due to suspicion, stopped two women walking across the border. After the initial discussion, the counsellor took them inside the choke post for further screening, and then to the border police office. For an hour, both women uttered not a single word despite being questioned by the counsellors. Later, the NGO counsellor told me that both women were making plans to go to India and work on a construction site. I observed that one senior police official issued an authorisation certificate to the NGO, which officially marked one interception. After receiving the letter, NGO counsellors took them to a fenced detention centre. I was given permission to follow them to the centre. On my way, I managed to engage in conversation with one of the girls, who told me that they were going to the Shimla region of India – a popular destination for seasonal mobility among the research participants. Later, the director of that emigration detention centre told me that detainees stay at the centre until a male family member arrives to take them home. If not collected, detainees are transferred to the headquarters for rehabilitation – an oft-criticised carceral space of trafficking (Shih, 2014) – and from there, deportation is arranged.

In the same centre, I observed a negotiation between a police officer and the director of a detention centre. The official was requesting the director to release a female who belonged to his community. In another similar emigration detention centre, I noticed that some detainees were working as domestic workers in the space for more than three years. The director of the centre told me that if no one comes to receive these girls,

the NGO will impart educational and vocational skills to them. One manager of the emigration detention centre told me that after a few years of such training, they recruit these detainees as anti-traffickers. In another centre, the NGO counsellor told me that they screen religious movies every evening and morning for the intercepted person. After their deportation, it is believed that the missionaries follow them to convert the community to their religion. I attended one such ceremony at the field work site. Community members acknowledged that since the 2015 earthquake, several missionaries have been using these choke posts as religious conversion tools.

3.7. Airports

Airports are '"*mezzanine spaces of sovereignty" which lie between the inside and the outside of the state',* with detention and deportation facilities (Nyers, 2003, p. 1080). I observed four international airports in Nepal, India, Sri-Lanka, and Kuwait, respectively, to view these bordering spaces. Most of the research participants use one or more of these airports to enter into their labour employment. For example, once Meghan crossed the Indo-Nepal border, she went to India. On the scheduled day, she took a flight to Colombo from New Delhi. Meghan says:

> *At the IGI [Indira Gandhi International Airport, New Delhi] airport, the agent gave me a passport and a ticket. And he told me that someone will come outside the [Sri Lanka] airport […] There were 32 girls along with me. We made a group of 15 women and were passing through the lines […] The agent told me that if someone asked why I am going to Sri Lanka, then I have to tell them that I am a Buddhist and going for pilgrimage.*

Maayan recalls a similar encounter with immigration officials at the airport departure gate:

> *They asked a lot of questions at the boarding gate. Since we all were together, they stopped us for more than one hour. We said that we are going to offer our respects to Buddha's idol.*

I observed similar bordering practices at these airports. At the IGI Delhi Airport, I observed that Nepalese women did not speak Hindi (even if they knew it) in front of the immigration officials. When I interviewed the immigration officials, they said that they know who is going where and via what route, as for them it is easy to tell 'just by looking at their faces'. However, these Indian immigration officials are not authorised to stop Nepalese women as they are subjects of another country. While Maayan and Meghan subverted trafficking borders at the airport, many women cannot perform such acts of subversion. Meghan recounts witnessing the detention of two girls by immigration officials because they were not 15 years of age, despite their passports stating the contrary. To eliminate porosity, the Nepal government has recently issued another directive, which allows Indian immigration authorities, especially those at New Delhi IGI airport, to produce trafficking borders along the routes of Nepali women, unless they can show 'non-objection' certificates issued by the Nepal Embassy in Delhi at the immigration gates. These constant attempts to make the border infallible not only suggest the rescaling and respatialisaiton of everyday borders but also highlight their porosity. Based on these empirical insights, I now conceptualise trafficking borders.

3.8. Conceptualising trafficking borders

In the previous section, I demonstrated the formation of trafficking borders in households, communities, government offices, Indo-Nepal open borders, emigration detention centres, and airports. I demonstrated how the discourse of human trafficking contains and coalesces diverse discourses, institutions, strategies, and practices as trafficking borders in the everyday life of prospective labour migrants. These trafficking borders restrict people from realising sustainable employment opportunities and reinforce historical stigma related to the mobility and labour of women for domestic and sex work. As a result, research participants subvert trafficking borders they encounter along their journeys to actualise their migration projects. The conflict between the subversive mobility practices of research participants and the trafficking borders produces an *excess* of mobility over control (Papadopoulos et al., 2008; Mezzadra & Neilson, 2013; Scheel, 2019). The subversion of trafficking borders via a variety of mobility practices reveals porosity in the existing system. To capture the *excess* and eliminate porosity, a dynamic modulation occurs in the forms, practices, and materiality of trafficking borders. These attempts disperse everyday borders into a variety of social spaces, wherein the segments of states, discourses, institutions, and actors – ordinary citizens, family members, anti-trafficking NGO members, migration NGO members, civil society members, and entrepreneurs – combine and realise trafficking borders. This excess signifies the power of so-called vulnerable migrants in finding porosity in the dynamic formations of trafficking borders.

3.9. Symbiotic power of the trafficking discourse

The discourse of human trafficking strikes a symbiotic relationship with several other discourses, institutions, practices, and actors (Kapur, 2005; Jahnsen and Skilbrei, 2018). As a result, the discourse of trafficking condenses discourses on masculinity, patriarchy, puritanism, casteism, religion, sexism, stigma, migration, and security to actualise trafficking borders in various social spaces. Simultaneously, the trafficking discourse also attempts to draw resources from government and non-government institutions such as large donors, corporate entities, and multi-lateral agencies to produce trafficking borders in spaces such as government offices, national highways, Indo-Nepal political borders, emigration detention centres, and airports. This production of differential articulations of the condensation of trafficking borders reveals highly localised borders focussed on capturing mobility practices and that do not conform to the existing logic of borders. However, when potential labour migrants subvert these trafficking borders by appropriating mobility and rights delayed or denied to them, it forces dynamic modulations in trafficking borders.

3.10. Modulating control: modulations in trafficking borders

Trafficking borders operate in the liminal spaces between the private, the public, and the state to control the excess of mobility over control. They *'[attempt] to regulate mobility flows by forging contingent border zones wherever the routes of migration make the existing regime porous'* (Papadopoulos et al., 2008, p. 174). This excess highlights porosity in existing trafficking borders and unveils complex entwined discourses to highlight, capture, control, and digest mobility practices. The discourse of trafficking attempts to eliminate porosity in the existing configuration and is contingently experienced by the research participants. To eliminate porosity, the symbiotic power of the anti-trafficking discourse combines diverse institutions, resources, agents, and practices in a hope to perfect existing trafficking borders. The continuous process of bordering, encounter, subversion, and rebordering underlines the contingency process. As a result, many of these institutions and agents modulate their strategies, ideologies, and practices as per the trafficking discourse in Nepal to attract funding from diverse national and international donor agencies to combat trafficking (including drug, organ, and skin) and love marriages. The anti-trafficking industry of Nepal attracted 671,487,038 NPR for several of the anti-trafficking organisations between 2015 and 2017 through regular channels,[1] to combat 'human trafficking'. As well as the increasing number of new anti-trafficking NGOs, many international anti-trafficking organisations

[1] These funding details were obtained from the Social Welfare Council of Nepal.

operate in Nepal and directly implement projects in the country.

Trafficking borders thus reveal a *'[…] new form of mobility control, one which is no longer the result of transnational governance; rather it is designed and implemented by a series of institutions […] which lie and operate beyond public negotiation and beyond norms and rules instituted through governance'* (Papadopoulos et al., 2008, p. 173). Anti-trafficking choke posts along mobility routes (at government offices, national highways, open Indo-Nepal political borders, and airports) are apt examples of these formations of control. These choke posts signify an assemblage of segments of the state (foreign employment, labour, police department, border security forces, and women and children), NGOs (anti-trafficking and migration), local businesses (hotel owners and bus/taxi/rickshaw drivers), international funding organisations, and religious groups that follow different discourses and ideologies and produce modulations in trafficking borders to control porosity.

3.11. *Porosity and excess: Rescaling and respatialising of trafficking borders*

Modulations in trafficking borders signify excesses of migratory mobility over existing trafficking borders. These excessive mobility practices question the very foundations of the discourse of trafficking, which strips migrants (especially females) of their agency, will, desire, and aspiration. For example, once a woman is detained or deported, not only does she lose the opportunity to economically support her family, but also she has to bear the burden of stigma (Richardson & Laurie, 2019). However, modulations in the bordering practices suggest porosity in existing trafficking borders, exploited by people to escape and subvert them. To regulate this porosity and capture the excess, these borders dynamically mobilise, rescale, and respatialise themselves (Burridge et al., 2017). Knowledge on mobility practices that escape existing bordering logic feeds into the kernel of the existing trafficking borders. As a result, anti-trafficking NGOs provide regular training to government bodies (border police and traffic police), mobility facilitators (rickshaw pullers and cab drivers), and infrastructure providers (hotel and lodge owners), contingently producing trafficking borders at several spaces. Migrant workers have to subvert all trafficking borders they encounter to actualise their migration project (Bhagat, 2021). Therefore, porosity and excess rescale and respatialise trafficking borders by condensing diverse discourses, agents, practices, resources, and strategies to control labour migrants' diverse mobility practices.

4. Conclusion

'Human trafficking' is a deceptive, distracting, and flawed political project. While the exclusive cries of 'freedom from trafficking' and 'exploitation in labour relations' are loudly audible among policy and scholarly circles, borders are the central experience of the targets of trafficking discourse. The article advances the literature that considers anti-trafficking measures a vehicle of state-authorised border practices (Hwang, 2018; Pickering & Ham, 2014; Sharma, 2017) by demonstrating social and political spaces where the trafficking discourse coalesces several discourses, institutions, and practices as everyday borders. Prioritising research participants' experiences of encounters with these trafficking borders, I conceptualise *trafficking borders* as spaces of restriction and negotiation, contingently produced, encountered, and escaped along the mobility routes of prospective labour migrants. These spaces contribute to the critical understanding of locations where anti-trafficking measures curtail the rights, mobility, and choices of prospective migrant workers.

This article empirically demonstrates spaces in the emigration regime where prospective labour migrants of Nepal encounter and experience everyday borders structured by the discourse of trafficking. The conceptualisation of trafficking borders attempts to position the emigration regime as an important site of theorisation and activism, largely ignored by critical scholars of migration, borders, and anti-trafficking (Adhikari, 2017; Hwang, 2018; Lee, 2017). Furthermore, the concept of trafficking borders brings into alignment the critical literature that interrogates the exclusionary politics of state borders justified by the discourse of human trafficking (Mai, 2016; Pickering & Weber, 2006; Plambech, 2017) as well as 'post-trafficking borders' (Laurie et al., 2015; Yea, 2020a, Yea2020b), which suggests how trafficking discourse produces a geography of stigma for the 'survivors of trafficking' (Laurie & Richardson, 2020) by establishing that borders are the most palpable reality of the discourse of human trafficking.

The concept of trafficking borders demands a thorough consideration of the meaning of diverse mobility strategies and struggles of the targeted labour migrants in a variety of spaces. Prospective labour migrants subvert trafficking borders that simultaneously and heterogeneously adapt, transform, and reorganise themselves to perceive, capture, highlight, control, and tame the ever-transforming, ever-evading, and ever-disrupting mobility practices. Furthermore, this conceptualisation opens up empirical and conceptual spaces to be examined in terms of the carcerality of trafficking borders, the role of those labelled as traffickers' in the production of borders, and the materiality and cost of mobilities assembled to escape trafficking borders.

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The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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