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A Theory of Human Trafficking Prevalence and Forecasting: Unlikely Marriage of the Human Security, Transnational Organized Crime, and Human Trafficking Literatures

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Introduction

Vulnerability to human trafficking is essentially indistinguishable from vulnerability to myriad other violent crimes. Trafficking importantly diverges from sexual abuse, domestic violence, physical abuse, and kidnapping with the explicit intentions of the exogenous agent to sustainably profit from harm. The United Nations Office on Drugs and Crimes (UNODC) provides a compelling definition of vulnerable people and victims. According to UNODC, vulnerable people are “people who find it especially difficult to fully exercise their recognized rights due to cultural, physical, or psychological reasons, caused by, for example ‘victimization.’”¹ A victim is “any physical person who has suffered damages caused by criminal offence.”² Similarities in vulnerable conditions are implied by the standard definition of human trafficking, which first requires an individual to submit against their will through force, fraud, or coercion. However, trafficking retains unique characteristics with the stated purposes of these activities as providing commercial sex or labor and services. These similarities are evident in the diverse coalitions of actors that successfully provide care for survivors of all violent crimes as well as trafficking, including legal assistance, trauma therapy, job placement, housing, law enforcement advocates, and many others. The critical distinguishing feature between vulnerability to trafficking and vulnerability in general again requires that the offending exogenous agent, such as the trafficker, the facilitator, or public demand exploit the vulnerable individual for profit instead of simply for pleasure. The commercialization of harm is what distinguishes human trafficking from other related crimes.

This article provides the first concerted effort to combine major relevant factors measuring and contributing to vulnerability to human trafficking in the United States for statistical extrapolation of victim prevalence. While utilizing the human security framework to better conceptualize the risks of human trafficking for vulnerable individuals remains an underdeveloped academic contribution, this project proposes a theoretically more ambitious and complete response to underpin

¹ United Nations Office on Drugs and Crime (UNODC), “The Criminal Justice Response to Support Victims of Acts of Terrorism.” New York: 2011, Page 19. Available at: http://www.un.org/en/terrorism/ctitf/pdfs/victims_rights_e-book_en.pdf

² United Nations Office on Drugs and Crime (UNODC), “The Criminal Justice Response to Support Victims of Acts of Terrorism.” New York: 2011, Page 19. Available at: http://www.un.org/en/terrorism/ctitf/pdfs/victims_rights_e-book_en.pdf

prevalence and forecasting models. Operationalizing³ the human security framework to capture pervasive potential risks is only the first of three parts of a comprehensive theoretical approach to assessing human trafficking vulnerability. I argue that measuring vulnerability requires consideration and isolation of first structurally pervasive threats or risks, then those that are regionally specific, and finally those that are individually experienced. The human security literature best relates to the first task of distinguishing structurally pervasive threats among the sub-population of vulnerable individuals. The control variables employed in the next stage refer to the regional specification of the model. In this project, I will have selected two control variables that account for regional legislation and protection efforts that correspond with my dependent variable of human trafficking incidences as reported to the National Human Trafficking Hotline. The final component of my operational model is theoretically derived from the requirement that in order for potential risk to become actualized or likely risk, it must be individually experienced. This is the most challenging variable to operationalize given the underdeveloped work on “Demand” in this regard, and the developed world’s particular culpability in this area. However, in order to operationalize this final component, I will incorporate one variable that relates directly to Demand, or the specific likelihood that one is to face punitive action based on their consumption of trafficked goods or sex as a deterrent based on available law enforcement data. Unfortunately, this data has notoriously demonstrated that there are significantly low prosecution and arrest rates of the general public for these crimes, which suggests a relatively non-existent deterrent to demanding trafficked sex, labor, goods, and services.

Human Trafficking Vulnerability Prevalence Theory		
<p>Structurally Pervasive: Vulnerability must be reasonably generalizable across a large sub-population.</p>	<p>Regionally-Specific: An environment will in some way, induce, enhance, or impede structurally pervasive-risk.</p>	<p>Individually-Experienced: The individuals or members of the sub-population in question, must subjectively determine that they are affected by said risk.</p>

³ Operationalization is the process of strictly defining a variable or concept so that it may be quantitatively measured, particularly in statistical extrapolation.

This article begins by introducing an original working definition and theory of how to best estimate human trafficking prevalence and construct forecasting efforts. It then unpacks this conceptual model by each of its three component parts in three subsequent sections: structurally pervasive threats, regionally specific threats, and individually experienced threats. For each component part, a brief review of the relevant body of literature is provided, as well as an explanation of how this conceptual understanding addresses existing gaps in the literature and academic canon. Each section will conclude with examples of how this component has been operationalized in this project and ideas for replication in general for future related projects.

Conceptual Model of Vulnerability to Human Trafficking in Three Parts

A close review of the security field in general, but the transnational organized crime literature, human security literature, and human trafficking literature in particular, indicates a significant inconsistency with the construction of security that is omnipresent in the transnational organized crime literature. This is evident in topics such as global prohibition norm creation according to E. Nadelmann and P. Andreas⁴ to state-state considerations of security, crime, and intervention efforts. This analytical rift between the presumed prevalence of states in international security and the post-Cold War paradigmatic shift that saw an increased focus on the academic study of human insecurity and exacerbated risk in the human trafficking literature is not served well by potentially outdated understandings of risk, vulnerability, and viable threats to individuals. In fact, this type of understanding is highlighted clearly by the fact that one could presume that within a strong and secure state, that crimes such as human trafficking would be less of a concern. As this article's focus on the United States demonstrates, by providing demand, human trafficking can be just as prevalent in wealthier, or more secure, countries as it is in developing countries.

This conceptual model is grounded in the theoretical foundations of the human security, transnational organized crime, and human trafficking fields. This model attempts to provide a comprehensive solution to patent gaps in the treatment of vulnerability in general and vulnerability to human trafficking specifically. This model could be described as a method for further defining the vulnerable populations in question until a likely threshold of vulnerable persons to human trafficking specifically are identified. Then, statistical extrapolation from the final

⁴ Andreas, Peter and Ethan Nadelmann. *Policing the Globe: Criminalization and Crime Control in International Relations*. Oxford: Oxford University Press, 2006.

component of individually-experienced risk can be used to determine a point estimate for actualized risk, or how many expected cases of human trafficking there might be in a given year. The first component of this model includes all structurally pervasive risks and vulnerabilities for a sub-population, minors in the United States in the case of this project. Subsequently, from among this vulnerable pool of individuals that could be vulnerable to human trafficking as well as a myriad of other crimes, the next component of regionally-specific threats considers which of these individuals' initial risks are either amplified, deterred, or merely induced by the specific environments of certain groups. Finally, from this component, one can attempt to determine the actualized risk that will manifest among this sub-population by considering Demand or the extent to which the community at-large can engage in these illicit behaviors with relative impunity. All three factors are critical in the estimation of the risk that any given population faces and the true extent of vulnerability that should be accounted for in any predictive or descriptive model.

Structurally-Pervasive

While an elusive concept to define and conceptualize, vulnerability is critical to any understanding of the issue of human trafficking. The necessity of vulnerability in this crime is inherent in the requirements of deprivation of liberty through the means of force, fraud, or coercion as the subject being deprived of liberty is vulnerable to control through these means. As the human trafficking field progresses, it must begin to reconcile vague concepts of vulnerability and victimization with existing operational tools to facilitate prevalence measurement, targeted intervention efforts, and accurate reporting. This structurally pervasive criterion of the conceptual model for forecasting and measuring the prevalence of human trafficking requires that included risk and vulnerabilities be generalizable to a reasonable extent to a large sub-population. This concept builds on the *United Nations Development Programme's* 1994 Report on Human Security that identifies the seven major areas of security as political security, community security, personal security, environmental security, food security, economic security, and health security. Among these vast areas of potential insecurity, all of these vulnerabilities could apply to greater or lesser extents to a large sub-population. This introduces the important element of comparability across regions and localized models to contribute a future potential product of comparability on a global scale. This comparability will include not only the factors of vulnerability that contribute to human trafficking specifically, but also provide a way of securely grounding efforts to define and identify risk within the accepted *United Nations Development*

Programme (UNDP) definition of broad human security from a global governance and consensus-building perspective.

Regionally-Specific

Once the broad categories of potential risk to a large sub-population have been established through the first criterion of structural pervasiveness, the next component in this model considers the environmental factors involved on a regional or localized level. Without quite considering the individual-level risks at this time, this second step requires analyzing the environmental factors that might amplify, induce, or deter the effects of the broad categories of risk from having tangible impacts on each regional group. This criterion is critical as efforts to intervene in the crime of human trafficking vary widely across states and regions, as will their demonstrated effectiveness. In order to analyze regionally specific threats from among the structurally pervasive ones, the considerations will vary by each crime and region. This component is meant to acknowledge that despite the fact that some threats may be structurally pervasive, they may not have equal impact across regions due to other factors related to enforcement, regulation, and intervention efforts, which vary.

Individually-Experienced

This final criterion of risk that is not only structurally pervasive, and regionally specific, but also individually experienced, is critical to any accurate prevalence and forecasting model for human trafficking. Ironically, it is also the least utilized. This final component helps to move our analytical model from potential to actualized risk by examining the final context in which the public or community at-large is emboldened or deterred from participating in consuming or demanding trafficked goods, labor, or sex. If all other risks are present, this final criterion indicates that even if these risks are both structurally pervasive and regionally amplified or induced, they should not count in the final prevalence estimates if they are not also manifest in the individual experiences of the vulnerable populations in question. This individually experienced risk can be mitigated by effective law enforcement, community engagement against this issue, and lack of opportunity. Regardless of whether an individual member of a particularly vulnerable sub-population, by all other estimation measures, should be victimized, if they are ultimately insulated from this crime, then they should not be included in the final prevalence and forecasting outcomes.

Structurally-Pervasive Risk:

Human Security Literature Contributions

Human security as a developing security sub-field has many overlapping and diverging definitions without any clear “consensual definition”⁵ among scholars. Some critics, such as Barry Buzan, believe that “human security presents a reductionist vision of international security and hence has limited academic usability.”⁶ Roland Paris, Edward Newman, Andrew Mack and Don Hubert also question the academic usability of the concept. But where these scholars converge is the ability of human security to include a broader array of non-traditional security concerns in scholarly debate and treatment. Kyle Grayson cites this as a particular strength and states, “as no workable definition exists, human security enables broader and deeper questioning of subjects usually and unjustifiably peripheral to security studies.”⁷ Similarly, Amitav Acharya sees human security as a “holistic paradigm which offers opportunities for creative synthesis and theoretical eclecticism”⁸ without the need for constant comparison to more established theoretical security paradigms. Human security ultimately subverts the power relationship upheld by security studies in order to question the legitimacy of established paradigms. The most basic shared characteristic of human security as a concept involves a focus on the safety and well-being of individuals regardless of their citizenship status or relationship to a nation-state. Much of the literature focuses on human security’s rise to prominence following the Cold War to reflect a new type of security studies that no longer privileges state security. As Poku and Graham state, traditional security is a focus on “individuals qua citizens” whereas human security is a focus on “individuals qua persons.”⁹ Importantly, the field of human security represents a shift away from state-centered or traditional security to a focus on individuals as the referents of security.

Human security as a security sub-field rose to prominence following the Cold War, but not only due to reconfiguration of the international security system and its priorities. Globalization has had a tremendous effect on exacerbating human vulnerability at an incredibly fast pace. John Gray observes that, “the spread of

⁵ S. Tadjbakhsh and A.M. Chenoy, *Human Security: Concepts and Implications*, London: Routledge, 2007.

⁶ Buzan, B. (2004) ‘A Reductionist, Idealistic Notion that Adds Little Analytical Value’, in P. Burgess and T. Owen (eds), ‘What is Human Security? Comments by 21 authors’, Special Issue of *Security Dialogue*, 35(9): 369-370.

⁷ Grayson, Kyle. (2008) “Human Security as power/knowledge: the biopolitics of a definitional debate,” *Cambridge Review of International Affairs*, 21(3): 383-401.

⁸ Amitav Acharya, “Human Security: East Versus West,” *International Journal*, Vol. 56, No. 3, 2001, pp. 442-460.

⁹ Graham, D.T. and Poku, N.K (eds) (2000) *Migration, Globalization and Human Security*, London: Routledge.

new technologies throughout the world is not working to advance human freedom. Instead it has resulted in the emancipation of market forces from political and social control.”¹⁰ This further isolates states from becoming the most effective providers of security for individuals. As Sommaruga finds, “there is...human insecurity generated by the neo-liberal globalization...Many human beings are often caught between criminal organizations and governments, in particular immigrant workers easily referred to as ‘illegal’ because of the missing international legal basis for a coherent global approach to this serious human problem.”¹¹ John Gray in his work, *False Dawn*, found a similar trend when examining the application of free market policies to the modern day states of Mexico, New Zealand and the United Kingdom. He concludes,

The resemblances between the effects of free-market policies in Mexico, New Zealand and the UK are hardly accidental. In each country, the free market acted as a vice within which the middle classes were squeezed. It enriched a small minority and increased the size of excluded under-classes. It inflicted serious damage on the political vehicles through which it was implemented. It used the powers of the state without scruple, but corrupted and in some measure de-legitimated the state’s institutions. It scattered or destroyed its initial coalition of political support and fractured societies. In its aftermath it set the terms within which oppositional parties were compelled to operate.¹²

Finally, Tow and Thomas cite in their work the findings of Richard Matthew and George Shambaugh. These scholars identify two critical factors that exacerbate human security threats in our time, “the increased rate and degree of unfettered human mobility and transnational access to goods, services and technology on a global scale, compromised only by corporate interaction or globalization. These factors can be critical in a human security context because they may comprise a state’s natural propensity to provide maximum security for its own citizens.”¹³ These are all similar reasons cited for the exacerbation and increased proliferation of modern day slavery.

¹⁰ John Gray, *False Dawn*, New York: The New Press, 1998.

¹¹ C. Sommaruga, “The global challenge of human security,” *Foresight: The Jour. of Future Studies, Strategic Thinking and Policy*,” 6, 4, 2004.

¹² John Gray, *False Dawn*, New York: The New Press, 1998.

¹³ N. Thomas and W.T. Tow, “The Utility of Human Security: Sovereignty and Humanitarian Intervention,” *Security Dialogue*, 33:2, 2002, 177-92.

The distinction between human security and traditional security cannot be overstated when defining the parameters of this newer field of study. Tadjbakhsh and Chenoy state that “human security advocates criticize neo-realism in four main ways: on the question of the referent object, on values, on perception of threats and on means to protect.”¹⁴ Basically, the distinction between neo-realism and human security culminates in human security making the individual the referent object of security whereas neo-realism maintains that the state is the referent object. Neo-realism tends to focus on direct threats to states in their analyses, while human security broadens their definitions of threats to include direct and indirect threats to states and to individuals. Human security also tends to promote human development as well as political development to protect individuals, groups, states and the international order, whereas neo-realism tends to focus on military protection. According to Kanti Bajpai, this distinction is further developed by arguing that national security or neo-realism privileges “territorial integrity and national independence” of states while human security privileges “personal safety and individual freedom” of individuals. He also elaborates that neo-realists support the use of “force as the primary instrument of security” while human security uses “force as a secondary instrument and considers its key instruments to be sanctions, human development and humane governance.”¹⁵ Roland Dannreuther in *International Security: The Contemporary Agenda* attributes this significant shift in our thinking about international security by arguing that three major historical trends in the post-Cold War world has led to two theoretical shifts. Dannreuther argues that since the end of the Cold War, there has been a “reduction in the expectation of a major war between the great powers, a shift of global focus from East-West to North-South and doubts about the state’s ability to be the most effective or sole security provider and that there is a problematic relationship between power and legitimacy and the role of norms and international cooperation in a unipolar international world.”¹⁶ Dannreuther finds that these three historical shifts have led to the current manifestation of human security as emblematic of the theoretical changes that have “shifted popularity from rationalist to constructivist explanations of international security and a more optimistic view of the possibilities and need for change that have led to a more cosmopolitan and universalist conceptualization of international security.”¹⁷ John Mearsheimer responds to this critique in “The False Promise of International Institutions” and

¹⁴ S. Tadjbakhsh and A.M. Chenoy, *Human Security: Concepts and Implications*, London: Routledge, 2007.

¹⁵ Bajpai, K. (2000) *Human Security: Concept and Measurement*, Occasional Paper 19, The Joan B. Kroc Institute for International Peace Studies, University of Notre Dame, August.

¹⁶ Roland Dannreuther, *International Security: The Contemporary Agenda*. Cambridge: Polity Press, 2007.

¹⁷ Roland Dannreuther, *International Security: The Contemporary Agenda*. Cambridge: Polity Press, 2007.

gives four reasons why American elites regard realism with hostility, including that it is “pessimistic, treats war as inevitable and sometimes necessary action, realism treats states as static objects without accounting for good or bad states”¹⁸ and there is a historical legacy of disdain for realism in the United States. Both Mearsheimer and Kenneth Waltz maintain that realism is still the most poignant and accurate approach to international security, as Waltz argues, “structural realism remains the basic theory of international politics.”¹⁹ However, many of the theorists whose work will be reviewed and analyzed in this chapter fundamentally disagree.

The UNDP approach, championed by the United Nations Development Programme’s 1994 *Human Development Report* includes seven features of human security: economic security, food security, health security, environmental security, personal security, community security and political security.²⁰ Some of its major proponents include Mahbub ul Haq, Sadako Ogata of the Commission of Human Security and many others. Within this analytically broad conception of human security, which includes a diverse coalition of actors and individuals as well as a plethora of indirect threats, Baldwin’s discussion of whether human security rights are indivisible or hierarchical remains salient. Sabina Alkire of the Commission on Human Security states that efforts to promote human security must, “protect the vital core by selecting only critical (severe) and pervasive (widespread) threats.”²¹ Sadako Ogata and John Cels also of the Commission on Human Security expands this definition to include, “protects vital core of all human lives in ways that enhance human freedoms and human fulfillment.”²² Interestingly, Caroline Thomas extends her definition to include the broader concerns of the “realization of human dignity” in her definition, “material sufficiency lies at the core of human security... [it] refers to the provisions of basic, material needs...and the realization of human dignity including emancipation from oppressive power structures, whether they be global, national or local in origin.”²³ Jennifer Leanning also supports a broader definition of human security that includes, “social, psychological, political and economic factors and encompasses psychosocial needs and individuals’

¹⁸ John Mearsheimer, The False Promise of International Institutions, *International Security*, Vol. 19, No. 3, Winter 1994/95, pp. 5-49.

¹⁹ Kenneth Waltz, “Structuralism after the Cold War,” *International Security*, Vol. 25, No. 1 Summer 2000, pp.5-41.

²⁰ United Nations Development Programme (UNDP) (1994) *Human Development Report 1994 – New Dimensions of Human Security*, New York: Oxford University Press.

²¹ Sabina Alkire, "A Conceptual Framework for Human Security", Centre for Research on Inequality, Human Security, and Ethnicity (CRISE), Working Paper 2, London: University of Oxford, 2003.

²² Sadako Ogata and Johan Cels, “Empowering People for Human Security,” Presentation to 56th Annual DPI/NGO Conference.

²³ Caroline Thomas, Global Governance, development and human security: exploring the links,” *Third World Quarterly*, 22:2, 2001, 159-75.

relationships with location, community and time.”²⁴ Ramesh Thakur believes that “human security is improved when the ‘quality of life’ of people in a society can be upgraded...enhancing human welfare.”²⁵ Similarly, Jorge Nef provides a five-part classification system for human security that includes, “1) environmental, personal and physical security, 2) economic security, 3) social security including freedom from discrimination based on age, gender, ethnicity or social status, 4) political security and 5) cultural security.”²⁶ Olser Hampson also offers a comprehensive view of human security including in his model, “those growing out of human rights and rule of law traditions, those featuring safety of peoples and those focusing on sustainable human development.”²⁷ Astri Suhrke’s definition of human security involves a central component of vulnerability and references three categories of victims, “those of war and internal conflict, those living at or below subsistence levels and victims of natural disasters.”²⁸ These categories of exceptionally vulnerable victims are also identical to the ones cited by Tow and Thomas in their work.²⁹ However, the potential conflation of human development with human security is a source of debate among scholars. Keith Macfarlane does not believe that “relabeling human development as human security”³⁰ will be helpful in establishing clear policy priorities and instead advocates for “narrower protection-focused” definitions. In response, other scholars such as Peter Ulvin believe that human security provides a useful analytical linkage between these concepts of humanitarian relief, development assistance, human rights advocacy and conflict resolution³¹ to allow practitioners and scholars to meaningfully engage in debates. Additionally, Paul Evans believes that “reconciling national security and

²⁴ Leanning, J. and Arie, S. (2000) ‘Human Security in Crisis and Transition: A Background Document of Definition and Application’, CERTI Project, Payson Center for International Development and Technology Transfer, Tulane University, December. Available at <http://www.cert.org/publications/policy/humansecurity-4.htm> (accessed 21 April 2013).

²⁵ Thakur, R. (2004) ‘A Political Worldview’, in P. Burgess and T. Owen (eds), ‘What is Human Security?’ Comments by 21 authors, Special Issue of *Security Dialogue*, 35(9): 347-348.

²⁶ Nef, J. (1999) ‘Human Security and Mutual Vulnerability The Global Political Economy of Development and Underdevelopment’, 2nd edition, Canada: International Research Development Centre. Available at http://www.idrc.ca/en/ev-9383-201-1-DO_TOPIC.html (accessed April 2013).

²⁷ Hampson, F. O. (2004) ‘A Concept in Need of a Global Policy Response’, in P. Burgess and T. Owen (eds), ‘What is Human Security?’, Comments by 21 authors, Special Issue of *Security Dialogue*, 35(9): 349-350.

²⁸ Suhrke, Astri. (1999) “Human Security and the interests of state,” *Security Dialogue*, 30(3): 265-276.

²⁹ N. Thomas and W.T. Tow, “The Utility of Human Security: Sovereignty and Humanitarian Intervention,” *Security Dialogue*, 33:2, 2002, 177-92.

³⁰ Macfarlane, S.N. (2004) ‘A Useful Concept that Risks Losing its Political Salience’, in P. Burgess and T. Owen (eds), ‘What is Human Security?’ Comments by 21 authors, Special Issue of *Security Dialogue*, 35(9): 368-369.

³¹ Ulvin, P. (2004) ‘A Field of Overlaps and Interactions’, in P. Burgess and T. Owen (eds), ‘What is Human Security?’ Comments by 21 authors, Special Issue of *Security Dialogue*, 35(9): 352-353.

development is necessary in developing countries... the individual must be at least one of the referent points for determining security for whom, from what and by what means.”³² Despite the wide array of scholarship on this broader definition of human security, this general definitional scope has remained influential and can generally be seen as the starting point from which all other debates continue in this field following the 1994 UNDP Report.

What Gaps Does this Component Address? Security at a Non-state Level - Generalized Risk

The development of a risk assessment model specifically for human trafficking of minors in the United States responds to myriad perceived lacunas in the literatures. This project seeks to unite the human security, transnational organized crime and human trafficking literatures along a common thread of measuring human insecurity as manifested through the vulnerability of minors in the United States to human trafficking.

Many scholars have contributed towards the development of a measure for human insecurity while many others yet have supported local victim prevalence estimates of human trafficking for accuracy before endeavoring global prevalence estimates. Considering recent discussions of the importance of poverty, inequality, and state capacity as central concerns in issues of human security, the next logical step for the field is measurement. King and Murray offer a measure that includes, “the number of years of future life spent outside a state of ‘generalized poverty.’”³³ Additionally, they consider five indicators of wellbeing to include: poverty, health, education, political freedom and democracy. Their effort for a human security forecasting model is supplemented by the distinction made by Caroline Thomas between quantifiable measures such as “income poverty” and qualitative measures of human insecurity such as “human poverty.”³⁴ Kanti Bajpai incorporates both of these insights into his projections for a human security index that he asserts could have the benefits of: “developing a social early warning system, focusing attention on problem areas, redefining national and international policy priorities, setting national and international standards, and generating new social scientific

³² Evans, P. (2004) ‘A Concept Still on the Margins, but Evolving from Its Asian Roots’, in P. Burgess and T. Owen (eds), ‘What is Human Security?’ Comments by 21 authors, Special Issue of *Security Dialogue*, 35(9): 363-364.

³³ King, G. and Murray, C. (2001) ‘Rethinking HS’, *Political Science Quarterly*, 2001-2002, 116(4). Available at <http://gking.harvard.edu/files/hs.pdf> (accessed 25 October 2013).

³⁴ Caroline Thomas, Global Governance, development and human security: exploring the links,” *Third World Quarterly*, 22:2, 2001, 159-75.

knowledge.”³⁵ Finally, Jennifer Leanning and Sam Arie provide an additional conceptualization of the measurable components of a human security measure. They identify two sets of inputs as “those dealing with minimum inputs to sustain minimum levels of survival (water, food, shelter) and those dealing with supports to basic psychosocial human needs (identity, recognition, security, participation and autonomy).”³⁶ Roland Paris offers that, “for human security to be analytically useful, it must be able to provide tangible measurable threat parameters.”³⁷ Ultimately, evaluating levels of human security or insecurity will further define policy objectives and assist in providing policy parameters and setting goals.

A major contribution of this project revolves around the fact that the human security framework has never yet been applied or operationalized for a human trafficking prevalence or forecasting model.

Operationalization of Structurally-Pervasive Risk: Risk Index

There is a two-part method to the creation of this risk assessment and forecasting model. In the initial phase, I conduct a hypothesis-building exercise and craft my risk index with input from adult direct service providers in human trafficking shelters through anonymous online surveys that allow them to describe the highest risk indicators of vulnerable minors to human trafficking from their experience in the United States. The identity of all survey participants is undisclosed and the only identifiable information provided is the respondent’s geographical location. The available survey responses are analogous to the seven components of the United Nations Development Programme’s concept of human security and include measurements for the US Citizen and foreign national minor populations in question. This model then utilizes these findings to craft a risk profile of vulnerable youth, for each regional population of foreign nationals and US Citizens, and apply them to the conceptual groundwork provided by Jay Albanese.³⁸ The main contribution relevant to this project of Albanese’s model is that it reduces the universe of possible trafficking victims to those that are exceptionally at-risk and accounts for both the regulatory/enforcement

³⁵ Bajpai, K. (2000) *Human Security: Concept and Measurement*, Occasional Paper 19, The Joan B. Kroc Institute for International Peace Studies, University of Notre Dame, August.

³⁶ Leanning, J. and Arie, S. (2000) ‘Human Security in Crisis and Transition: A Background Document of Definition and Application’, CERTI Project, Payson Center for International Development and Technology Transfer, Tulane University, December. Available at <http://www.certti.org/publications/policy/humansecurity-4.htm> (accessed 21 April 2013).

³⁷ Roland Paris, “Human Security: Paradigm Shift or Hot Air,” *International Security*, 26:2, Fall 2001, 87-102.

³⁸ Albanese, Jay S. *Transnational Crime and the 21st Century: Criminal Enterprise, Corruption, and Opportunity*. Oxford University Press, USA, 2011; page 18.

environment and consumer access to the trafficked goods and services. While Albanese does not necessarily incorporate the human security framework for risk conceptualization or the specific concerns with Demand scholarship utilized in this project, this initial framework is nonetheless helpful and an important contribution.

Regionally-Specific Risk:

Transnational Organized Crime Literature Contributions

There are many different methods to attempt to measure and track transnational organized crime. UNODC offers, “the challenge at the international level is to collect information on a phenomenon that has both local (at the level of states) and international dimensions (organized criminal groups by their nature engage in illicit trade across borders)³⁹ such interconnectivity between the local and global has been neatly termed “glocal.”⁴⁰ Jay Albanese says of their method, “UNODC has utilized a triangulation model to estimate the extent of illicit drug manufacturing by combining three primary kinds of information for each drug: cultivation and production estimates, trends in seizures of drugs and drug-making labs, estimates of drug usage.”⁴¹ He also asserts that these measurements must be periodically conducted to assess changes in risk over time. Graeme Newman also offers the policy value of measuring crime in Albanese’s book, “measuring the extent of your problem before you implement remedial responses will allow you to determine how serious the problem is; it will also give you a baseline against which to measure the effectiveness of the responses that you choose to implement.”⁴² Andreas and Greenhill also discuss the policy implications of measurement in their work, “to measure something – or at least claim to do so is to announce its existence and signal its importance and policy relevance...raises a unique question, what are the policy consequences of bad data in trafficking and

³⁹ UN Office on Drugs and Crime, *Results of a Pilot Survey of Forty Selected Organized Criminal Groups in Sixteen Countries*, 2002, Available at http://www.unodc.org/pdf/crime/publications/Pilot_survey.pdf

⁴⁰ Dick Hobbs. “Going Down the Glocal: The Local Context of Organized Crime” in the *Howard Journal*, November 1998.

⁴¹ Albanese, Jay S. *Transnational Crime and the 21st Century: Criminal Enterprise, Corruption, and Opportunity*. Oxford University Press, USA, 2011.

⁴² Albanese, Jay S. *Transnational Crime and the 21st Century: Criminal Enterprise, Corruption, and Opportunity*. Oxford University Press, USA, 2011.

other policy phenomenon?”⁴³ Andreas criticizes Moises Nairn’s⁴⁴ irresponsible data quality and replication standards in only using data from secondary sources of international organizations and non-profits. These figures were then reproduced and used in many other reports, much to the chagrin of Andreas and other scholars who now wish to move past this superficial level of data in the field.⁴⁵

What Gaps Does this Component Address? Local Level Estimates - Enhanced Understanding of Generalized Risk

Many scholars have attempted to derive accurate human trafficking victim prevalence estimates, but there are many serious methodological flaws in research design and similar to the transnational organized crime literature, a supreme reliance on secondary reporting mechanisms. Much of the work to date in this field is symptomatic of ecological fallacy and the presumption that something that is true at the individual or narrative level can be generalizable for all levels. This leads to the concern that potentially anecdotal narratives are misconstrued as representative of the whole population of human trafficking survivors, such as the disproportionate policy focus on minor sex trafficking when labor trafficking is more prolific by volume according to Feingold. However, significant challenges face researchers that attempt to overcome these challenges. Savona and Stefanizzi acknowledge the data collection problems in this field, “the major problem in studying and combating trafficking in persons is scarcity, unreliability, and non-comparability of existing international and national data.”⁴⁶ They go on to discuss, “three methods for understanding and measuring trafficking in human beings are assessed: 1) extrapolating the risk of trafficking from other known risks, 2) using known cases to estimate the universe, 3) using a network model of human trafficking as an illicit enterprise which reacts to known and measurable practices.”⁴⁷ Finally, the International Organization for Migration (IOM) provides insight in their effective data collection measures with the contribution that, “telephone surveys of women in prostitution who operated through individual

⁴³ Andreas, Peter, and Kelly M. Greenhill, eds. *Sex, Drugs, and Body Counts: The Politics of Numbers in Global Crime and Conflict*. Cornell University Press, 2010.

⁴⁴ Nairn, Moises. *Illicit: How Smugglers, Traffickers and Copycats are Hijacking the Global Economy* (New York: Doubleday, 2005)

⁴⁵ Andreas, Peter, and Kelly M. Greenhill, eds. *Sex, Drugs, and Body Counts: The Politics of Numbers in Global Crime and Conflict*. Cornell University Press, 2010.

⁴⁶ Savona, EU & S Stefanizzi, eds. *Measuring Human Trafficking: Complexities And Pitfalls*. Springer, 2007.

⁴⁷ Savona, EU & S Stefanizzi, eds. *Measuring Human Trafficking: Complexities And Pitfalls*. Springer, 2007.

advertisements was slightly unorthodox, but highly successful.”⁴⁸ However some scholars, such as David Feingold, disagree and believe that a global prevalence estimate is policy-irrelevant.⁴⁹

The United States as a critical case has tremendous support in the literature as well. David Feingold believes that the USA is the best possible shot for good human trafficking data, but even still, American data is sub-par.⁵⁰ Poignantly, Greenhill and Andreas second this notion by stating,

The search for global data can best be characterized as the pursuit of the unknowable by the unknowing. It would be hoped that local figures would be more accurate, at least in the United States...one would expect that data in the United States would be equal or superior to other countries. The United States has mobilized political will at the highest level, and has dynamic and active civil society support, a legal framework in place, relatively uncorrupt federal judiciary and prosecutorial service, and an engaged public media – all the elements that it seeks but rarely finds in its partner countries abroad...Nevertheless there is little basis for confidence in US local figures.⁵¹

Similarly, Jay Albanese argues that quantifying estimation values in trafficking trends should be done locally, as he believes that it is quite likely that human trafficking operates like other forms of organized crime, adapting to local conditions which always include considerations of supply, customers, regulators and competitors.⁵² According to Louise Shelley, the USA is the ideal choice for an investigation of this type because she argues that:

Despite the absence of widespread corruption and close links between traffickers and state officials, patterns of American trafficking more closely resemble those of a developing than a developed country. All forms of known trafficking exist in the US except for child soldiering and victims originate from all regions of the world.⁵³

⁴⁸ IOM. “Data and Research on Human Trafficking: A Global Survey.” *Human Trafficking* (2005).

⁴⁹ Feingold, D. 2005. “Think Again: Human Trafficking” *Foreign Policy* Sept/October

⁵⁰ Feingold, D. 2005. “Think Again: Human Trafficking” *Foreign Policy* Sept/October

⁵¹ Andreas, Peter, and Kelly M. Greenhill, eds. *Sex, Drugs, and Body Counts: The Politics of Numbers in Global Crime and Conflict*. Cornell University Press, 2010. Page 56.

⁵² Savona, EU & S Stefanizzi, eds. *Measuring Human Trafficking: Complexities And Pitfalls*. Springer, 2007.

⁵³ Shelley, Louise. *Human Trafficking: A Global Perspective*. 1st ed. Cambridge University Press, 2010.

Sheldon Zhang's contribution is also insightful that the United States has the highest numbers of immigrants flocking to the country, but is not even in the top twenty countries when considering foreign-born citizens.⁵⁴ This combination of high vulnerable populations with limited access to citizenship or legal rights can only breed optimal conditions for further exploitation by traffickers.

These contributions bolster support not only for the case in study for this project on the United States due to its access to historical long-term databases for the risk inputs, but also for its wide variety of trafficking networks and high levels of uncorrupt governance. With all respect to Louise Shelley, this author would endeavor to argue that child soldiers are also present in the United States in the form of urban street gangs in major American cities.

Operationalization of Regionally-Specific Risk: Regulatory and Enforcement Control Variables

For this study, various regulatory and enforcement control variables will be considered for each of the states for which the author has obtained original data from the National Human Trafficking Resource Center. In order to evaluate variation across state legislatures within the United States, various State Report Cards published by expert non-profits will be considered. Shared Hope International and the Polaris Project Policy Department have published comprehensive State Report Cards between 2011-Present, which rank the strength of anti-trafficking provisions in each state for comparability, and the presence or absence of human trafficking task forces, and continued training and technical assistance on this issue. Other potential measures could be employed such as competing profitability margins on other illicit markets to compare the lucrative value of human trafficking over other illicit industries in each state.

Individually-Experienced Risk:

Licit World Interactions Requisite in both Transnational Organized Crime and Human Trafficking Literatures

One of the richest areas for further scholarship in the transnational organized crime literature is the complicity of everyday, otherwise law-abiding individuals in the commission of transnational organized crimes. Jay Albanese includes, "essential enabler for the sale of stolen property is understanding the public's willingness to purchase merchandise with "no questions asked" motivates illicit

⁵⁴ Zhang, Sheldon. *Smuggling and Trafficking in Human Beings: All Roads Lead to America*. Praeger, 2007.

entrepreneurs to emerge to cater to that market.”⁵⁵ R. T. Naylor mirrors this observation by arguing, “Not surprisingly, never in history has there been a black market defeated from the supply side. . . Supply-side controls act, much like price supports in agriculture to encourage production and increase profits. At best, a few intermediaries get knocked out of business. But as long as demand persists, the market is served more or less as before.”⁵⁶ Schelling highlights this nexus by stating, “organized crime exists to provide illicit services to the licit world.”⁵⁷ Hill mirrors this complicity, “organized crime exists because it functions as a business satisfying a demand for goods and services among members of the ‘legitimate’ world. The critical point is that while we would all be better off without robbers, some of us would feel the loss if the suppliers of illegal drugs, gambling and sexual services disappeared.”⁵⁸ This has transformative impacts on the lucrative markets for transnational organized criminals as Andreas notes, “laws and consumer demand are the most basic determinants of what is being smuggled.”⁵⁹ However, in terms of individual agency, many scholars specifically point to examples where transnational organized crime recruitment is thwarted by individual choice. Kleemans and de Poot note, “illegal opportunities extending from legal activities are seized upon by some professionals, but not by others. This means there is opportunity on the one hand and agency on the other hand.”⁶⁰ Levitt and Venkatesh notice a similar trend and utilize it as an opportunity for intervention, “the fact that most foot soldiers are simultaneously employed by the gang and in the legitimate sector suggests that gang participation may be sensitive to improvements in outside opportunities. This suggests a possible role for job-market interventions aimed at high-risk youths.”⁶¹ Finally, corruption is another way in which transnational organized crime seeks to subvert and infiltrate licit institutions and businesses. Michael Johnston defines corruption as, “the abuse of a trust, generally one involving public power for private benefit, which often, but by no means always, comes in the form of money.” He further defines corruption as, “the abuse of

⁵⁵ Albanese, Jay S. *Transnational Crime and the 21st Century: Criminal Enterprise, Corruption, and Opportunity*. Oxford University Press, USA, 2011.

⁵⁶ Naylor, R. T. *Wages of Crime: Black Markets, Illegal Finance, and the Underworld Economy*.

⁵⁷ Schelling, Thomas. *Choice and Consequence*, Cambridge: Harvard University Press, 1984.

⁵⁸ Hill, Peter. *Japanese Mafia: yakuza, law, and the state*, Oxford: Oxford University Press, 2003.

⁵⁹ Andreas, Peter. “Smuggling Wars: Law enforcement and Law Evasion in a Changing World.” *Transnational Organized Crime*, Vol. 4 (2), Summer 1998, pp.75-90.

⁶⁰ Kleemans, Edward R. and J. Christianne de Poot. 2008. “Criminal Careers in Organized Crime and Social Opportunity Structure,” *European Journal of Criminology* 5(1): 69-98.

⁶¹ Levitt and Venkatesh, “An Economic Analysis of a Drug-Selling Gang’s Finances,” *Quarterly Journal of Economics*, August 2000, pp. 755-789.

public roles or resources for private benefit, but emphasizes that ‘abuse’, ‘public’, ‘private’ and even ‘benefit’ are matters of contention in many societies and of varying degrees of ambiguity in most.”⁶² Marie Chene also documents the impact of corruption by transnational organized crime in her work in Nigeria, Mozambique and South Africa, “through corruption, criminals can obtain protection from public officials, influence political decisions and infiltrate state structures and legitimate businesses. Case studies of Nigeria, Mozambique and South Africa illustrate the specific characteristics of organized criminal groups in Africa and how corruption is used as part of their modus operandi to facilitate their criminal activities, avoid punishment and infiltrate public institutions.”⁶³

In terms of demand, Trainor and Pelser offer a global contribution that, “in the global market for trafficking victims, one major determinant of demand is certainly the purchasing power of the population in the countries of destination. In high-income countries, customers typically pay higher prices for non-tradable services, including sexual services.”⁶⁴ Yen argues that, “male demand for commercial sexual services sustains and grows the sex trafficking industry... The purchase of commercial sexual services is largely motivated by societal expectations of what ‘real men’ do and peer pressure to conform to these norms.”⁶⁵ IOM provides insight into the contributing factors of complicity in trafficking by purchasing these sex acts and labor services by recognizing that, “racism, xenophobia and prejudice against ethnic minority groups make it much easier for sex workers, clients and employers of domestic workers (and indeed employers in the sex industry or in other sectors in general) to convince themselves that such practices are justified.”⁶⁶ Kara argues for the inversion of risk-demand sex slavery to adversely affect male sexual demand and disposable income.⁶⁷ In terms of taxonomical understanding of types of purchasers of commercial sex acts, Montgomery provides the conceptual difference of, “some academics refer to two types of child-sex tourist, the preferential user of child prostitutes and the

⁶² Johnston, Michael. *Syndromes of Corruption: Wealth, Power, and Democracy*. New York: Cambridge University Press, 2005.

⁶³ Chéne, Marie. “Organized Crime and Corruption,” U4 Anti-Corruption Resource Center, 2011, available at: <http://issuu.com/cmi-norway/docs/expert-helpdesk-171/11>.

⁶⁴ *Globalization and the Illicit Market for Human Trafficking: An Empirical Analysis of Supply and Demand*. Danailova-Trainor Gergana and Patrick Pelser. International Labor Organization, Special Action Programme to Combat Forced Labor (December 2006)

⁶⁵ Yen, Iris. “Of Vice and Men: A New Approach to Eradicating Sex Trafficking by Reducing Male Demand Through Educational Programs and Abolitionist Legislation.” *J. Crim. L. & Crim.* 98 (2007): 653.

⁶⁶ *Is Trafficking in Human Beings Demand Driven? A Multi-Country Pilot Study*. International Organization for Migration, IOM Migration Research Series.

⁶⁷ Kara, Siddharth. *Sex Trafficking: Inside the Business of Modern Slavery*. New York: Columbia UP, 2009. Print.

situational user... The construction of childlike innocence is a feature of prostitution in Thailand and the line between men who have sex with children and those who have sex with adults can become very blurred.”⁶⁸ Finally Shared Hope International does corroborate this differentiation that, “buyers are situational, preferential or opportunistic.”⁶⁹ In application to the United States, I contend that most purchasers of trafficked goods and services or the products of trafficked labor are simply opportunistic consumers who are either unaware of their origin or economically unable to willfully reject these items.

What Gaps Does this Component Address? Measuring and Accounting for Demand - Movement from Potential to Actual Risk

Demand is a critically overlooked component of all three literatures; it is absent in the human security literature and given barely a cursory glance in transnational organized crime as discussed above in terms of interactions with the licit world. Even human trafficking’s explicit Demand scholarship spearheaded by Michael Shively’s work is not sufficiently complemented by similar academic projects. However, the impact of Demand scholarship on human trafficking prevalence and its consequences for forecasting have never been measured, quantified, or rigorously studied. Yet, Demand is what moves potential risk to actual risk in my model of prevalence and is what clearly distinguishes human trafficking from myriad related crimes such as rape, child abuse, sexual abuse, etc. Demand is also generalizable to developed and developing countries alike. While one may find it more prudent to measure consumption in some developed or destination countries as a measure of the likelihood of risk being individually-experienced among the at-risk population, this could also be quantified in developing countries through the context of incentives or disincentives for recruiters to obtain vulnerable persons for profit-maximizing enslavement. The essence of demand is that an actor determines that it is a profitable endeavor to exploit vulnerable persons for profit, whether they provide or consume directly.

⁶⁸ Montgomery Heather. 2008. “Buying Innocence: Child Sex Tourists in Thailand.” *Third World Quarterly*, Vol. 29 (5): 903-917.

⁶⁹ *DEMAND: A Comparative Examination of Sex Tourism and Trafficking in Jamaica, Japan, the Netherlands, and the United States*. Available on Blackboard/FILES or at <http://www.sharedhope.org/files/DEMAND.pdf>

Operationalization of Individually-Experienced Risk: Demand or Likelihood of Punitive Action

Operationalization of individually-experienced risk to human trafficking will essentially be the most difficult component to conceptualize and accurately quantify as it is an ever-changing and elusive entity. However, we may attempt to approximate this value by various innovative methods. One major component of whether risk of human trafficking is individually-experienced, aside from those confirmed or identified victims of human trafficking will be a more specific measure of the punitive climate in which the market exists. For example: a young girl could feel more vulnerable to human trafficking specifically, if she has many other friends that are controlled against their will by pimps, and all efforts for them to turn to legal systems or law enforcement have been futile or ineffective. One way in which this could be measured would be the prosecution rates in each state of traffickers as compared to complaints, reports of human trafficking, or relative volume of trafficking-prone areas or incidents. Another potential way of measuring this component could be derived from the amounts of alternatives to jail time for purchasers of commercial sex via first time offender programs, Johns Schools, and Dear John letters.⁷⁰ While many of these measures may not directly address human trafficking specifically, coupled with other measurements from the National Human Trafficking Resource Center hotline data, we should be able to determine the frequency of reports or complaints of human trafficking in an area and compare them with known prosecution rates for trafficking. Additionally, it would not be an inaccurate assumption that people who are actively engaging in prostitution are doing so under the control or relative control of a manager or local level pimp who might “own” parts of a known prostitution track or area. Thus, these individuals are very likely to individually-experience risk to human trafficking among many other physical and emotional dangers.

Conclusion

In conclusion, this project demonstrates the first concerted effort towards a theoretically-based and comprehensive model of assessing risk to human trafficking among a vulnerable population. For the purposes of this initial study, the sub-population in question will be minors in the United States. However, each component of this model and concept can be applied to any other country or region as long as the modeler has sufficient knowledge of the nuances of the trafficking

⁷⁰ Dear John letters refer to programs implemented in some states where the license plates of cars parked in areas known for high volume of prostitution (distinct from human trafficking) are recorded and letters detailing the dangers of engaging in sex acts via prostitution are sent directly to the offending vehicle owner’s home.

trends in that country or region and the correct resources to help capture and quantify these trends.

