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Beyond the Global Public Interest: Instrumental Use of Migration Definitions on the Burmese-Thai Border

(Gate at the end of the "Friendship Bridge" between Myawaddy, Burma, and Moei, Thailand, and beneath it, the flooded Moei River. Both are popular means of crossing between the countries and may not be as different as they appear.)

ABSTRACT: The current ambiguity of definitions regarding migrants and processes of transnational migration offer space for states and media sources to use them for their own interests, respectively, to reduce undesirable immigration and capture the attention of the public. Transnational moral entrepreneurs, such as human rights and asylum advocates, rely on both states and the media to achieve their goals, which often conflict with state interests. This paper, using empirical scholarly and mass media sources, examines how the varying definitions of political and economic migrants, human smuggling and human trafficking, can be co-opted by states in both the developed and developing world to further their particular and self-defined interests, while maintaining the appearance of yielding to normative pressures. Such pressures originate both internally and externally from moral entrepreneurs empowered by mass media and the transnational public sphere.

[On Wed., April 9th, 2008,] 54 Burmese migrants suffocated to death in a seafood container truck in Ranong Province on the west coast of Thailand while they were traveling to seek jobs in the southern provinces of Phuket and Phang Nga. The deaths occurred in Suksamran District, near Kawthoung, Burma. Among the victims, 37 were women and 17 were men.

On Friday, two of the survivors were still receiving treatment at the Suksamran and Muang Ranong hospitals. The other survivors are facing repatriation or detention in prison if they cannot afford to pay a fine of 1,000-2,000 baht [$30-60] for illegal entry.

On Thursday, the Bangkok-based Human Rights and Development Foundation (HRDF) released a statement which called on the Thai government to delay deportation of the survivors to ensure that an investigation can be carried out "with transparency to address the problem of official corruption and involvement in human trafficking."

Thai Interior Minister Chalerm Yubamrung denied that officials were involved in human smuggling and vowed to study US policies to find a solution to the problem of illegal migration.

However, the supreme commander of the Thai army, Gen Bunsarng Niumpradit, acknowledged that it was difficult to prevent illegal entry because human trafficking rings have various ways of smuggling people into the country and many are also well-connected to influential local figures…

…the Thai government should speed up its investigation to determine whether the migrants were victims of human trafficking. If they were forcibly taken into Thailand, they should receive assistance and compensation…[1]

Immigration bureau chief Pol Lt-Gen Chatchawal Suksomjit said on Monday [April 21st] that an initial investigation had determined the evidence in the case did not support a human trafficking charge but rather the case would be handled as one of human smuggling. "This initial finding may run counter to general sentiment and reports which labeled this as a case of human trafficking. But there is a difference between human smuggling and trafficking, it's a matter of degree," said Pol Lt-Gen Chatchawal

Under Thai law, human trafficking requires an act of exploitation, which was absent from the case of the 54 migrants who died while seeking proper work. Human trafficking must involve smuggling of people with the specific objective of employing them in slave-like conditions and jobs. People smuggling is a crime of lesser degree and the penalties are less severe.[2]

Introduction. How can theories of international migration, state interests, and international norms help us to interpret the situation outlined above, in which a developing country has manipulated the U.S.-imposed definition of human trafficking, emphasizing the *intended destination* over the process itself, to lessen a crime of illegal (and fatal) immigration?

The assumption that states are rational actors which conduct their affairs according to their self-defined interests hardly needs mentioning in the case of strong, developed countries. Fortunately, countries in the core of the world system may face more international scrutiny to behave in a moral, responsible way, as likely expounded in their liberal rhetoric. Meanwhile, states in the periphery may be more constrained by larger states, on one hand, but also held to lower standards of morality and human rights provision, due to lower state capacities. Processes with strong normative implications, such as transnational migration, offer an opportunity to observe how states balance their political and economic interests with international pressures to behave in a normatively conformed manner. Two prevailing international migration norms which challenge states' interests will be discussed in this paper: the definitions of "political" versus "economic" migrants and human trafficking versus human smuggling. It will be

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[1] See Silp, April 11th
[2] See Silp, April 22nd

argued that states in both the core and the periphery circumvent or co-opt the normative migration preferences of the international community in pursuit of their own interests.

The International Organization for Migration calls economic inequality between states the "iron law" of motivation for transnational migrants, all of whom rationally seek greater economic opportunities. That there are now more people engaged in migratory processes than any time in human history has grave implications for studies conducted by international financial institutions of the Washington Consensus, claiming that globalization, a catch-word for the liberalization of global trade and financial markets, has actually reduced international inequality[3]. Economic migration is, as ever, the predominant form, but the sheer mass of "economic migrants" threatens to swallow up an all-but-forgotten group of "forced migrants", those who flee their countries to escape from war or political persecution. The failure of states to liberalize their immigration policies along with their national economies creates a tension between the stronger normative preference for accepting political refugees than economic ones, while over-arching border control imperatives in the post-9/11 context necessitate tight restrictions on immigration. Developed countries such as the United States must increasingly scramble to salvage global moral credibility lost from enacting anti-immigration policies. This can be partially accomplished by new global campaigns against immoral acts such as human trafficking.

By leading the international, moral crusade against traffickers of human beings—encouraging governments worldwide to target such facilitators for arrest—the United States becomes what scholars have called a "transnational moral entrepreneur" in state form[4]. It thus simultaneously achieves otherwise conflicting goals: burnishing its international image and reducing immigration flows. As will be shown in this paper, Thailand has largely adopted the U.S. legal standards for defining human trafficking, but it uses them in a different way, though pragmatically for similar state interests of minimizing immigration from impoverished countries. Thailand faces less pressure than the U.S. to be a paragon of state morality. However, the U.S. and developed countries have for some time been encouraging it to enact and enforce laws resembling their own. Given Thailand's remarkably similar situation to the U.S. in terms of both political and economic migrants desiring to gain entry, noting how the government uses policies not entirely of its own choosing is worth scholarly attention.

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[3] If the concept of an "economic" or "South-North" migrant, one who migrates from a poor area to a rich area, is accepted as a basic term with built-in motivations, one would expect decreased numbers of migrants if the globalizers' claim were true.

[4] See Friman (2007), pg. 5-9, and Andreas and Nadelmann's first chapter on the history of global prohibition regimes led by "transnational moral entrepreneurs". Arguably, the publication of the U.S. TIPR shows the state taking on this role.

Phasing out the much-abused policy of political asylum by defining consensual human smuggling out of existence is one of developed states' less publicized, secondary accomplishments of the global anti-trafficking campaign. Several scholars have noted that the procedures for asylum application and the definition of a refugee entitled to asylum are becoming more exclusive, but outright "rejecting refugees", as one 2008 book is entitled[5], threatens to turn the issue of asylum from a moral plus to moral demerit in developed, Western countries. Much less visible and thereby less costly is *defacto* co-optation of moral anti-trafficking efforts by internationally hostile anti-immigration interests. By defining nearly *all* types of facilitated migration coercive and deceptive "trafficking", a generally negative image of migration facilitators is fostered, justifying international law-enforcement efforts against them. Such covert anti-immigration tactics are part of what Michael Gibney calls a strategy of "non-arrival"[6], designed to minimize both the overall number of migrants reaching U.S. shores and the number who have legitimate claims to asylum but are domestically too costly to accommodate.

If such baroque processes are at work in the regulation of South-North migration by the governments of developed countries, what response can be expected from governments and populations in the developing world? This study will use the case of Burma[7] and Thailand to illustrate that both developing world and proximity issues preclude strictly defined migration policies but that such states aspire to use their limited law-enforcement capacities in a similar way as developed countries, both under normative international pressure and for domestic state interests. In the case of Thailand, or any aspirant to the semi-periphery bordered by a poorer and less politically liberal or democratic state, the state will be more interested in protecting its domestic interests than in conforming to international norms such as anti-trafficking or anti-prostitution. Nonetheless, it will also strive to define immigrants in a strategic manner similar to the developed countries and use its limited capacities to enforce domestic labor and migration laws. In short, the processes and actors at the core are present in the semi-periphery, but with added pressure from the core to conform to international norms.

It is a central aspiration that this paper will integrate related topics which few have dared to breach, while shedding light on the instrumental use of definitions to justify self-interested policy decisions. Empirical evidence

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[5] See Bohmer and Shuman. Khoser, an asylum advocate, also makes direct links between the growing relationship between asylum-seekers and human/migrant smuggling.

[6] See Gibney's chapter "A Thousand Little Guantanamos": Western States and Measures to Prevent the Arrival of Refugees, in Turnstall's book for discussion how efforts to target smugglers and traffickers reduce developed states' immigration flows, thereby preventing the use (and "misuse" by economic migrants) of asylum policy.

[7] Recent work with Burmese refugees suggests that "Burma" and "Myanmar" are virtually interchangeable; this essay will refer to the country as Burma in solidarity with those who reject the legitimacy of the SPDC regime.

of such instrumentality in a global and developing country context will be offered in descriptive statistics of mass media and scholarly treatment of migratory processes, with closer scrutiny of the revealing response of the Thai government to the tragedy described above, and which captured the world's attention for a brief moment.

Literature Review. Divided into four sections, with a consistent focus on state interests, this will consist of reviewing migration theory and policy histories in general, the classification of migrants as either "political" or "economic", and their means of migration as unassisted, smuggled, or trafficked. As the empirical portion of the paper draws heavily from mass media, its treatment of these topics will be examined as well.

As noted by Freeman, most of the literature on migration policy, theory, and definitions comes from a legal, criminology, or human rights perspective, though state interests are by no means absent. He claims that state interests are calculated according to pressures from interested coalitions in the labor market. Aristide Zolberg offers a simple explanation for pro-immigration and restrictionist coalitions in the United States, and it transfers surprisingly well to a developing country context. See Figure 1.1 below.

Fig 1.1 The 'Strange Bedfellows' of American Immigration Politics
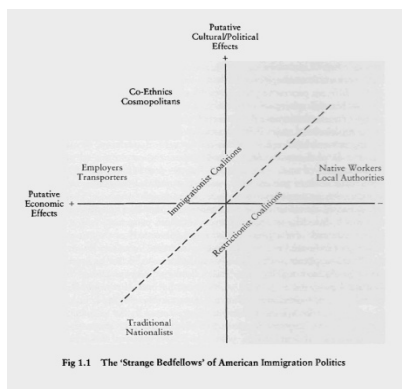
FIGURE 1.1: Coalitions which support immigration or restriction of it.[8]

Zolberg's attention to the history and theory of migration over several decades makes his perspective worth summarizing. While the liberalization of global trade and capital markets has been said to come in three "waves" since the 19th century, liberal immigration policies have not generally followed suit. The vast majority of modern history has seen most states holding "mercantilist" migration policies to be in their interest, wherein one's own population is prized, discouraged from emigration, and states compete with each other to lure *skilled* individuals to immigrate. This changed somewhat with the encouragement of emigration to one's colonies, which were extensions of the state's power and tended to have relatively high ratios of land to population. Such ratios and colonial needs,

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[8] Taken from Zolberg, pg. 277. Indeed, as will be discussed in the case study, employers in Thailand benefit greatly from Burmese immigration.

translated as a strong demand for labor, were behind the longest period of sustained, liberal immigration policies in the 19th century. For Zolberg, modernity was ushered in by restrictive laws on immigration, such as the 1882 anti-Chinese policy enacted by California to stem the rising tide of migrants fleeing poverty in the rapidly declining Qing empire[9]. Such exclusive frameworks are used extensively today by states to "select immigrants based on positive definitions of fitness, such as occupational preferences"[10].

The two World Wars, an interim period for globalization, were almost necessarily a liberal period of immigration, as the issue of "forced migration" came to the fore. William Wood's extensive study of the phenomenon gives us workable definitions of political and economic migrants, both of whom can be forced to migrate[11]. Political migrants have been defined internationally as refugees and asylum seekers, highly prominent after the 1951 UNHCR defined them, in a resolution which Thailand has never signed[12]. In the contemporary, post Cold War context, paired with "neo-mercantilist" migration perspectives prevailing since WWII, the acceptance of political migrants has ceased to serve the central strategies of the West, as there is no longer a global "enemy state" whose opposing interests are being harmed by doing so. Rather, from the perspective of developed countries, accepting asylum-seekers from the many unsavory regimes which remain can now provide only prestige and moral standing. Much less in states' interests, international asylum law allows impoverished and undesirable masses—normatively less worthy "economic migrants"--to use this policy to their advantage in forestalling deportation. Further evidence of state interests triumphing over costly international norms regarding economic migrants can be found in Jakubowski's recent article on why so few countries have signed international treaties on the rights of illegal immigrants and undocumented workers[13].

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[9] Incidentally, modern human trafficking also has roots in the Chinese "coolie" trade, in which rampant abduction by Europeans made residents of southeast China in the 19th century fear venturing from their homes. See Mei and also Zolberg's article "The Great Wall Against China". Another useful idea to keep in mind: "Liberal regimes do not guarantee liberal immigration policy, but they are the only kind which have ever had them, and only briefly, when labor was needed." (Zolberg, pg. 126).

[10] See Zolberg, pg. 120

[11] Wood, pg. 615, gives the forcing or "push" factors defining political migrants as 1) political instability, war, and persecution—the conditions usually blamed for causing refugees. Forced migrants may also be "pushed" by 2) life-threatening economic decline and ecological crisis—the conditions usually blamed for causing international "economic" migrants (for example "guest workers", "illegal" migrants, and the inaptly named "environmental refugees".)

[12] Lang writes at length about Thailand's self-interested pragmatism in not signing the resolution. Bohmer, Khoser, and others who focus on asylum seekers note that it was used primarily as a humanitarian safety net to catch defectors from the communist bloc in the Cold War.

[13] She strongly advocates writing binding resolutions into international trade agreements instead of relying on "soft" human rights initiatives which have been repeatedly ignored.

The difference between human trafficking and smuggling, despite efforts by both the UN and USA to standardize definitions, remains heavily politicized and often determined by individual government officials[14]. To summarize recent works as briefly as possible, McCabe finds the distinction "vague" and "confusing", while the material difference can be significant for this study's puzzle in that smuggled migrants are not eligible for benefits provided to trafficking victims[15]. Koslowski finds it necessary, observing repeated misunderstanding and exaggerations, to clarify that trafficking is a subset of smuggling driven by rising opportunities for profit, and both fall under "irregular, unauthorized, and illegal migration"[16]. In one of few books treating both processes in its title, Zhang appears to side with Kevin Bales in that the migrant's consent is almost always violated in some way, making the two practically indistinguishable[17]. Still, refugee advocates note frequently that asylum-seekers must increasingly rely on middle-men to make illegal border crossings, and a consensual process is absolutely necessary for the concept of asylum to be viable[18]. Most recent publications agree that while each definition aspires to be applicable to all contexts, states and other actors are free to select among them or emphasize certain portions in the pursuit of their interests[19].

In the absence of universal definitions, transnational moral entrepreneurs and certain states have been vocal and active in declaring a nearly unilateral war on human trafficking since at least the beginning of the century. Evidence of the global emphasis on trafficking can be found in the frequency with which different types of media report on migration processes. Authors such as Haynes have been highly critical of media's depiction of human trafficking to the public in the most lurid of terms, and some have questioned similar tactics of the U.S. to raise global awareness. A chart of descriptive statistics is found below, in FIGURE 1, which should not be taken as fully representative, due to non-random sampling.

Source	Human Trafficking	Human Smuggling	Political Asylum	Transnational Migration	Illegal Migration	Illegal Immigration	refugee

[14] Aromaa's article, "Trafficking in Human Beings: Uniform Definitions for Better Measuring and for Effective Counter-Measures", in Savona's book, defends law enforcement but decries the "we know it when we see it" non-definition which results in non-uniform recording and measurement of the phenomenon.

[15] See McCabe, pg. 94, 6.

[16] See Tunstall, pg. 259. In a human rights book, he also notes that smugglers can still be "heroes, even if they accepted payment."

[17] See Zhang, pg. 107-8, who notes that the UN and ILO's definitions have their own emphases, while NGO's are even less reliable.

[18] Bohmer claims that political migrants' reliance on such services is also increasing the numbers and profits of traffickers, pg. 255, 268. She is surprisingly silent, even unclear, on the distinction with smugglers, unlike Khoser and Koslowski who rightly preserve their roles.

[19] See especially Ebbe, pg. 131-133, Haque's chapter "Ambiguities and Confusions…" in Beeks & Amir (Eds.). Chuang, Sharma, and Chapkins also have interesting takes on definitions being used to control immigration, the consequential failures of politicizing them.

Source							
Yahoo	11900000	1960000	3860000	137000	1290000	24200000	74000000
Google	2520000	221000	718000	68000	262000	4090000	15000000
CNN.com	1488	625	1015	3	170	1434	7320
USA Today	38	22	730	0	12	815	6471
New York Times	4220	1630	>10,000	2	1150	>10,000	>10,000
Milwaukee J-S	42	15	241	0	10	455	5287
San Diego Union-Tribune	40	39	30	0	9	481	344
Bangkok Post	49	4	116	0	4	8	111
*Myanmar.com	120	0	0	0	0	0	7
China Daily	281	114	91	0	111	362	1880
The Irrawaddy	107	9	52	0	9	14	1099
Forced Migration Review^	45	19	4	0	5	4	895
Google Scholar	8430	2540	9320	6100	8010	21300	381,000
Project Muse	106	34	135	169	69	313	2608
JSTOR	93	82	1292	572	748	2178	29241
Int'l Migration Review	10	24	58	78	75	123	588
Journal of Ethnic and Migration Studies	6	8	7	35	13	13	82
Journal of International Migration and Itegration	4	9	3	18	11	13	168
Journal of Migration and Refugee Issues	1	0	1	12	16	36	747
Human Rights Quarterly	13	4	13	0	5	7	132

^Forced Migration Review is a magazine, not to be confused with peer-reviewed journals

*Myanmar.com combines both the "New Light of Myanmar" and "Myanmar Times" newspapers.

FIGURE 1: Number of articles mentioning migration terms, by media source.

Depending on the kind of media, these raw data support the axiom that discourse on immigration is heavily politicized and likely sensationalized. Note that the ratio between human trafficking and human smuggling "hits" moves from heavily favoring the former online, to a slightly more balanced ratio in newspapers, and finally favoring the latter in the case of peer-reviewed journals specializing in migration. The *International Migration Review* does so at a rate of more than 1:2, suggesting that the public awareness campaign and international policy push led by the USA may not be based on the soundest of research. Proximity effects of residing closer to a border may be behind the San Diego source's near-identical ratio of the two terms, though *much* more research would need to be done before concluding this.   Interestingly, for my case study, Burmese and Thai media show perhaps an even stronger preference for use of "trafficking", though a glance at Myanmar.com shows that the majority of its space is dedicated to denunciation of the U.S. TIPR as illegitimate. It should also be noted how rarely the scholarly jargon "transnational migration" cracks into the popular press.

While some may argue that certain distinctions are little more than pedantic ploys for publication[20], a typology which defines key terms must be clear for any scholarly discourse, even in the distasteful task of labeling legal "types" of people. Recent years, after 2000, have seen the introduction of a relatively new term, human trafficking, which has proceeded to dominate human rights scholars' and popular discourse, despite being only a fraction of overall migrant flows[21]. Much attention can be attributed to its rarefied moral resonance, its power to capture and torment the popular imagination, but as a new term modifying a longstanding practice and backed by well-funded international campaigns, its definition in relation to other migratory terms has deserved and received a great deal of scrutiny. As the opening excerpts illustrate, any macroanalytical framework for transnational migration must address definitions and consistent use of terms to describe processes and their resultant products. FIGURE 2 below is my attempt at this, and as it does not draw from any particular perspective[22], it should not be considered authoritative or inflexible.

Process	Product	Facilitator(s)	Facilitator Necessary?	Product Consents to Cross?
Tourism	Tourist	Travel Agent, Tour Guide	No	Yes
Migration	Migrant	Anyone legal, by law of receiving gov't	No	Yes
Illegal Immigration	Illegal Immigrant	Anyone illegal, by law of receiving gov't	No	Depends
Human Smuggling	Customer, Illegal Immigrant	Smuggler, Coyote, Snakehead	Yes	Yes
Human Trafficking	Victim, Illegal Immigrant	Trafficker, Coyote, Snakehead	Yes	No
Slavery	Slave	Slaveholder, Trader	Yes	No
Political Asylum	Asylum-seeker, Refugee	Receiving Government	Yes	Yes
Forced Migration	Migrant, Refugee	Sending Government	Yes	Yes
International Commerce	Business Professional	Receiving Country Customer/Parnter	Yes	Yes

FIGURE 2: Some prominent processes and "products" of transnational migration (not standardized)[23].

[20] as would I in the cases of international versus transnational migration
[21] A recent article in the UN publication *IRIN* surveying Burmese immigrants in Thailand found that 12% fit the UN definition of "trafficked". See United Nations Office for the Coordination of Humanitarian Affairs.
[22] International legal definitions of these processes most commonly refer to the 1951 UN Protocol on the rights of refugees, the 2000 UN definition of trafficking, the U.S. Trafficking Victims Protection Act, The Palermo Protocol, etc. As Freeman and others note, these can be interpreted in terms of interests, rights, and institutions. Law enforcement is frequently noted to be a counter-productive framework.
[23] It may be worth dividing my lengthy bibliography by the processes on which the authors focus. Kevin Bales has only recently attempted to integrate his focus on "global slavery" with other literatures of international migration, so his framework remains something of an outlier. Refugees and political asylum are the primary focus of Khoser, Bohmer, and the advocates in Tunstall's book. More directly within the realm of IPE scholarship are texts which focus on connections to the illicit economy: Naím, Andreas and Nadelmann, Friman and Reich. Most attempt to treat human trafficking in isolation, as in the cases of Beeks and Amir, McCabe, Chuang, Chapkis, Emmers et. all, Guinn, and countless others. Actual political scientists (and a geographer) do seem more willing to confront the issue of international migration as a whole, in the cases of Freeman, Zolberg, and Wood. Moses' 2006 book is noteworthy for excluding human trafficking altogether, mentioning the "global migrant smuggling industry" only twice. Another extreme case is Nandita Sharma's "Global Apartheid" piece, which predictably advocates opening the borders and blaming capitalism for migratory and

Inclusions such as tourists—common, licit, intuitively-defined, yet still not uncontroversial—serve to show that terms can be intuitive, encouraged by governments, and still problematic. Even otherwise valued tourists and foreign businesspeople become illegal immigrants in the eyes of the receiving country the moment they overstay their visas[24]. Obviously, such distinctions are idealized, but there has been in the past several years a concerted and arguably international effort to standardize such terms. Leading in such assertions that these terms are universally applicable, the United States merits special attention in the struggle for nomenclatorial dominion.

The United States' status as reigning hegemon is perhaps buttressed by being the world's destination country *du jour*. It would then appear fitting that it has taken a clear, even ostentatious leading role in issues of international migration, especially in the standardization of laws and terms. It is expected that this study will have implications for how appropriate it is for standardized definitions to be used in all national contexts, and more explicitly, whether the U.S. State Department's Trafficking in Persons Report (TIPR), with individual listings for the vast majority of the world's states, is being formulated and applied judiciously. The U.S. TIPR, while laudable for drawing domestic and international attention to this reprehensible practice, also exposes itself to broad criticism for de-emphasizing its underlying, largely economic causes, even falling into the extreme position of denying that consensual human smuggling exists. The U.S. case offers the clearest evidence of a developed country deriving its ethical recognition less and less from the number of asylum seekers it grants refugee status. Carol Bohmer's 2008 book focuses on the requirement that asylum seekers prove their persecution to gain this status, and governments often prefer that immigrants be unaware of the concept, rather than facilitating their applications.

Theoretical Framework for Definitions of Processes and "Products". Most studies of migration focus on the phenomenon of South-North migration, under the false assumption that it is by far the most prevalent and important, while policies and data are clearest, best enforced, most transparent, reliable, and valid[25]. Borders between developing countries, while far more numerous[26], are assumed to be formalities in the wild frontier: porous

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most other problems[23]. What is a scholar to do when so many argue for such disparate foci? State incentives for defining these processes offer some hope of synthesis.

[24] Though not germane to this paper's many research questions, those interested in a study of political and economic effects of international tourism in Burma and Thailand may find Michael Parnwell's chapter of David Graham's book useful.

[25] Illicit international economy articles are doubly constrained by the lack of data in general and by LDC/developed deficits in quality.

[26] Thus, flows of migrants are logically greater. Graham, pg. 188, asserts that most migration and refugee movements take place in developing countries, and additionally, that globalization processes are *causing* migration to increase.

and corrupt, or virtually unregulated[27]. Illegal migration elsewhere is thought to be less deserving of study simply because it is not as difficult, and existing migration studies have an understandable bias toward studying the U.S. This study is intended to address that bias and illustrate the additional definitional ambiguity which must be accepted when studying the developing world.

It should be abundantly clear that all migratory processes share the fundamental element of people crossing state borders, yet politics and economics intervene to shape disparate motives and legalities of each. Despite such a shared foundation, articles tend to treat each process in isolation, with at best a few sentences on how definitions and actual practices affect and impinge upon each other. Isolating a single process improves clarity and measurement of each phenomenon[28], but such may come at the expense of holistic understandings of real world migration, in which nothing exists in pure form. Perhaps due to the inchoate nature of IPE migration studies, scholars focused on a particular process may only "muddy the picture" of their vital process by "talking to" studies focusing on another aspect of transnational migration[29]. Already tenuous distinctions between processes may be lost altogether. Such scholarly distance is, I suggest, a luxury of physical distance from actual migrants, and any specialized term is only as useful as its ability to be flexible for messily real, inter-subjective application.

Given the variety of reasons to secure national borders, unassisted illegal migration is becoming rarer, as few individuals are able to surmount all the obstacles or bribe all the right people to cross. Processes of human smuggling and trafficking can be distinguished by the presence of a "middle man" or facilitator of the border crossing, in the many cases where an individual is unable or unwilling to cross alone. Note, however, that such facilitators differ from licit actors such as travel guides and "guest worker" employers only in that the receiving country deems such crossings illegal. Use of terms like trafficking and smuggling allows for the construction of an "evil doer" who, not unlike terrorists, can be apprehended and punished. From a law-enforcement perspective, each case allows at best for the "treatment of symptoms" to the neglect of the causes underlying the illicit acts and actors.

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[27] Personal experience in Asia, specifically the Chinese-Mongolian border, suggests that illegal immigration at official crossing points is nearly as tightly controlled as the U.S. border with Canada. That is to say, controls can be circumvented only at considerable cost, and the vast majority are turned away as required by law.

[28] Isolating a particular process allows for the greatest clarity of definitions, in turn making murky measurements of illicit practices more reliable in principle.

[29] It also creates a tendency for scholarly one-upmanship: focus only on trafficking in women and children will provoke indignant claims of ignoring non-sexual work, of ignoring consensual smuggling, or of political migrants. Unless one argues that by isolating one abhorrent process it can be eliminated, allowing for the next to be addressed in turn, I find it preferable to emphasize the importance of all processes, even at the expense of depth. As illustrated by the media statistics in APPENDIX B, the benefits of migration appear to be in danger of being washed out of public consciousness by anti-HT and anti-immigration activists.

While erecting legal and physical barriers to transnational migration may have a lessening effect on immigrant flows into one's country, their more visible and consequential effect for this study relates to a law of the illicit global economy. Restricting immigration and increased emphasis on border control does not address the burgeoning demand of both political and economic migrants to emigrate, and thus immigration controls have the same effect as global prohibition regimes against illicit goods such as drugs and small arms: migrants of all kinds are increasingly dependent on illicit facilitators, both smugglers and traffickers[30], to satisfy their demand to enter developed countries in search of better lives. Targeting these facilitators has the immediate effect of raising the price of their services and the goods they deliver. Though others make the same point, Sheldon Zhang provides the most explicit monetary illustrations: in the 1990's Mexican coyotes charged only $200 to enter the U.S., while even the "current" figure from 2000 of $1000 has likely gone up[31]. Longer trips for a Chinese migrant, involving multiple borders, bribes, and facilitators, routinely total over $50,000[32]. Trafficked women for exploitation in the sex industry, by a mid-1990's CIA estimate, earn their traffickers $250,000 each[33] in the developed world, while even in a developing country like Thailand an indentured or enslaved prostitute will make her brothel $10,000 a month[34].

Case Study: Burma and Thailand. Why are Burma and Thailand an appropriate dyad for studying these phenomena in the developing world? Firstly, they present a case of great ambiguity between political and economic migrants in a real and "constant crisis" which demands careful analysis outside of mass media. Secondly, Thailand's increased border controls fit a global pattern of raising the costs of entry, the necessity of one or more facilitators, and creating a thriving, illicit industry. The longstanding interest in this crisis has also attracted far more systematic study and better data than the perennial counter-example, Africa. The tensions between domestic needs and international pressure to legislate and enforce laws according to a highly visible global norm are particularly severe in Thailand. Finally, despite the exceptional scale of the Burmese crisis, the case offers opportunities to generalize to any bilateral state relationship with a troublesome neighbor which is poorer and less democratic or stable politically.

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[30] Considerable attention in this essay will be paid to the nebulous distinctions between economic and political migrants as well as human trafficking and smuggling.

[31] See Zhang, pg. 22

[32] See Margaret Green, Karen Jacobsen, and Sandee Pyne´s article ¨Invisible in Thailand: Documenting the Need for Protection", in Couldry's special issue of *Forced Migration Review*

[33] See Haynes, pg. 114

[34] See Bales (2004), pg. 4

Background. With regard to Thailand's immigration policies, the government faces considerable pressures from sources other than its domestic population. The U.S.-led pressure to combat trafficking, regional needs in ASEAN as well as bilateral relations with Burma are among the most significant. At least one book has been written tracing the history of Burmese refugees in Thailand[35], and it supports the general impression of Thailand preferring to respond to the migration issue as it sees fit, neither signing on to international agreements nor denying the concept of a political refugee altogether. It is essentially a pragmatic approach which gives formal asylum in Bangkok to members of the 1988 protest group while abiding by the principle of *non-refoulement* of forced migrants in refugee camps along the Burmese border[36].
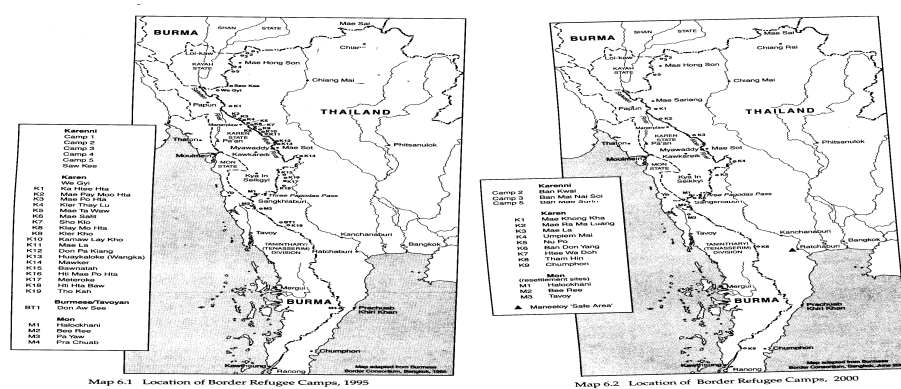
FIGURE 3: Maps of refugee camp consolidation. Note that a reduction in the number of camps does *not* imply a reduction of total refugees.

The otherwise admirable independent research conducted by Kevin Bales in his crusade to end global slavery has a distorting effect on the situation in Thailand, which his 2004 chapter portrays as trapped by an immoral culture of female exploitation, in which all tourists are issued a prostitute upon getting off the plane. There is abundant evidence that ethnic Thai prostitutes have in recent years accounted increasingly for illegal but consensual *emigration* flows into rich countries, while the sea of immigrants from Thailand's poor neighbors are called upon to satisfy domestic demands for prostitution. Nonetheless, of all migrant inflows, at least two thirds of which are said to be Burmese, a Thai official estimate puts the percentage working in the sex industry at only 5%[37]. As Bales himself notes, combating the "symptom" by repatriating trafficked Burmese prostitutes only results in their being

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[35] See Lang especially for a historical discussion and the practicalities of not signing the 1951 convention. Caouette covers the late 1990's to early 2000's particularly well, though it has the strongest bias of any source for classification of the *vast majority* of Burmese immigrants as political rather than economic migrants simply in search of employment.

[36] Caouette's 2002 article offers exceptions from the turn of this century, as the "neutral, apolitical" IOM was consigned to staff "processing stations" on the Burmese border for the safely facilitated repatriation of refugees back to Burma.

[37] See Phongpaichit, pg. 176, Bales (2004), pg. 34-79, Caouette's whole book, and most of the material on human trafficking in women and children.

charged with "illegal departure" by Burmese police[38]. Criminalization on their return only legitimizes their claim to persecution and refugee status in a likely return to Thailand, and while Thai anti-prostitution efforts are questionable, they are indisputably working to minimize the number of political migrants in the country.

Raising public awareness of human rights violations such as coerced or child sex work is certainly laudable from a moral absolutist standpoint. Policies based upon absolute morality, however, are easily coopted by less noble state interests and often cause net harm[39]. If the international response to trafficking is allowed to be channeled into restricting all international migration, as is especially in the interest of rich destination countries, the greater problem of political and non-sexual economic migration will only worsen. Especially in the case of Thailand, where prostitution is all but legalized and extremely unlikely to be eradicated or even reduced, greater harm is being done in providing the immigration restriction coalitions with leverage to exclude truly desperate and deserving Burmese immigrants.

Returning to Zolberg's concept of domestic coalitions which shape the state's view of its interest, which thereby influence immigration policy, both Hazel Lang and Mika Toyota have shown that Thai immigration policies had been quite liberal until 1994. By that time inflows of Burmese fleeing violence became so "visible" that the Thai government had little choice but to enact a policy to control them. Controls became deportations by the 1997 financial crisis, when the issue of illegal immigrants was linked directly to rising unemployment in Thailand. Despite aggressive repatriation and arresting more than 1,000 employers who had hired illegal migrant workers in 2000, neither the supply of migrants nor demand for their labor was curbed. Instead, Toyota notes, the predictable result of the controls was a booming human smuggling industry. In the early 1990's, a little more than $100 bought a Burmese migrant an escorted, all-expenses (i.e. transport, bribes, and employment connections) paid trip deep into Thailand; by 2003 standard fees to hire a "migration entrepreneur" had risen to over $500, requiring more than a year to pay off from Thai wages.[40] Especially given the accumulating "push" factors in Burma within the past year, no evidence of actual reductions in the Burmese population of Thailand have been encountered.

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[38] See Bales (2004), pg. 68.
[39] Ethan Nadelmann and others have argued persuasively for the abandonment of prohibition regimes for some time on the grounds of harm reduction, though it seems that doing so now requires a reduction of the image of the state as a moral enforcer.
[40] Toyota's summary of Thai immigration policies (pg. 292-5) is the most thorough yet found, yet even it must resort to anecdotal support for most of its conclusions. It is also refreshing to read of a relatively well-functioning network not sensationalized or even related to sex work. Burmese maids, by her account, are almost prospering.

Several events in the past year have made information on Burmese migrant flows into Thailand particularly abundant compared to other developing countries, and this study will draw its conclusions from them. In September 2007 the SPDC cracked down on anti-government protests in what has been called the "Saffron Revolution", creating another spike in illegal migration across the Thai border. The *Forced Migration Review*, published by Oxford's Refugee Studies Center, dedicated an entire issue in April 2008 to the Burmese-Thai border and internal displacement within Burma, producing some of the best data available for transnational migration and migrants in the developing world. Little did they know, however, that the incident cited at the beginning of this paper would occur and attract international scrutiny on the hot issue of human trafficking. Complicating matters still further was the ongoing tragedy of Cyclone Nargis, which struck Burma on May 2-3, killing over 100,000 people and displacing countless others. Further opprobrium was heaped upon the SPDC for restricting and even rejecting international aid for cyclone victims. Finally, in October *The Irrawaddy*, a Thailand-based monthly newsmagazine run and written by Burmese exiles, ran a feature article on economic migrants from Burma. In short, there may be no more appropriate case to study how political and economic factors converge to shape the definition and treatment of migrants in the developing world.

It should be noted that the border between Burma and Thailand is rather unique, not solely for its length. As further evidence of pragmatism, Burmese may cross into border towns legally, and without a passport by paying a fee; migrants do not become illegal (or require facilitators) unless they stay past the border closure or attempt to leave the border town, as military checkpoints span all roads leading inland. In the case of the Maesot crossing station, the fee is easily bypassed by taking a boat or inner tube across the Moei River, and many become unwittingly illegal when they attempt to enter the refugee camps but are turned away[41].

An estimated ten percent of the Burmese population of 55 million is now employed outside of Burma, and the source of these figures makes no claim that the majority of them do so legally. A similarly astounding fact is that 300 Burmese migrant workers are smuggled into Thailand every day, adding to a total of around one million.[42] Such a high rate of flow undoubtedly provides cover for human trafficking operations and makes applications for

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[41] Due to previous camp consolidations, ranks of refugee camps are bulging beyond manageability, and the Thai government, in addition to rejecting some ethnic groups altogether, has placed a moratorium on camp registration in light of increased migration since 2005. See Couldry's special issue of *Forced Migration Review.*

[42] See Wine for more details of how the Burmese SPDC government attempts not only to regulate migrant outflows of its population, but also to profit from them by taxing employment agencies and the workers who manage to find jobs and send remittances back to Burma. An April 2008 article in *Forced Migration Review* estimates the figure of two million Burmese in Thailand. It is odd that the earlier figure would be larger.

political asylum all but farcical. The *Irrawaddy* article mentioned earlier notes that the Burmese government, for its part, is gaining considerable revenue issuing passports and taxing remittances sent back by emigrants in wealthier countries. When combined with Thailand's "guest worker" registration policy, it appears the two countries have a manageable bilateral relationship and a morally upstanding solution to the migration issue, which consists primarily of economic migrants[43].

Thailand, besides having much less capacity to "secure its border" than the USA, now faces pressing domestic problems which necessarily lower other priorities, such as immigration from Burma. Yet pressures to respond to the migration crisis of the past year have only grown, often with moments of intense international attention. How has it responded pragmatically to the need to maintain diplomatic relations with its neighboring pariah state, international moral standing, and its own domestic interests?

Economic or Political? We can look first to its definitions of Burmese immigrants. As Lang and Caouette have noted, Thailand has harbored Burmese refugees, providing them with a degree of protection and social services in border camps, for over 20 years. This fact atones somewhat for not ratifying the UNHCR Convention. Yet how Thailand defines political refugees to exclude more recent immigrants has received much less attention. Caouette (2002) finds Thailand's three classifications, "temporarily displaced, student or political dissident, migrant", woefully inadequate and discriminatory, but her assertion that the *vast majority* of Burmese immigrants are in Thailand for political reasons conflicts with a randomized April 2008 survey conducted by the International Rescue Committee and reported in the *Forced Migration Review[44]*. Like U.S. policy, the survey used the same standard of political persecution to qualify for international aid, which Bohmer says is responsible for "rejecting refugees", and still found that "a great number of Burmese people currently living in Thailand without legal protection merit further investigation as to their refugee status; and that only a small number of Burmese who warrant refugee status and attendant services actually receive any aid or protection either from the Thai government or from international aid agencies."[45] Scholars who revel in complexity should also note a significant ethnic determinant in the survey: only 15% of ethnic Bamar majority gave political reasons for their emigration; most had left for economic reasons.

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[43] Both Toyota and Caouette (2002) note that migrant worker registration is actually an immigration-stemming pretext which allows the Thai government to fine and deport the many more unregistered workers, some 80% of whom are from Burma.

[44] See Couldry and Herson (Eds.) for Green's article "Invisible in Thailand: Documenting the Need for Protection" for details of the surveying methodology, which was highly systematic and professional by the low standard set by other data on illegal migrants in developing countries.

[45] See Couldry and Herson (Eds.), pg. 30. Of those found to be "deserving", 80% were receiving no support at all.

Meanwhile, other ethnic groups claimed to be fleeing conflict at rates high enough to bring the total percentage of respondents who could be classified as refugees to over 50%.

Without knowing all the personal stories, my own work in the summer of 2008 with minorities from Chin and Arakan State confirms this ethnicity factor. Yet many of my students who were clearly political refugees were also eating only a single meal a day, living in crowded, communal housing provided by illegal NGO's , in fear of being fined and deported by Thai police, actively seeking employment in Thailand while awaiting appealed responses from the UNHCR and other international organizations for aid and official refugee status. As Brees notes, the Thai government is currently providing negligible services to recognized refugees, and in treating the many more who qualify but lack official "temporarily displaced" or "political dissident" status as illegal/economic immigrants, it effectively adds to their persecution. Thailand's own definition of a political migrant, ostensibly well within the range sanctioned by the international community, expects those with official recognition to twiddle their thumbs (or plot the overthrow of the SPDC), while far greater numbers are denied access to the camps, living in fear of two governments simultaneously[46].

Trafficking or Smuggling? In the tragedy of the 54 migrants who died in transit to work at beach resorts in Southern Thailand, described at the outset, what can we make of the actors involved and their motivations? What role has the media played in shaping the international community's understanding of the events? The Thai government, in denying that trafficking had occurred for lack of exploitative intent, is not only abiding by its domestic laws; it has also phrased its statement to conform to the United States' definition of the term, emphasizing the intentions of the employer or exploiter at the destination over the process used to get there[47]. The process itself was illegal but consensual between the facilitator and the customers—each paying between $100-$300 for the negligent driver's smuggling service. Expectations for harsher penalties due to the death of so many customers arise from the troubling proposition that the law must allocate extra punishment for criminals who do not perform their illicit act competently—in effect, criminal neglect within a criminal enterprise.

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[46] Brees' paper, critical of both the Thai government and international organizations further blurs the distinction between political and economic migrants by suggesting, audaciously, that refugees are also entitled to education and jobs.
[47] Janie Chuang, on pg. 152, gives a fine description of how the U.S. "end purpose" emphasis maximizes its applicability and differs from the international legal definition of trafficking, which focuses on "movement or recruitment of the person. Not entirely negative, she credits post-2005 TIPR's for shifting away from focusing "their efforts on trafficking for sexual purposes".

Other mass media coverage of the tragic event was surprisingly restrained in its judgment of the crimes and the questionable response of the Thai government. Of course, such restraint may simply be a result of covering the event itself and not its aftermath. A widely posted but unnamed source quotes the local police chief after the incident as follows: "We know which human-trafficking gang is behind this incident and we will round up their network," closing with an admission that "human trafficking was common in the province"[48]. A speech from a human rights advocacy group four months later is also unequivocal in calling the event human trafficking[49]. An Associated Press article mentions human trafficking immediately for dramatic effect, then never again over two pages[50]. The *Bangkok Post* sought to shame the Thai government's classification of the act as smuggling in at least one editorial[51]. Others, surprisingly, err on the side of the economic migrants having consented, not being transported with the intent of exploitation[52]. Most curious and provocative is the article on *CNN.com*, which claimed that a "human smuggling network…trafficked them" and then plays to the injustice of fining the survivors[53].

The only other ambiguous articles were found in *The Irrawaddy* and the official PR site for the Thai government, which initially promised harsh consequences for Burmese networks if found to be trafficking and closed with the possibility that only smuggling was involved[54]. The *Irrawaddy* articles appear to be practicing journalistic distance, while pushing the reader to judge the Thai government harshly; the PR site seems mostly concerned with conveying a moral and just government in need of plausible deniability. And finally, if there weren't enough internal confusion in the Thai government, a follow-up article in the *Bangkok Post* secured comments from the Thai Department of Special Investigation, in charge of human trafficking cases, most notably that they would not be investigating the refrigerator car incident because it was considered a case of illegal entry and not trafficking, as the Burmese migrants "were neither lured nor forced to come to Thailand".[55] When there is this much confusion within the government and the international media, it gives free reign for officials to make decisions in whatever manner it sees fit, confident in the near-impunity provided by cognitive dissonance.

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[48] See DPA
[49] See Thatun for *World Vision Australia*
[50] See Panpetch
[51] See Chantavanich
[52] See Mydans for the *New York Times*. An MSNBC article also uses "smuggling" exclusively.
[53] See Olam. The article offers a few other details not found in other articles.
[54] See Thailand Government Public Relations Department
[55] See Charoensuthipan

Our offended sense of justice is possible both because of our geographic distance from the events[56] and our sensationalist media. It has often been lamented that tragic events are far more likely to command our attention—and sell more printed media or advertising--than tragic trends or the aftermath of such events. As the Thai government must surely have calculated, prosecuting the facilitators of this migratory tragedy as traffickers would cause not only the *dead* migrants to be labeled as victims in the domestic legal sense, but also those who were consensually smuggled before them, those who continue to cross in such a manner, and those who will cross in the future. Illegal economic migrants are a source of government revenue, both in fees or bribes paid to authorities who catch them and as cheap, pliant labor for domestic industries, not the least being tourism[57]. Victims, conversely, are legally entitled to protection, in a manner not unlike the refugees whose numbers are actively being restricted[58].

It is difficult to argue that Thailand called this incident consensual smuggling, a case of "mutually advantageous exploitation" in Bhabha's terms, out of respect for the migrants' free will. Unlike the USA, whose immigration policies the Thai Interior Minister seeks to emulate, Thailand finds that a minimal definition of trafficking best suits its interests for minimizing illegal immigration. Prosecuting facilitators of economic migration will not reduce inflows of migrants from Burma; it would instead saddle the government with a greater foreign population in need of aid, a need for more NGO's in the country, and a loss of revenue for itself and the industries which employ Burmese.

An alternative argument can be made, painting the Thai government in a more humane light. It is possible that Thailand does not see the work done by migrants to be necessarily exploitative; rather it acknowledges that it has insufficient capacity to "defend the border", acknowledges that migrants have legitimate reasons to flee Burma and, equally important, that Thailand cannot possibly accommodate everyone in Southeast Asia who wants a better life. Pragmatism, at the expense of its own international image and whatever shreds of legitimacy exist for the SPDC, is required by the complexity of the processes at play.

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[56] Illegal immigration is much easier to defend from a human rights perspective when it's "not in my back yard". More scientifically, I hypothesize that one's opinion of immigration is partially determined by proximity effects in addition to one's level of labor skills.

[57] At some point it must be noted that sex tourism is all but legal in Thailand, a major source of revenue which is equal to "regular" tourism, where the dead migrants were said to be headed, in non-normative economic terms. Certainly another barrier to int'l conformity!

[58] Lest closure lose complexity, it seems that the Thai court did at least rule the *dead* migrants as victims—of a car crash. By Thai law, this entitled each of their families a payment of 100,000 Baht from a life insurance company. See Oo.

Conclusions. In the long term, the best strategy to combat not only human trafficking but all forms of illegal immigration and slave trades is to lessen economic inequality between states, especially those which share borders. As Janie Chuang notes, this intuitive but negligibly followed prescription is the only proven method for the prevention of economic migration[59]. Thailand's case with Burma is complicated by the confounding factor of an unsavory regime, but developed countries especially have an interest in preventing income disparities with their neighbors from reaching the point where demand for immigration vastly exceeds a particular state's willingness to supply it. Such a prescription is, of course, anathema to those concerned, due to realism or simple avarice, about relative gains and aiding rivals. There is probably a tipping point when disparity of incomes transforms rivalry into a one-way wave of migration, and future statistical studies would be useful to establish such a point, if any accurate migration data can be obtained.

Transnational "migration entrepreneurs" who are first entrepreneurial and second moral can still be heroes when they help those truly in need to better their lives. If consensual smuggling is crowded out completely by maximal trafficking definitions, those whose occupation is solely to help people fleeing oppressive regimes and starvation—the *raison d'etre* of many an NGO--would thereby be thrust into the unseemly company of pimps and corrupt cops. The refrigerator car case centered on just what kind of work is "exploitative"; definitions relying on such terms cannot be expected to cross the North-South divide. Nor can it be assumed that no woman, on reaching adulthood, would ever choose to leave her home country with a smuggler she knew to be dishonest in search of employment she knew to be of a sexual nature. This paper has largely sidestepped the feminist debate, as its highly contentious and sensitive nature exemplify the problem of blurred and hyper-extended nomenclature[60]. It should be kept in mind, however, that a person mired in poverty faces a much less attractive set of choices and may in fact choose to do things we could not be forced to do. The most inclusive definitions of human trafficking are thus, like

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[59] Lwin's article in the Myanmar Times shows that even the SPDC recognizes this as the solution, promising more industrial development on the Thai border. This could well be for boosting PR, as the article is about the completion of a study as to how the SPDC might create such an industrial zone.

[60] Going very far beyond the issue of consent in the distinction between smuggling and trafficking, Timoshkina and McDonald focus solely on the lives of sex workers in Canada, limit the definition of trafficking to women sex workers, and still see fit to subdivide the definition into five more subcategories: 1. Purely trafficked women, 2. Semi-trafficked women, 3. Seasonal Sex Workers, 4. Unintentional Sex Workers, and 5. Occasional Prostitutes. They take a firm stance that if definitions are to be empirically viable, they must reflect women's free agency and individuality, that the UN's inclusive definition would define all of their cases as "trafficked" while *none* of them see themselves as such. Ultimately, they find little but despair in that no set of definitions could ever capture the breadth of such women's experiences. In short, there are diminishing returns to terminological specificity, even in pursuit of empirical validity.

most social science theories, probabilistic, and unduly bereft of subtlety when co-opted by mass media and absolutist international prohibition campaigns.

In a comparative context, the dynamic relationship of migrants, law enforcement agents, and governments should serve as a severe warning for states which allow their neighbors to govern against the will of their populations or, as is commonly correlated to such a practice, fall into relative poverty. There are a number of similarities between this developing world context and relatively controlled situations in more explicit North-South border conflicts. In each case, the receiving nation as a whole may benefit for tolerating (i.e. not deporting/refouling) illegal immigrants, but significant sections of the domestic population—especially low-skilled laborers who must compete directly with immigrants willing to work for lower wages--will be considerably less tolerant. This element, frequently pandered to by politicians in the USA, is either much less vocal (or receives less media coverage) or simply not present to a great degree in Thailand.

Transnational actors in the global public sphere do have an effect on states' immigration policies: despite detachment from any grander strategy, states still provide asylum according to these actors' fundamental moral expectations. Similarly, the international community would not abide by *refoulement* of Burmese refugees. Thailand may have other normative issues which pique global popular opinion, as well as substantial interests in resolving its many border issues without expending precious resources, but it appears to have found a working compromise in each case without losing sight of its own interests. Moral outrage at an event such as the refrigerator car incident can be highly damaging, but definitional ambiguities—not to mention short attention spans—insure that moral indiscretions made to fit narrow state interests will fade from global public view. What is more important is that everyday neglect of migrant rights and other illegal acts remain normal or hidden. Indeed, the normalcy of human smuggling across the Thai-Burma border has likely hidden its exploitative nature.

Subjective disputes and instrumental use of definitions of objectively existing problems will continue as long as politics continue to prevent states from adopting genuine long-term solutions to them. The solutions are actually quite clear: achieving universal socioeconomic and civil, political human rights. Such entails a drastic reduction of economic disparities between all states—not only the North-South elephant in the room. It also requires regime changes in states where those rights are not provided, especially in cases which generate asylum seekers. International moral crusades which emphasize one set of rights over the other, if used by developed states

to restrict migration, will not only perpetuate the initial problem but also create new ones, as the proliferation of human trafficking has shown.

Definitions of internationally recognized processes of migration are hypocritical in their respect for the free will of the person crossing the border. On a practical level, they make an artificial and at best awkward attempt to separate economic and political motivations of the migrant. Given the choice between questioning the legitimacy of human trafficking, as defined by the popular media, as a critical global issue and questioning the motives of migrants, the politically correct, economically sound, and respectfully humane choice is the former. People will continue to cross borders in search of better lives, no matter how high the physical barriers or finely printed the legal ones; neither politics or economics has offered practical policy prescriptions to address this growing, global phenomenon of the 21st century, securing both state interests and human rights of migrants. Changing the sordid status quo requires much more sustained public interest and questioning the ostentatious morality of states.

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