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Securitized Victims: The Implications of Divergent Narratives on Undocumented Migration and Human Trafficking

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This paper analyses divergent narratives prevalent in Malaysian discourse on irregular migration. I argue that a schism between criminalization/securitization of undocumented migrants on the one hand and stark representations trafficking victims on the other has inhibited the development of comprehensive mechanisms for combatting trafficking at both state and regional levels. While differentiating the degree to which undocumented migrants are exploited requires nuance and categories for doing so will inevitably themselves be heuristic, public perceptions and representations of cases in the media and by policy-makers often present a stark, simplistic picture. Whereas 'illegal immigrants' are criminalized/securitized, a subset of individuals in this category – most often women and children – are represented as victims of trafficking or abuse. This paper argues this schism in perceptions and representations has conditioned policy for the protection of irregular migrants from exploitation – and problematized comprehensive responses to human trafficking. The paper also suggests that criminalization and securitization of categories of undocumented migrants has fostered mistrust of state actors by migrant communities and civil society organizations, and inhibited the development of cooperative partnerships between them. In sum, the paper argues that while irregular migrants are portrayed and perceived as a security threat, the rights of victims of exploitation – particularly those outside of the sex trade – will likely remain overlooked.

Securitized Victims: The Implications of Divergent Narratives on Undocumented Migration and Human Trafficking

Undocumented migration and human trafficking are both salient issues in South East Asian politics. Nowhere is this more so than in Malaysia, where economic reliance on cheap foreign labour in agriculture, manufacturing, construction, and domestic services coupled with weak labour migration governance has resulted in an estimated 400,000-1.5 million undocumented or irregular migrants residing in the country (ILO, 2016b; World Bank, 2015). Many of these migrants – without recourse to legal protections – fall victim to exploitation and trafficking (ILO, 2016a). This paper analyzes narration of ‘illegal immigration’ and ‘human trafficking’ in Malaysian mass media, arguing that discourse on illegal immigration is characterized by security politics, while a politics of pity pervades human trafficking discourse. The paper argues that representations of trafficking victimhood do not fundamentally challenge broader securitization of migration in Malaysia. The political implications of these two seemingly incongruous discursive – and their uneasy coexistence – are explored.

The paper is structured in three main sections. Section one reviews literature on the representation of irregular migration and human trafficking, and develops an analytical framework for understanding representations of migrant threat and trafficking victimhood. In section two, a brief history of the securitization of migration in Malaysia is offered, before the framing of undocumented migration and trafficking in Malaysian mass media is analyzed. Particular attention is paid to the purported roles of “illegals”/“illegal immigrants” and “victims” respectively. The section concludes by arguing that divergent narratives and framing of these two categories reinforce an unsustainably stark distinction between criminals and victims. Section three identifies more specifically how this cleavage – and in particular securitization – affect the implementation of the four “Ps” of anti-trafficking (Prevention, Prosecution, Protection, and Partnership). The paper concludes with some suggestions for those hoping to shape public discourse on migration and trafficking.

1. Framing Irregular Migration and Human Trafficking

When it comes to complex and emotive social phenomena associated with irregular migration, people employ often-simplistic frames to understand, categorize and respond to events. Socially constructed frames make it possible for individuals and groups to define situations by facilitating interpretation and reconstruction of reality; they help clarify – in thought and communication – ‘what kind of a problem a problem is’, the appropriate tools for

managing it, and who the protagonists and antagonists are (Goffman, 1974; Huysmans, 2006; Littlejohn & Foss, 2009, p. 407; Vultee, 2010a, p. 77). In communication, *framing* involves – intentional or unintentional – selection and emphasis of certain ‘aspects of a reality’ to make them more salient, and affects ‘attributions of responsibility, attitudes, behaviors, ideologies etc.’ (Entman, 1993, p. 52; Scheufele, 1999, p. 115). In this section, I outline two such frames commonly cited as configuring discourses on – and influencing responses to – irregular migration and human trafficking, namely securitization and pity politics.

1.1 The Politics of Security and Migrant Threats

Securitization was originally theorized as a means by which political elites strategically frame particular issues as existentially threatening to material and/or ideational values cherished by a political community – i.e. to referent objects of security (Buzan, Wæver, & De Wilde, 1998; Wæver, 2011). Scholars of the Copenhagen School posited that – by adding an existentially threatening aura to an issue through speech acts – powerful political actors were able to circumvent political convention and oversight so as to execute ‘extraordinary’ policies. Securitization theory has progressed significantly as it has been applied more broadly, and developed beyond elite-centric speech-act analysis to facilitate more comprehensive investigation of the many discursive practices through which threats are socially constituted (Balzacq, 2010; Balzacq & Guzzini, 2014; Balzacq, Léonard, & Ruzicka, 2015; Huysmans, 2006). For the purposes of this paper securitization is understood as the ongoing *process of framing* – through written and spoken communications among political elites, publics and the media – by which threats to political communities are articulated and prioritized (Vultee, 2010b).

In many political communities, migration – especially when it is undocumented or ‘irregular’ – awkwardly straddles ‘normal’ politics and security politics. Securitization of migration involves the framing of a certain category of ‘outsider’ as a threat to the material and/or ideational values of a political community (Guild, 2009; Huysmans, 2006; McGahan, 2009): It appeals to a need for self- and in-group preservation, and entails proliferation a culture of fear and solidarity amongst an in-group in order to motivate and justify actions to alleviate apparent sources of insecurity – in the case of migration, some migrant other (Aradau, 2008; Huysmans, 2000, 2006). Securitizing framing of migration arouses narratives of migrant threat – criminal, terrorist, social, economic, or moral – in native political discourses that coalesce around categories of migrants – “immigrants”, “asylum seekers”, “illegals” etc. Such narratives tends to dehumanize migrants while emphasizing their agency: those deemed “illegal” are represented as criminals, and regarded as more or less complicit in the ostensible

assault “they” direct towards the political community in question. In practice, the alienation of migrants tends to be accompanied by efforts to secure borders, aggressive detention/deportations, and even interstate tensions (Burke & McDonald, 2007; Liow, 2003; McGahan, 2009). As well as often proving counter-productive, securitization and the policies associated with it lead to disregard for the rights, dignity, protection, and lives those dehumanized (Aradau, 2008; McGahan, 2009).

1.2. Politics of Pity and the Framing of Trafficking Victimhood

While some migrant categories are represented as threats, others are represented as *under threat* and in need of rescue. Those who fall into these categories of victimhood are framed as innocent and objects of pity, profoundly unfree and devoid of agency (Andrijasevic, 2014; Aradau, 2004; Snajdr, 2013). Such representations appeal to humanitarian instincts and pity to motivate action. As Doezema (1999) argued many early counter-trafficking movements were founded on ‘the paradigmatic image of a young and naïve innocent lured or deceived by evil traffickers into a life of sordid horror from which escape is nearly impossible.’ Several scholars have demonstrated that despite efforts of many advocates to move beyond simplistic representations of victimhood, the image of the ‘perfect victim’ still pervades public discourse and policy arenas (Andrijasevic, 2014; Uy, 2011). Uy (2011), for example, argues it is the ‘idea of saving the helpless, beaten, sexually abused, victimized, Third-world woman and child’ that motivates much political action on trafficking. This politics of pity proceeds through ‘identification of... unfortunates whose cause is to be judged politically worthy’ of rescue. Their suffering tends to be framed in the starkest possible manner, ‘as recognisable, something the spectators can identify and sympathise with’ (Aradau, 2004). Moreover, representations of trafficking victimhood tend to conform to a familiar narrative in which:

... deception is followed by coercion into prostitution, subsequently the plot moves into the tragedy of sexual slavery, which in turn is resolved through the rescue of the victim by the police, an NGO or a benevolent client. (Andrijasevic, 2014, p. 18)

Scholars and advocates have argued that pity politics – and the victim-making narratives that accompany it – often belie the agency of migrants as well as the ethnographic realities of much exploitation and trafficking (Snajdr, 2013). Others have detailed how reductive representations of victimhood impede comprehensive understanding of trafficking amongst publics and policy-makers, and can result in myopic anti-trafficking policies (Wallinger, 2010; Wilson & O’Brien, 2016). Moreover, the pity politics has been used as a premise for crackdowns on prostitution and immigration (Anderson, 2007; Anderson, O’Dowd, & Wilson,

2003; Wallinger, 2010).

1.3. Reconciling Threat and Victim

How representation of trafficking victimhood can exist alongside more general securitization of migration has also received scholarly attention (Aradau, 2004, 2008; Yea, 2015). While narratives of victimhood have been used to counter securitizing frames by emphasizing exploitative practices migrants encounter, they have not always proven effective (Aradau, 2008; Yea, 2015). Against a backdrop of securitization – which tends to exaggerate and distort the agency of migrants – the politics of pity facilitates a species of exceptionalism whereby rights and protections are conferred onto those deemed vulnerable to the most egregious forms of exploitation (Yea, 2015). Yea (2015, p. 1082) notes that in Singaporean public discourse on trafficking:

While the experience of those deemed threats to society and the potential exploitation they face is obfuscated through dehumanization, a select group are rendered “human”; to be accepted as vulnerable, exploited or, perhaps, victimised because they are marked as damaged, innocent, poor, powerless or tragic.

While narratives of trafficking victimhood diverge starkly from those of illegal migrant threats, the realities of exploitation of irregular migrants are often not so clear-cut: neither frame – for the most part – depicts the complex amalgam of contribution, agency, criminality, vulnerability, victimhood and suffering that characterize the journeys of many exploited migrants (Snajdr, 2013; Wallinger, 2010). Moreover, both frames can engender problematic policies and disempower those who experience exploitation; their coexistence can also cause confusion and/or pathological categorization (Wallinger, 2010). Nevertheless, both security and pity politics remain prevalent features of public discourse on irregular migration and human trafficking respectively.

2. Malaysian Discourse on Illegal Immigration and Human Trafficking

This section examines the extent to which the narratives and framing associated with the politics of security and pity feature in Malaysian discourses on undocumented migration and human trafficking. Existing scholarship on representations of irregular migration in Malaysia has demonstrated extensive securitization, which can be traced back to the late 1990s. To the best of my knowledge there is no published work that specifically addresses mass media representation of trafficking victims in Malaysian mass media. To foreground my own analysis I will offer a brief history of the securitization of migration in Malaysia by drawing

on existing literature.

2.1 The Securitization of Migration in Malaysia

In 1981 there were an estimated 100,000 'illegal immigrants' living in Malaysia (Selvaratnam, 1982): The next two decades brought an influx of documented and undocumented – predominantly Indonesian – migrant workers. The Malaysian government made attempts to 'control the flow' of 'illegals' but the measures introduced proved ineffective (Kudo, 2013). Driven by a coincidental increase in crime rates through the 1990s, concerns that 'these Indonesians could have a potential rupturing effect on the fabric of Malaysian society' were voiced (Liow, 2003, p. 48; Santhiago, 2005). The Malaysian government instigated a confused array of policies, engaging in 'crackdowns' to 'flush out' illegal immigrants but also offering amnesties (Liow, 2003, pp. 9-10). A lack of effective cooperation with Indonesia, tacit acceptance of the economic need for migrant labour, and policy mismanagement meant undocumented migrants still accounted for a large proportion of Malaysia's migrant workforce.¹ In 2001, the Malaysian Home Ministry proposed dramatic changes to the Immigration Act of 1963 that toughened punishments for illegal immigrants (Kudo, 2013; Liow, 2004). Work permits were also capped to 3 years rendering some documented migrants 'illegal' overnight, many of whom were arrested (Liow, 2003, p. 50). Between 2000 and 2004 the Malaysian government arrested 691,964 migrants, of which 67.32% were found to be undocumented (Santhiago, 2005).

This policy shift was foregrounded by intensification of securitization of migration in public discourse in the late 1990's and early 2000's. Prior to and following the initial crackdown in late 2001, politicians and the media propagated use the term '*illegals*', which was seen as derogatory by migrants and has negative connotations (Liow, 2003; Widyawati, 2008).² Initially, they were portrayed as an uncontrollable criminal threat. Increased crime rates were linked to migrant communities. The media often presumed criminals were from migrant communities, and government officials supported these presumptions.³ Following the *Nilai*

¹ Some evidence also suggests that – far from looking for effective means of managing the illegal migrant problem – some within the Malaysian government were cooperating with syndicates to import illegal workers (Liow, 2004).

² The category of illegal immigrants established in this securitization was broad, implicitly focusing on Indonesian undocumented workers and explicitly including refugees recognized by the UN, but repercussions of securitization were also felt throughout documented migrant populations as well.

³ One example of this can be seen in the state-owned Utusan Malaysia Newspaper which stated in the lead text of an article in 2002 'Three men with chopping knives and sickles bound a couple and raped their 22-year old grandchild before stealing some money and jewellery. The three of them are presumed to be Indonesian citizens' (2 May 2002). Deputy Information Minister stated this presumption was made 'because crimes like snatch thefts were also committed by foreign workers.'

riot in 2002, the migrant threat was portrayed as not merely criminal but a matter of national security. Prime Minister Mahathir Mohamad publically labelled migrants a threat to Malaysian stability and a source of insecurity.⁴ The fact that rioters had raised an Indonesian flag facilitated nationalistic rhetoric in news media and from politicians. The *Metro Daily* reported that ‘they [migrant workers] not only attacked the police, but also raised the Indonesian flag; this was meant as aggression towards Malaysian authority.’ The Law Minister – Rais Yatim – also referenced the flag waving, promising ‘stern action’ and characterizing Indonesian migrants as ‘violent’, ‘extreme’ and ‘ungrateful.’⁵ More generally, *Indons* and *illegals* were labeled as ‘troublemakers’ and aspersions were cast regarding the values underpinning Indonesian migrant aggression and criminality (BBC News, 2002; Liow, 2003; Liow, 2004). The Malaysian government and state-owned media outlets have continued to label immigrants threats to justify discriminatory employment practices and immigration ‘crackdowns’; for example, it was reported that migrant criminality could ‘create problems to the internal security of the country if not addressed immediately’ (in Widyawati, 2006: 225). Illegal immigrants have also been represented as threats to Malaysian values and morality – with particular reference made to the number of migrants engaged in sex work (Daniels, 2006; Liow, 2004). The topic of ‘illegal immigration’ has remained salient, provocative issue in Malaysia.

2.2 Divergent Narratives

In the remainder of this section I present my own analysis of Malaysian discourse on illegal immigration and human trafficking, with a particular focus on the extent to which securitizing and pity politics frames and narrative feature. The constitution of frames pertinent to migration is not the preserve of one party, but is an ongoing process of communication and contestation between a variety of elite and non-elite actors, politicians, businesses, NGOs, publics, marginalized groups etc. Though agents of the state have more power to modify securitizing and victim-making frames, they are reproduced through discursive practices at many levels – from public addresses, policy documents, ad campaigns, movie representations, Facebook posts, and tweets to private conversations. Analysis of all of these is of course

For more examples, see *Representations of Migrant Workers in Malaysian Newspapers* (Widyawati, 2006)

⁴ As reported in *The Star* one day after the riot: “He (Mahathir [the Prime Minister]) said the country could not afford to have this kind of behaviour, adding that the Indonesians should respect the laws of the country since they were guest workers here. ‘We allow the foreigners to stay here to *cari makan* (earn a living) but if they feel that the country is not longer good for them please *nyah* (leave) the country’ (19 January 2002) (in Widyawati, 2006: 225).

⁵ Rais Yatim, then Law Minister, stated that ‘besides defying authority, they (Indonesian immigrant workers) had the cheek to wave the Indonesian flag. They are not in Jakarta. They are in Malaysia... Indonesia’s Ambassador here need not say sorry anymore. We are going to take stern action. Malaysians in general cannot tolerate the violent behavior of the Indonesians who are being too extreme and ungrateful’ (in Liow, 2004: 51).

impossible. Here, mass media reporting on migration and human trafficking is analyzed as it tends to reproduce popular ‘mythologies’ symptomatic of discursive regimes that incorporate and motivate policy responses (Wallinger, 2010, p. 19).

A sample of 160 news reports published online between May 2015 and June 2017 was drawn from the websites of the *The Star* and *The Sun Daily* newspapers, based on a range of search terms relating to migration and human trafficking. As the two highest circulation English-language newspapers in Malaysia, their websites offer a good representation of Malaysian public discourse.⁶⁷ The majority of articles on both immigration and human trafficking report specific cases – ‘operations’ and ‘raids’ conducted by government agencies or prosecutions and sentencing. Others articles detail government announcements, political statements, and statistics. A smaller number of reports – including opinion pieces and letters from the public – fit into neither of these categories.

The analysis demonstrates that – in the vast majority of instances – securitizing frames are prevalent in articles on immigration, while victim frames characterize reports on human trafficking. As well as these archetypal articles, several rather confused reports struggle to make a determination on the status of migrants – despite utilizing the language of one or both frames. Of all the articles, only four editorials directly address the complexities of irregular migration and exploitation amongst migrant communities.

2.2.1 Securitization, Continued.

Raids and Operations

Securitizing frames still prominently in reports on specific raids and operations. On the 26th May 2017, *The Sun* ran an article headlined *Esscom Special Joint Ops nabs 15 illegals in Felda Selamat*. The article explains that ESSCom (the East Sabah Security Command) were engaged in operations ‘to eliminate criminal elements, including Abu Sayyaf terrorist groups and Daesh militants from gaining a foothold in the district [sic].’ It continues to detail a raid in which 43 Filipino ‘illegals’ had been apprehended for failure to produce valid documentation and emphasized that 2 detainees had ‘tested positive for drugs’. The article states that the migrants were men. This article is representative of many others that evidence ongoing securitization of migration in Malaysia: nearly half of all articles on immigration

⁶ According to circulation figures produced by the Audit Bureau of Circulations Malaysia, *The Star* is the highest circulation paid English-language newspaper – with a circulation of 220,972 for the period June-December 2016 – and *The Sun Daily* is the highest circulation free English-language newspaper – with a circulation of 307,519 for the period June-December 2016 (ABCM, 2017).

⁷ A more comprehensive analysis would analyze articles Bhasa and Chinese language press as well – and perhaps make comparisons between them.

were headlined with some permutation of ‘*X number of “illegals”/“illegal immigrants” “detained”/“ nabbed”/“deported”/“rooted out” by Y government agency*’. Raids and operations reported in this fashion tended to result in the majority of migrants being detained for offences under Immigration Act 1959/63 – most commonly being unable to produce valid documentation and/or overstaying – and others being detained under the Anti-Trafficking in Persons and Anti-Smuggling of Migrants (ATIPSM) Act 2007 – generally for the offences of smuggling or conveyance of smuggled migrants. Despite being arrested for various offences migrants are represented as an undifferentiated – predominantly male – criminal collective. Moreover, many articles make conspicuous mention of ‘illegal immigrant’ criminality generally, or highlight connections between immigration and heightened threats posed by terrorist/militant organizations. This is especially common in reports of operations in the Eastern Sabah Security Zone (ESSZ).

Statements and Statistics

Broader articles addressing the ‘problem of’ or ‘threats posed by’ ‘illegal immigrants’ reinforce representations of migrant threat. These generally include statements from policy-makers and/or figures released by government agencies of the number of detentions or deportations in a certain time period. These articles perpetuate the view that challenges posed irregular migration must be met addressed by ‘weeding out illegals’ in ‘crackdowns’ and ‘securing borders’. On 22nd October 2016, for example, Deputy Prime Minister Datuk Seri Dr Ahmad Zahid Hamidi revealed plans to bolster the powers of enforcement personnel:

Immigration will be expanded with the amendment to the Immigration Act, which encompasses other areas that are not in the act itself, including the issue of upgrading department assets due to increasingly serious and growing threats ... Especially at the entry points to land, air and sea where 'rat trails' [*Jalan Tikus*] have become 'elephant lanes' [*Jalan Gajah*], collabouration with the police, military and other parties is needed and required an amendment to the act to expand their powers [sic]. (The Sun Daily, 2016a)

Similar rhetoric was used to justify ‘more thorough inspection’ and ‘enhanced surveillance’ at immigration checkpoints under Section 8 of the Immigration Act (NTL notice) following the bombing in Jakarta, with Director-General of the Immigration Department – Datuk Seri Mustafa Ibrahim – clarifying the measures where necessary because ‘we will not compromise with any individuals who potentially pose a threat to national security’ (The Sun Daily, 2016b).

Arrest and deportation figures also feature prominently in narratives of migrant threat. For example, on 1st June 2017 the Star ran an article – headlined ‘*Prostitution tops crime list*’ – which reports that 23,000 ‘illegal workers’ had been deported since January 2017 (The Star, 2017). The article states that ‘Indulging in sex work while masquerading as spa therapists and reflexologists is one of the most frequent crimes committed by foreigners here.’ The article quotes Director-General of the Immigration Department – Datuk Seri Mustafar Ali – as saying ‘those who come here to work as prostitutes have violated our welcome by getting involved in immoral activities.’ After highlighting other crimes migrants are involved in the Director-General reportedly added ‘we are aware of public concerns on the involvement of foreigners in criminal activities. Be assured that the department is doing what we can to weed them out for deportation.’ The article also includes calls for the Immigration department to ‘beef up’ manpower at checkpoints. Other articles cite the involvement of illegal immigrants violent crimes, and characterize them as a threat to personal safety. Some of statements reported do make mention of human-trafficking, but only in lists of ‘threats’ Malaysia must address or in so far as it is a crime perpetrated by foreigners. It is made plain by reports that illegal immigrants are ‘dangerous’, both for the values and personal safety of Malaysians.

The ESSZ warrants special mention in this regard, where reporting focuses on the aggressive arrest and deportation activities coordinated by the Eastern Sabah Security Command; conducting enforcement activities appears to have become an end in itself in Sabah. In one report from *The Star* the Deputy Prime Minister – Dr Ahmad Zahid – is quoted as saying ESSCom had adopted ‘the motto “Not one single day without an operation” to show their commitment in tracking down foreigners who were in Sabah illegally,’ adding that ‘this also reflects the Government’s seriousness in tackling this problem’ (Sario, 2015). A separate article explained that ‘13,262 individuals [had been] rounded up and checked for identification documents.’ The Chief of ESSCom is quoted stating that ‘Our goal is to rid the Eastern Sabah Security Zone (Esszone) of illegal immigrants.’ Taken together, these article reproduce narratives of the threat posed by illegals and reinforce a belief that harsher crackdowns, deportations, and tighter border controls are urgently required to alleviate this threat. These narratives are reflected by comments from members of the public. In a video report from 2015 covering the deportation of ‘over 1000’ illegal immigrants from Langkawi a member of the public is interviewed, stating: ‘Langkawi should be a place for the people of langkawi, it can also be a place for the people of Malaysia, but certainly not for illegal immigrants. Maybe they will pose a threat to our spouses and children [English subtitles quoted]’ (The Star, 2015).

It is important to note, however, that – with the exception of reports on the ESSZ – there has been a slight decrease in articles on ‘illegal immigration’, perhaps indicating the issues is less salient than it has been.⁸ There are also articles in Malaysian mass media that openly challenge the dominant narratives, including one from *The Star* headlined ‘*Suhakam: Call them 'undocumented migrants', not 'illegal immigrants'*’ – which reports calls from the Malaysian Human Rights Commission to eliminate stigmatization of migrants (Brown, 2014). Nevertheless, the securitization of the ‘illegal immigrant’ other remains the dominant frame in narration of undocumented migration in Malaysia. These narratives of threat condition and justify policy responses centered on aggressive detention and deportation of migrants.

2.2.2. Victims of Trafficking and Politics of Pity in Malaysia

At the same time, there appears to be growing understanding amongst the public and policy-makers that some individuals who migrate through irregular channels are vulnerable – and often fall victim – to trafficking. The frequency with which trafficking articles appear increased over the period examined. The trafficking articles sampled: cover specific raids and operations; report on trials and prosecutions; or detail statements made by state agents concerning trafficking and anti-trafficking in general. A smaller number of miscellaneous articles fit into none of these categories.

Raid and Operations

For the most part reports of raids and operations detail conventional rescue narratives. On 11th April 2017 *The Sun* ran an article entitled ‘*Three foreign women rescued from becoming victims of human trafficking*’ (The Sun Daily, 2017). This article detailed a raid in which three women were ‘rescued’ and taken into protective custody – while their ‘caretaker’ was detained for trafficking offences. Another – headlined ‘*Cops rescue 10 Filipinas exploited for sex*’ – reported on the 8th August 2016 that ‘Ten Filipinas who were said to have been exploited for sex were rescued by police when they raided a building.’ These articles are archetypal of reporting on trafficking. Approximately one third of the reports on trafficking are headlined by some variation on ‘*X number of “trafficking victims”/“sexual exploitation victims” “rescued”/“saved” by Y government agency.*’ Many more articles detailed a ‘rescue’ in the main text. The majority of these articles detail raids on ‘massage parlors’, ‘reflexology’ or ‘beauty’ centers or hotel rooms – where those rescued are women and girls. A smaller number of articles report on the rescue of – predominantly women and child – victims of forced domestic labour and forced begging. Most of articles conform to the archetypal

⁸ Broader quantitative analysis would be required to establish this.

representation of helpless female or child victims being liberated by police – although specific details of the suffering experienced are only sometimes included.⁹

Three reports on raids and operations are atypical. Firstly, the two reports that document the ‘rescue’ of only adult males are distinctive. On the 6th September 2016 *The Star* ran an article headlined ‘*Kedah cops rescue 9 chained human trafficking victims*’. The article explained that the ‘eight Bangladeshis and one Myanmar national aged between 22 and 45’ – who were ‘victims of kidnap and human trafficking...’ – had been ‘rescued by police during a raid.’ The report highlighted that ‘the men were weak, starved and had their legs chained’, and continued to explain that – following their kidnap from a construction site – ransoms of RM15,000 had been demanded from their families. A picture showing the victims chained together accompanies the article. This article is the only one amongst those analyzed in which the victims have been kidnapped and ransoms demanded for their release, and gives significantly more detail of the suffering endured by victims than others.

The second article detailing the rescue of adult male labourers – published on 10th March 2016 – is peculiarly headlined: ‘*Cops rescue 27 Bangladeshi illegal immigrants*’ (Francis, 2016). The article describes how 17 ‘Bangladeshis’ were found when the police stormed an industrial building. The Penang Police Chief – Datuk Abdul Ghafar Rajab – told reporters the ‘men... were very weak as they were only fed with water and roti canai. The cement floor was their bed.’ The article states that three locals ‘believed to members of a human trafficking syndicate’ had also been arrested. The police Chief continues to recount that ‘after the Malaysian suspects were questioned, we found another 10 Bangladeshis in a workshop in Bagan Lalang, Butterworth, who we believe were sold to a factory... All 27 of them do not have work permits and they only had photostated copies of their passport [sic].’ The article continued to explain that the case had ‘been classified under Section 26(H) of the Anti-Trafficking in Persons Act for concealing or harbouring smuggled migrants and Section 6(1)(c) of the Immigration Act 1959/63,’ i.e. for not being able to produce valid documentation. This article seems indicative of the uneasy coexistence between the victim frame and the securitizing frame as well as the confusion this can engender. The migrants in question are represented as in need of rescue, but at the same time are not attributed the status of victim and resultantly arrested. This is despite the fact the details given in the report *suggest* they would have been deemed victims of trafficking based on the ILO indicators for

⁹ This is perhaps because the most of the cases fit well to the archetypal understandings of human trafficking as the sexual exploitation of women and children or the exploitation of children that elaboration is unnecessary.

trafficking of adults for labour migration (ILO, 2009).¹⁰

The third atypical account of an anti-trafficking raid – headlined ‘*Datuk nabbed for worker abuse*’ – reported that a ‘29-year-old man with a Datuk title’ had been arrested for trafficking offences when ‘the Datuk and the workers were caught by surprise in the raid’ (Rodzi, 2017). It adds that ‘officers detained 172 workers in the factory, comprising 152 from Indonesia, three from Myanmar and 17 Malaysians.’ An Anti-Trafficking-in-persons Unit Chief is quoted as saying ‘workers were suffering from mental torture due to daily overtime, with a few fainting due to fatigue ... We also found that the deductions to their salaries were excessive and the workers were also forced to work on their rest days.’ The Immigration Department Director-General – Datuk Seri Mustafar Ali – who was also present reportedly added that ‘his department will not compromise with any employer that enslaved foreign workers.’ The report closes by adding that both the ATIPSM Act and the Immigration Act were being used to handle the case. Despite this, another source reported that – while the Datuk was charged with trafficking-in-persons – many of the workers were ‘taken to the Bukit Jalil immigration detention depot while awaiting deportation’ and others were ‘taken to a government shelter home’ (Malaysiakini, 2017). While the exploitation migrants experienced is fairly well documented, they are not referred to as ‘victims’ of trafficking or having been ‘rescued’. The fact that – except in the most extreme case – accounts given appear to struggle to make a determination on whether they are victims or ‘illegal immigrants’ indicates the insufficiency of human trafficking discourse that relies on binaries and ideal types of victimhood in representing less archetypal cases of exploitation and/or trafficking.

Articles that cover specific trials and/or conviction of traffickers – particularly those involving government officials, public figures, or defendants with high social status (e.g. those with a Datukship) – detail cases of both sex and labour trafficking. They focus almost entirely on the perpetrator; information about victims – and abuse suffered – tends not to be given.

¹⁰ This article in which the same confusion is reversed reverse also was amongst detailing immigration raids. An article headlined ‘*Van smuggling 15 Myanmar nationals from Changlun busted*’ published on the 25th May 2017 explains that ‘For RM120 per illegal immigrant, the van driver would drive them from Changlun, Kedah, to Seberang Prai’ adding that a ‘human trafficking syndicate paid RM120 for each passenger to the driver’ as well. A CID Chief is reportedly stated that ‘The man [i.e. driver] was to handover the illegal migrants to an ‘agent’ who would send them to employers’. The article then confirms that the driver was arrested for the offence of smuggling migrants while the migrants were detained for failing to produce valid documentation. While this case may or may not have involved exploitative practices, the article implies the involvement of traffickers yet migrants are attributed as ‘illegal immigrants’ rather than victims.

Statements and Statistics

The majority of more general articles on trafficking recount government commitments to fight trafficking or numbers of arrests and prosecutions. Many of these note the governments aspirations to improve its standing in the TIP Report. The articles, however, present a confused picture of government policy on human trafficking that often contradict statements on policies for addressing illegal immigration. For example, in an article headlined '*Human trafficking rife in Sabah, says state police chief*', Police Commissioner Datuk Ramli Din is quoted saying 'Some 60 human trafficking victims were rescued between January and May this year with 19 suspects arrested.' The article continues to state that 'as for smuggling of migrants, he said a total of 190 victims have been rescued' (Lee, 2017). Despite the fact that these 'victims' of smuggling had been apparently been 'rescued', reports on individual operation in Sabah – discussed in the previous section – securitized smuggled migrants and detailed their detention and deportation. The statements made by the Police Commissioner are perhaps framed as they were because he was speaking at a anti-trafficking event. Nevertheless, they indicate the confusion that arises when frames for representing the interrelated phenomena of irregular migration and exploitation diverge so starkly.

The remainder of reports include coverage cooperation with other countries on trafficking, and limited coverage of anti-trafficking campaign by NGOs and other groups, and a thought-provoking and informative piece targeting Malaysian businesspeople entitled '*Are you a human trafficker?*' (Oh, 2017).

In conclusion, the fact that there appears to have been a marked increase in coverage of human trafficking and its victims from early 2016 indicate the issues increasing salience in public discourse, as well as the intensification of efforts by the Malaysian authorities to address it. This increased coverage is an important step towards public acknowledgement of the prevalence of exploitation and trafficking in Malaysian. Indeed, on 12th April 2016 *The Sun* ran an article entitled '*Malaysian media reports on human trafficking issue commedable [sic]*'. It reported on comments made by United States Ambassador to Malaysia – Joseph Y. Yun – who commended the 'Malaysian media' on having 'done a lot better than before', but suggested he would like to see 'the media here to highlight the impact of trafficking on human life'. He went on to call on the Malaysian government to do more to ensure the prosecution of traffickers and the protection of victims. The ambassador's remarks are supported by the findings of this analysis: Though the issue is more widely reported, representation of victims of trafficking are shallow and one-dimensional – for the most part detailing archetypal rescue stories. Such framing of trafficking is indicative – indeed, formative – of the responses to the issue in Malaysia, which fail to acknowledge it is – at least

to some extent – a symptom of poor labour migration governance and insufficient protections for migrants from exploitation generally. The lack of representation of – for example – adult victims of severe forms of labour exploitation and trafficking in industries such as manufacturing, agriculture and construction is conspicuous considering that these industries are often cited as the main sites of exploitation in Malaysia (US State Dept., 2016).

Moreover – although the confused nature of some articles and statements show victim frames do problematize securitization – increasing coverage of human trafficking in Malaysia does not appear to be bringing about desecuritization of illegal immigration. Instead – just as Yea (2015) found in Singapore – mass media representations of trafficking victims delineate those who suffer the most recognisable and socially sensitive forms of exploitation from a mass of illegals undeserving rights and protection. When neat delineation is problematic, reports and statements made by government officials are confused and confusing. Moreover, there is very little acknowledgment of the variety of exploitative practices migrants encounter or that exploitation is often characterized by shades of grey – involving complex combination of voluntarism, deception, illegality, threat and/or coercion. Instead, frames used to recognise and represent exploited migrants apply only to those deemed “fully-fledged” victims.

Moreover, neither frame seems to engender useful understandings of labour migration, exploitation and trafficking that can serve the basis of effective policy formulation. Framing of victimhood is insufficient as it assumes a great deal about the extent to which migrants opt to take part in illegal activities – especially prostitution – and perhaps diminishes the possibility of representing less archetypal forms of victimhood. Significantly more problematic, however, is continued securitization, which – as well as engendering ineffective approaches to migration governance – means that if undocumented migrants do not reach the rather high bar set for trafficking victimhood they are automatically criminalized. For the most part discourse and policy in Malaysia appear to function by drawing either/or distinctions between criminal threat and innocent victim.

3. Implications for the 4 “Ps” of Anti-trafficking and Recommendations

As long as the securitization of migration in Malaysia endures, it is unlikely that the Malaysian government and its partners will be able to effectively govern labour migration or address trafficking and exploitation. A full discussion of the interrelationship between discourse and policy is beyond the scope of this paper. Instead, this section suggests some potential implications of securitization on the implementation of the four ‘Ps’ of anti-trafficking.

Prevention

It is widely acknowledged that extremely strict immigration policies and aggressive deportation policies do not prevent human trafficking and exploitation (Feingold, 2009; Feingold, 2005; Hsu, 2007; McGahan, 2009). Rather – especially where there is demand for migrant labour and flows are well established – such policies can actually exacerbate them (McGahan, 2009). Securitization perpetuates a narrative of threat that mandates tighter immigration policies, crackdowns, and deportations to allay public outrage at the ostensible threats posed by illegal immigration.

Prosecution and Protection

It is not clear what effect securitization has on prosecutions: As securitization engenders responses to irregular migration that center on law enforcement and security agencies, it is possible that the increases in operations conducted under the ATIPSM Act may make prosecutions more likely. Conversely, it is also conceivable that – because securitization means only the starkest examples of trafficking are recognized – securitization may decrease prosecutions for trafficking offences. What can be inferred from this analysis, however, is that the development of state apparatus for protection of migrants who experience exploitation and trafficking is inhibited by the securitization of migration. Securitizing frames diminish the possibility of recognizing the array of vulnerabilities and exploitation migrants' face – particularly amongst categories of migrants who tend to be dehumanized. Only those who are not recognizable, archetypal victims are likely to be subjected to a somewhat ruthless criminal justice system by default; and are thus denied protection – let alone rights to free movement, work or compensation. Moreover, securitization makes removing 'illegals' the priority, which can explain why protection of vulnerable people tends to appear as something of an afterthought in Malaysian discourse. It has also been shown that stigmatization of migrants resulting from securitization fosters distrust of law enforcement amongst migrant communities which mean victims of exploitation are less likely to seek protection (ASEAN, 2011)

Partnership

Moreover, securitization of migration can damage partnership, both between nations states at the regional level and between state and civil society at the national level. The securitization of Indonesian migrants in the 2000s is a case in point. The Malaysian governments aggressive and confused policies – as well as public condemnations of Indonesian migrants – sparked diplomatic tension that diminished the possibility of the intergovernmental cooperation vital for effective border management and labour migration governance (Liow, 2003; Liow, 2004). Moreover, securitization can damage relationships between NGOs and

government officials. While the Malaysian state is focused on deportation, NGOs tend to prioritize the protection of migrants who experience exploitation. This difference in priorities is a source of tension and mistrust.

Recommendations

The shortcoming of present frames for representing and responding to problems of illegal immigration and trafficking necessitate efforts to reconfigure discourse on both issues in Malaysia. In fact, the increasing salience of trafficking may provide an opportunity to do this. As yet, however, framing of trafficking has not significantly destabilized discourses of migrant threat. Instead, it ‘humanizes’ only those who are most perceptibly victims. Countering securitization more effectively, however, could help reframe migration – and reshape policies – such that more attention is paid to the rights and protection of migrants.

In scholarship, Aradau (2008) has suggested a combination of desecuritization, emancipation and ethics can destabilize securitization of migration. In practice, more positive, nuanced, varied and concerted discursive interventions are warranted to move beyond existing frames and narratives. This will ultimately rely on changes in how government agents represent and respond to migration, exploitation and trafficking. Nevertheless, this research underlines the need for advocates and journalists to avoid framing of trafficking that ‘inspires and legitimates efforts to divide a small number of ‘deserving victims’ from the masses that remain ‘undeserving’ of rights and freedoms’ (Davidson, 2010). Migrants, victims and survivors must be represented – not as one-dimensional objects of pity – but in a way that acknowledges their aspirations, disappointments, agency, and exploitation. Efforts to promote more positive attitudes towards migration and the benefits it brings – as well as a better understanding of exploitation and trafficking – have already begun. Indeed, a few exceptional articles offering were found in those sampled in this research (Brown, 2014; Oh, 2017). Moreover, campaigns such as *Migration Works* – an ILO project to better-understand and influence misrepresentation of migration – *IOMX* – a campaign to encourage safe migration and public action to stop trafficking – are underway. Exemplary projects like these are likely to help promote more positive, emancipatory narration on migration, and greater appreciation of the various exploitative practices migrants may fall victim to.

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