

Eötvös Loránd University

Doctoral School of Law

**Transnational organised crime? Examining human trafficking from the
perspective of cultural criminology**

Summary of doctoral thesis

Réka Bálint

Thesis supervisor: Dr. Miklós Lévy, professor emeritus

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Objectives of the doctoral thesis

The subject of this dissertation is human trafficking, also known as modern slavery, a crime that is usually expected to be a problem of a bygone era, but which causes very real, contemporary suffering for many, and differs in both its nature and volume from its 18th century predecessor, the transatlantic slave trade. The broader social discourse on the modern form of human trafficking began in the early 2000s, when the Palermo Convention led to a media focus on the issue (Gregoriou-Ras,2018:2-3). An increasing number of films, series and books are developing stories about human trafficking, which are primarily intended to entertain and thus difficult to expect credible information from them. The narrative that the media find more interesting has found its way into the public consciousness, and by the beginning of the 21st century, trafficking has become a quasi-synonym for prostitution, essentially 'just' a much cruder version of it.

My aim with this dissertation is twofold. On the one hand, I would like to demonstrate the role of the media in shaping public opinion on the problem of human trafficking in Hungary. On the other hand, I would like to draw attention to the complexity of the problem and to the need of addressing this issue in the Hungarian context. From the point of view of both research objectives, it is important that, in addition to presenting the Hungarian situation, I try to examine the problem on both a societal and individual level, and I also give a prominent role to the examination of trafficking as a transnational organised crime. The latter is only one of the many interpretations of human trafficking (Lee, 2012), but people have always been very interested in organised crime, especially the mafia and the mystical world of mafiosi, which interpretation also found a prominent place in the media, despite the fact that most of the organised criminals involved in human trafficking have few similarities to the mafiosi portrayed in films and books. This thesis aims to fulfil a dual function. The first, scientific function is essentially twofold: to investigate the role of the media in shaping social perceptions and narratives about the phenomenon; and to examine the domestic emergence of trafficking as a transnational organised crime. In addition to the scientific function, there is also an informative and educational function, which is primarily related to raising awareness on the importance of human trafficking. The research is, by definition, a criminological research, based mainly on sociological approaches, but it was also essential to use a certain criminal-psychological context in relation to the issue of victimisation. It is important to note, that although both organised crime and trafficking in human beings are essentially institutions under criminal law, I am only tangentially concerned with the legal approach to the problem. The primary reason for this is

due to the conceptual framework of the thesis and the nature of the criminological paradigms chosen, namely the interactionist and critical paradigms respectively. Neither of the two paradigms - which are related in their interpretation of crime - accepts the definition of crime as constituted by criminal law. On the contrary, they advocate a so-called constructivist epistemology, according to which reality is constructed in the minds of people who constantly shape it, so that neither reality nor knowledge can be objective or independent of society. What is different, however, is that while interactionist theories argue that it is the offender who is classified as deviant, and thus deal with the dynamics of reactions to crime, critical theories focus on the actions classified as deviant and the political content of this classification (Borbíró, 2016:35; Víg, 2016:194). In addition, the thesis focuses on the cultural criminological approach, which is situated at the borderline of the two paradigms. Cultural criminology – which is a relatively new concept - is admittedly based on multiple interactionist and critical theories (Ferrell-Hayward-Young,2008), which were also used in the dissertation accordingly whether they can be interpreted to the problem of trafficking, or not. At the same time, the thesis includes elements of the positivist paradigm with regard to the statistical data and causal issues of trafficking as well, despite the fact that cultural criminology defines itself in opposition to positivist conceptions. According to the left realist interpretation of the thesis however, the complete exclusion of statistical data, as well as its exclusive use, can lead to erroneous conclusions (Lea-Young,1984:16), and therefore, in my opinion, the positivist paradigm cannot be completely rejected in the context of cultural criminology, but should be used as a complementary element to support trend-like findings.

The research questions have been formulated in a way that the answers to them will bring us closer to the primary aims of the research, while at the same time they highlight the aspects of trafficking in the Hungarian context, including its embeddedness in transnational organised crime; the victims and perpetrators of trafficking; and the relationship between trafficking and the media. To explore these sub-themes, I formulated four broad research questions, all of which are in some way related to the research hypothesis that *the media not only influence public perceptions of the concept of trafficking, but also the academic discourse on the topic and even the perception of trafficking actors*. This assertion played a crucial role not only in posing the research questions, but also in shaping the final topic of the dissertation. During the doctoral research, the preliminary hypothesis was extended to include the issues of perpetration and acceptance of the label of trafficker, which, can be indirectly influenced by the media. The research questions were therefore formulated accordingly.

The research questions are:

1. To what extent is Hungary involved in transnational trafficking?
2. What are the social, economic, cultural, and qualification processes that lead to trafficking-related offending in Hungary?
3. Do Hungarian perpetrators of trafficking use any of the neutralization techniques formulated in Sykes and Matza's (1957) study, and if so, which are the most typical?
4. What is the Hungarian public's attitude towards the phenomenon of trafficking in human beings and its actors, with special regard to the victims? What is the impact of the mass media?

Structure of the doctoral thesis

The dissertation proposes a comprehensive analysis of the problem of human trafficking, in line with the research objectives and their educational and scientific functions mentioned above, with the help of three empirical research methods.

Accordingly, the second chapter, which follows the first chapter (Introduction), aims at presenting the most important national and international findings on the phenomenon of transnational organised crime, including legal and criminological approaches, the distinction between traditional and transnational forms of organised crime, and, given that transnational trafficking cannot be examined solely in the context of Hungary, the specificities of organised crime groups active in Europe.

The third chapter aims at discussing the conceptual issues and the interpretative framework of trafficking in human beings, as well as the different stages of the trafficking process. In relation to the interpretative framework, six co-existing key approaches, such as trafficking as modern slavery; trafficking as an example of globalised crime; trafficking as a manifestation of transnational organised crime; trafficking as a synonym for prostitution; trafficking as primarily a migration problem; and trafficking as a human rights challenge were detailed.

The following fourth chapter aims to arrive at a cultural criminological interpretation of the problem of human trafficking by integrating different theories of cultural criminology into the problem of human trafficking. Accordingly, the chapter traverses a long way from a postmodern interpretation of Merton's Strain theory, to a description of the neutralization techniques (Sykes-Matza) that form the backbone of my interviews with detainees – including the problem of Labelling (Becker), which defines both victims and perpetrators, and feminist criminological

theories, which mainly focus on the relationship between trafficking and prostitution - to cultural criminological approach of trafficking.

In chapter five, criminological and criminal-psychological theories related to the actors of trafficking, i.e. victims and perpetrators, are presented. With regard to victims, in addition to the process of victimisation, I have tried to present the social and criminal-psychological causes and explanations for the difficulties of leaving an exploitive situation, for secondary victimisation and for re-victimisation that is unfortunately very common in trafficking. In the case of offenders, the typologies of perpetrators are described in details, including the specific characteristics of female offenders.

The sixth chapter essentially describes the situation of trafficking in human beings in the country, based on expert interviews and available statistical data. The expert interviews also allowed me to slightly examine the victim's perspective, given that two of my interviewees worked in shelters for victims of trafficking. Accordingly, in addition to the typical characteristics of the victims, the chapter will cover the most typical forms of trafficking, the problems of victim identification, the efforts to change attitudes in the criminal justice system, and finally, the institutional system responsible for the rehabilitation of victims.

Subsequently, in chapters seven, eight and nine, I will present my empirical researches, as described in the methodological part of the introduction, which, in line with the aim of the dissertation, tries to explore the role of the media in shaping social perceptions and narratives about human trafficking and the extent to which human trafficking in Hungary can be described as organised or transnational. In addition, the semi-structured interviews with traffickers were used to investigate the process of becoming a trafficker, additionally the cultural background and neutralisation techniques of traffickers.

The dissertation concludes by presenting the main research findings, answering the research questions, and suggesting future research opportunities.

Research methods used in the dissertation

1. Qualitative content analysis (media analysis): In content analysis, the researcher examines a class of social products, such as recorded human communications. Sources suitable for content analysis include books, journals, websites, newspapers, e-mail messages, and even posts on internet forums (Babbie,2003:351-352). My primary objective in using this method was to examine the media and the news reports they publish on human trafficking. In my opinion, this

is necessary because, on the one hand, the media tends to report problems only from a certain perspective or narrative, and on the other hand, because the media has an influence in shaping the attitudes of society as a whole. By using this method, it was possible to explore the position of the media involved in the study and thus the message they convey to society. For example, if a newspaper article associates the term 'female sex slavery' with the concept of trafficking, it identifies only a particular form of trafficking, which may exclude the full picture of human trafficking from the public's understanding of the problem. The coding, that is, the transformation of verbal, written or other forms of communication into a standardised form (Babbie, 2003:357), was also determined by the messages conveyed by the media.

2. Structured questionnaire: Questionnaire studies, when combined with careful probability sampling and a suitably standardised questionnaire, allow to examine the description of attitudes and characteristics of large populations (Babbie,2003:308). My primary aim in using this method was to provide insight into the extent to which the narrative of human trafficking in the Hungarian media is able to influence public opinion, i.e., the extent to which media messages are reflected in people's attitudes towards the conceptual scope of human trafficking, its victims and perpetrators. To reach the sample, I used self-completed questionnaires, which were distributed through convenience sampling via the internet. Self-completion questionnaires are useful because respondents feel completely anonymous, so they are more inclined to give honest answers to more sensitive questions. It is important to note, however, that given both the resources available to me for the research and the convenience sampling, the survey is not representative. Given the size of the sample and the lack of representativeness, it is not possible to draw any clear conclusions about the attitudes of the Hungarian population as a whole towards human trafficking, but it does provide insights into the interpretation of the problem of human trafficking outside the academic discourse.

3. Semi-structured interview: semi-structured interviews were used in my research to interview experts and perpetrators of trafficking in human beings, as this format is able to collect facts and opinions about the problem (Kerezsi-Gosztonyi, 2016:353). Through interviews with experts, I gained insights into the situation of victims of trafficking, and - although to a lesser extent related to the narrow topic of this dissertation - the situation of the Hungarian victim protection system. The aim of the research among perpetrators was to investigate the process of becoming a perpetrator, the cultural background and the neutralisation techniques of perpetrators in relation to trafficking, covering the different roles of traffickers and the involvement of organised criminals. The interviews with offenders were also semi-structured

interviews, as the use of any kind of audio recording is prohibited in Hungarian prisons, which meant that I had to discard narrative interviewing as the most suitable research method for investigating the cultural context of offenders. In view of the cultural criminological approach of the dissertation and also of the interview research, my own field reflections and conclusions were also analysed based on the specific accounts of the perpetrators of the crime of trafficking and on what they said.

4. Statistical data analysis: as I already mentioned in my first research question, the analysis of statistical data falls primarily within the positivist paradigm, and the paradigms I have chosen explicitly favour different, mainly qualitative research methods. However, in my opinion, in order to get a complete picture of the situation of trafficking in the country, it is not possible to exclude the analysis of statistical data published in international, European Union or national reports and crime statistics systems. However, it is important to keep in mind that statistical data is most likely to be biased downwards (Lea-Young, 1984:16), therefore, and respecting the theoretical framework of interactionist and critical paradigms, statistical analysis will be presented only to complement other research methods.

Results of the doctoral thesis

1. Organised trafficking is most often linked to sexual exploitation, with strong links to the prostitution underworld (Monzini, 2001:3), although it is of course not uncommon to find organised trafficking in other types of trafficking as well (Vidra et. al, 2015). Organised criminal groups are increasingly and diversely involved in trafficking, due to the low risk of detection and the relatively low penalties associated with possible arrests (David, 2012:1). At the same time, trafficking is not always linked to organised activity, independent traffickers and small specialised businesses may also be present (Monzini, 2001:3; Viuhko, 2017:5-13). Of the 19 prisoners interviewed in my research at Szombathely prison, 8 were found to have links to organised crime. It is important to note, however, that even in the cases where organised criminal links could be detected, only a low level of organisation was found. Low-level organised criminal groups are characterised by the fact that the three phases of trafficking (recruitment, transportation, exploitation) are usually carried out by the same people and that the perpetrators are usually related to the subsequent victims by acquaintances, friends or relatives. In addition, the majority were active in so-called situational organisations, given that the group was formed by persons with some kind of acquaintance. At the same time, the media tend to focus on organised offenders and the stories related to them (Viuhko, 2017:5-13), due to the inherent high news value of organised crime news and the fact that the media have already

successfully dealt with this issue in many fiction and documentary films (Muzdeka, 2014:75). Based on the results of the media analysis and the attitude research, the news, films and campaigns connected to human trafficking in the Hungarian media try to present the problem from multiple perspectives, and not necessarily showing only the organised crime narrative. This is exemplified by the fact that the attitude survey results did not show a clear split in the opinion of respondents towards organised crime. Roughly similar proportions of the respondents agreed, disagreed and had neutral attitudes towards the exclusivity of organised crime membership of perpetrators, suggesting that the news, films and campaigns on trafficking in human beings in the Hungarian media seek to present the problem from multiple perspectives and not necessarily only the organised crime narrative.

2. Although there is an increasing number of cases in trafficking for labour exploitation, including domestic slavery, in Hungary, the transnational motive remains significant. Research clearly points to Hungary's role as both a transit and a source country, as evidenced by the number of foreign victims (usually from third world countries) identified in Hungary and the number of Hungarian nationals identified abroad and repatriated by IOM. In addition, some of my interviewees in the Szombathely prison also identified persons who were demonstrably active abroad. Out of the 19 interviewees, 3 were also working abroad or were only active abroad. All three were active in a so-called integrated diaspora model, i.e. in closed organised criminal groups, where all parts of the trafficking process were carried out by friends, acquaintances and associates from the same diaspora, i.e. Hungary (Turner-Kelly, 2009:185).

3. According to the very simplistic answers found in literature, the main reasons for becoming a trafficker are the low risk of detection, the relatively low penalties associated with possible arrests, and the quick and relatively easy money-making opportunities (David,2012:1; Antonopoulos-Winterdyk, 2005:142-145). My interview research in the National Penitentiary Institute in Szombathely identified 3+1 main motives behind traffickers' becoming offenders. However, the first motive, in contrast to the literature, reveals the figure of a much less conscious offender, who essentially "accidentally" got involved in trafficking. In these cases, it was usually an acquaintance or relative who was involved in the entry into the crime. The second motive fits better with the picture painted in literature, given that most of my interviewees indicated that they saw the crime essentially as an opportunity to make easy money and that they were still unaware that what they had committed was a serious human rights violation. Becoming a perpetrator has a galvanising effect not only on an individual level but also on a societal level, which is no different in the case of human trafficking. Accordingly, the

third motive, as in the case of other crimes, is that the majority of perpetrators come from poor family backgrounds, often from extreme poverty and have no more than eight years of primary education, so that in essence the socio-economic situation of the individuals also contributes to their becoming perpetrators. Finally, specifically in relation to female traffickers, we should highlight a common process of becoming an offender, whereby former victims move into a perpetrator role. In their case, the role change is often the only option to exit from an exploitative situation (Kleemans-Smit,2014:387-8). It is important to highlight that in these scenarios, the female offender participates in the crimes either voluntarily or under coercion because of her strong emotional dependence on her male partner (Siegel-Blank,2010:440-441). One of my interviewees was found to have a strong emotional dependency from her partner, who she had been together since the age of 15. My interviewee was clearly emotionally and economically dependent on her male partner and this was the main reason for her becoming an offender.

4. The results of the research showed that in the case of trafficking in human beings, perpetrators do not necessarily deny the crime itself, but in many cases deny the trafficking label and see themselves either as 'facilitators' or as 'pimps', admitting to having committed another crime. One aspect of denial is linked to the Hungarian legal situation and to changes in legislation. A recurring argument of my interviewees who also worked abroad or mainly carried out their activities abroad was that prostitution is perfectly legal in other countries (Switzerland and Germany) and what they did is either not punishable or punished much less in those countries. Another argument, which was particularly frequent, was that they did not know that the prostitute working for them or under their supervision was a minor. In these cases, the very young age of the victims made the act human trafficking, regardless of the method or nature of the offence. Another important aspect is that the proceedings of several of my interviewees took place at the time of the reclassifications as a result of the Attorney General's guidelines, which meant that their charges changed from solicitation to trafficking during the proceedings. The other side of the denial is more complex, as it is based on the perpetrator's interpretation of trafficking. According to the interviews, perpetrators are denying three elements that fall under the definition of trafficking. These three elements are exploitation, captivity and the use of violence. The impression I got during the interviews was that they consider one or more of these elements to be serious or a crime according to their own moral system, and if they have not carried out even one of these, they focus on it. The denial of exploitation was most often achieved by trying to prove that the victims benefited from the trafficking as well. Several people also claimed, in relation to sexual exploitation, that only a few percent of the money

from sexual services was demanded in exchange for some service provided by the perpetrator. It was the element of holding victims captive that was most often denied by the perpetrators interviewed, which also suggests that this was the element that my interviewees most associated with the concept of trafficking. In other words, the denial of this element was the most frequently cited reason that the crime committed could not have been trafficking and therefore they would have deserved a much lighter sentence. Finally, the denial of violence, like the denial of detention, appeared in several interviews, but while the first two elements were related to the concepts they associated with trafficking, the denial of violence appeared more as a denial of the violation of their own cultural or moral norms. Overall, therefore, few of my interviewees accepted the label of trafficker, with the majority still insisting that they had only committed crimes of a much lesser gravity. An important conclusion is therefore that my interviewees essentially had been labelled traffickers as a consequence of the court judgement.

5. In contemporary criminology, we find examples of the use of Sykes and Matza's neutralisation theory for most crimes (Ferrell-Hayward-Young,2008:39-40; Antonopoulos-Winterdyk,2005:137-38) and this is no different for the phenomenon of trafficking. My research at the Szombathely prison specifically aimed to explore the neutralisation techniques used by the traffickers detained there, therefore the interview schedule included several identification questions. Based on the results, all five neutralization techniques were identified to varying degrees. The most common neutralisation techniques were “denial of responsibility”, “denial of injury” and “denial of the victim”. Denial of responsibility was identified in cases where the perpetrators denied that they had committed a crime at all or denied that the crime committed fell into the category of trafficking. Denial of injury was concentrated around three elements of the concept of trafficking in human beings. These three elements, which were denied to the greatest extent, were denial of exploitation, denial of captivity and denial of the use of violence. In most cases, the denial of the victim was linked to the victim's history of prostitution. Thus, many argued that the girls who worked for them could not be called victims because they "became prostitutes themselves". In these cases, victim status was essentially denied by the perpetrators interviewed. Victim denial also took the form of believing that the victim 'deserved' what she had received because of some perceived or real conflict with perpetrator. The “condemnation of the condemners” neutralisation technique was less pronounced than the first three categories and it mainly related to the Roma ethnicity of the offenders and the related perceived or real anti-Roma nature of the judge who was presiding over the case, or to the revenge of the authorities because of the offender's past. The least common neutralisation

technique from the perspective of traffickers is the “appeal of higher loyalties”, which is linked to the reason I have also identified that offenders simply see their crimes, as a quick way to make money.

6. The most common image of a victim of trafficking in human beings in the media is that of a young girl who, through some act of coercion or violence, becomes a victim of trafficking for sexual purposes completely innocently. The image thus deprives other victims of their victim status, those who may fall outside of this representation: victims of labour exploitation, male victims, or those who may have known they would be in prostitution work but ended up in an exploited situation. In the case of the media, it is also important to consider whether there is a direct or indirect stigmatising effect on victims. By a direct stigmatising effect I mean messages that help to reinforce victim-blaming attitudes, while by an indirect effect I mean more negative attitudes towards real victims that are displaced from the poster victim narrative. My media research confirmed the existence of the “ideal victim” narrative, as reported in the literature: when victims were mentioned in a news story or report, most of the cases—100% at Origo and 45% at Index – were related to sexual exploitation. In addition to this, in all cases, the authors tried to present the victims as completely innocent and to highlight their ideal victim characteristics (e.g. young, girl, coerced, etc.) and in no case was there a direct message that could be used to reinforce victim blaming. The results of the attitude study, however, show that only certain elements of the victim narrative found their way to the respondents, despite the fact that the media, as confirmed by the results of my media research, explicitly try to portray all victims in a way that fits the ideal victim narrative. Importantly, some discrepancy was detected in this research between the free-word responses and the attitudes towards the statements of the survey. In the free-word responses, 22.2% of respondents associated the concept of prostitution with the phenomenon of trafficking, making it the second most popular category, after modern slavery. It is important to highlight that many respondents described trafficking as the coercion of "children" or "little girls" into prostitution, suggesting that poster victims or ideal victims as conveyed by the media may have an impact on public thinking about trafficking. However, at the attitudinal level, a clear contrast emerged with the ideal narrative in terms of the gender of the victims and the type of exploitation. This means that the majority of respondents thought that anyone could be a victim of trafficking regardless of gender, and the majority would not think that trafficking could be exclusively sexual.

7. In addition to the ideal victim, there is also the figure of the ideal perpetrator, who is a male a foreign, or even better, a member of a foreign organised criminal group. On the perpetrators'

side, my media research can provide relatively little information, given that only 19% of the examined articles described the offenders. In addition, the perpetrators were almost exclusively reported in detail (with 1-2 exceptions) in reports picked up by news portals, mainly in the context of organised criminal activity. At the same time, the offender as a complete stranger narrative did not appear in the examined media outlets, moreover in several cases the sole reason that I was able to rule out the involvement of organised crime in a certain case was that the article explained that the victim and the perpetrators were relatives, acquaintances or neighbours, i.e. they clearly knew each other before the crime. However, in contrast, the IOM interviewer believed that the media too often portrayed trafficking in human beings as victims being kidnaped by stranger. All in all the results of the attitude study do not seem to suggest that the ideal perpetrator narrative has an impact on attitudes towards perpetrators. There was no clear split in respondents' attitudes towards membership of organised crime, with roughly similar proportions of respondents agreeing, disagreeing and neutral to the statement. With the other two items - male perpetrator and stranger - there was a much stronger rejection. The majority of respondents disagreed that traffickers can only be male, while the statement that the perpetrator is a stranger to the victim – a statement synonymous with trafficking in human beings was used in the survey - tended to be found agreeable only along certain demographic groups (male, over 64 years old, retired, rural).

8. Several literatures have addressed the role of the media, and especially awareness-raising campaigns in disseminating anti-trafficking efforts and in identifying victims. Thus, the more people are aware of the true face of trafficking, the more people would be able to correctly identify it if they or someone around them were to find themselves in a trafficking situation. However, as long as the focus in the media and in awareness-raising campaigns is only on women victims of sexual exploitation, it is difficult to expect change in this area. At the same time, it is important to note that more and more anti-trafficking campaigns in Hungary are targeting male victims of labour exploitation, and the term modern slavery is increasingly entering the public consciousness. We also talked with OKRI's senior researcher about the connection between the term modern slavery and Hungarian society. In her opinion, the media prefer to refer to human trafficking as modern slavery, but she believes that this term is not appropriate in Hungary. The main reason for this, according to her, is that Hungary has never been a slave-holding country, so in our country this term is only good as a clickbait title, as it only takes the phenomenon itself further away from the people. Modern slavery or slavery was one of the less used definitions of human trafficking according to the results of my media

research, but it is important to note that campaigns and governmental measures aimed at labour exploitation (Héra et.al,2021) were in many cases only in place at the very end of the study period or even falling outside of it. However, it is precisely one of the main motives identified in the attitude study that the free-word responses suggest that the interpretation of trafficking as modern slavery has found its way into public opinion. On the one hand, this is a welcome development, as the term also includes labour exploitation in the discourse on human trafficking, but on the other hand, it has the disadvantage that, as Hungary was not involved in the transatlantic slave trade, the vocabulary may make the Hungarian people feel distant from this problem, despite its presence in the country. The latter correlation was also found in the attitudes of respondents, as more than half (54%) of respondents who associated human trafficking with modern slavery in the free-word question, attitude-wise agreed with the statement that "human trafficking is not a widespread phenomenon in Hungary". Overall, it can be said that the media can only influence a certain part of public perceptions, but importantly, these are also the parts about which individuals have the least information about.

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