

# Reintegration as an Emerging Vision of Justice for Victims of Human Trafficking

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## ABSTRACT

This article examines the discursual shift to “reintegration” within trafficking protection programmes and policy, with emphasis upon Cambodia. The evidence indicates that non-governmental organizations (NGOs) are progressively making “reintegration” their primary protective objective. Yet a lack of conceptual clarity prevails and is being exacerbated by models and forms of guidance which position NGOs as directly undertaking or providing for the achievement of reintegration. This article argues that NGOs and their practitioners cannot “reintegrate” anyone – at least not in any substantive sense. Drawing upon the discourse within the field of protection practice, a dualist conception of reintegration is proposed as comprised of “procedural” and “substantive” elements. Accordingly, the procedural delivery of assistance may or may not support the substantive attainment of reintegration. It is argued that the emerging focus upon reintegration reflects a broadened vision of justice which warrants further research into the social and cultural foundations necessary for its achievement.

## REINTEGRATION AS AN EMERGING VISION OF JUSTICE FOR VICTIMS OF HUMAN TRAFFICKING

The prevailing guidance on protecting former victims of human trafficking has more recently come to manifest an emphasis upon reintegration. Yet within these policies and programme models, the polysemic concept of reintegration lacks clarity and precision. Furthermore, these guidelines perpetuate confusion on account of their tendency to identify NGOs as directly coordinating the process of reintegration, or directly providing for its achievement. The most elementary claim of this paper is that the “procedural” provision of assistance, as mandated by various policies, conventions and laws, may or may not aid the “substantive” achievement of reintegration within receiving social groups and institutions. This paper compares the rising emphasis upon a “thick” substantive conception of reintegration within the field of protection practice in Cambodia, with a “thin” conception of reintegration evident within protection policy. If there is merit in the project of instating a substantive conception of “reintegration” as the primary aim of protection assistance, then it is argued that further research is necessary for discerning the local social arrangements, processes and cultural norms pertinent to its achievement. Such research would ideally inform the construction of protection policy, and the design of programmes aimed at promoting the substantive attainment of reintegration within groups and social institutions.

This article is comprised of five sections. The first describes the rationale for this study, the focus upon Cambodia, and the methodology employed. The second describes the emerging emphasis upon reintegration within the field. Primary consideration is given to literature which has

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contributed to the task of conceptualizing reintegration and guiding the provision of assistance. In section three the predominant model of reintegration is appraised and two fundamental deficiencies identified. In response, it is argued that a dualist conceptual distinction be established between “reintegration” as a “substantive” achievement within a group or social institution, and as the “procedural” delivery of assistance. Section four contrasts the thick substantive conception of reintegration emanating from the field, with the thin procedural construction of reintegration within policy, as related to the legal obligations upon Nation States to assist former victims of trafficking. This comparison reveals divergent constructions of reintegration which arguably reflect contrasting conceptions of justice and freedom, as related to the fundamental aims of protection assistance. In closing, a call is made for further research aimed at identifying the local social arrangements, processes and cultural norms salient to the substantive achievement of social integration within specific socio-cultural locations.

### Background and methodology

The historical factors which make Cambodia suitable for this study reflect a tragic confluence of circumstances. Following years of civil war and the devastation of Cambodia under Democratic Kampuchea (1975-1979), Cambodia has struggled to rebuild her shattered social, political, economic, and religious institutions (Vickery, 1999; Chandler, 1991; Chandler, 1993). In this period of post-conflict reconstruction, Cambodia has developed a reputation for sexual violence and the sexual exploitation of women and children (Amnesty International, 2010; Miles and Thomas, 2007; Freed, 2003; Farley et al., 2012; Blackburn et al., 2010), and for violence against those working within the sex-industry (Monto, 2014; Jacobsen, 2014; Hope, 2014; Busza, 2014; Devine, 2009; Hoefinger, 2014). Moreover, while Cambodia is continuing to undergo dramatic cultural changes, particularly within urban areas, scholars have identified the persistence of traditional gender norms which are implicated in the imposition of strict sanctions and the threat of violence against those who depart from feminine ideals (e.g. Ledgerwood, 1990; Tarr, 1996; Surtees, 2003; Derks, 2004; Jacobsen, 2008; Brickell, 2011).

It is against this backdrop that, since the inception of US State Department reporting on human trafficking, Cambodia has been annually identified as a “source, transit, and destination country” (US TIP Report, 2014; 120).<sup>1</sup> Yet assistance to trafficking victims has primarily been directed to female victims of sexual exploitation, and chiefly provided by NGOs who have been inadequately monitored by the Cambodian government (UNICEF, 2009). Accordingly, as a child protection specialist based in Cambodia, I was tasked with overseeing the provision of support to organizations whose aim was to protect and assist victims of trafficking and sexual violence.<sup>2</sup> Within this sector it was apparent that the rubric of “reintegration” was increasingly being adopted as the ideal aim. Yet, as observed by several commentators, the concept of reintegration remains unclear (UNIAP, 2012; Lisborg, 2009; OHCHR, 2013; Frederick, 2012). Consequently, the prevailing ambiguity made it difficult for practitioners to identify who, or how many, have been reintegrated, to assess programme effectiveness, or to choose which interventions and practices to promote (or discourage). The rationale for the present study, and the emphasis upon Cambodia, is therefore derived from the practical challenges associated with victim protection and the aim of promoting “reintegrative success”.

A social constructionist epistemology is adopted, and the methodology of Critical Discourse Analysis (CDA) is applied to the task of analysing “reintegration” within the discourse of anti-trafficking policy and programmes. In the dialectical-relational approach to CDA, discourses may be understood as “semiotic ways of construing aspects of the world (physical, social or mental) which can be identified with different positions or perspectives of different groups of social actors” (Fairclough, 2010; 232). The object of this research is “reintegration” and the ways in which various

social actors in the field of trafficking and protection construct their conceptions of reintegration in light of available discourses and moral frameworks of interpretation. The analytical focus upon reintegration has informed the construction of my data corpus. While I have considered a plethora of relevant “grey literature”, primary focus is afforded here to those reports which have sought to define “reintegration” and to guide the provision of assistance. Relevant Cambodian policies are further considered, and international conventions, policies and guidelines which provide universal guidance on protecting and supporting the reintegration of former victims of human trafficking.

### **Reintegration as an emerging overarching aim**

Soon after the period of the United Nations Transitional Authority in Cambodia (1992 – 1993), the first shelter recovery programmes were initiated in response to the sexual exploitation of children and young people (United Nations, 2000). As a rising emphasis developed upon human trafficking internationally, and this small specialized sector in Cambodia began to grow, the International Office of Migration commissioned a review. Yet rather than giving precedence to the notion of recovery as found within the Trafficking Protocol (United Nations, 2000b Art. 6 [3]), the focus of this review was upon the “reintegration of victims of trafficking”(1998, 5).<sup>3</sup> The resulting report, led by anthropologist Annuska Derks, proposes two inter-related definitions of reintegration:

To integrate means to unify, or to put or to incorporate (parts) together in a whole;<sup>4</sup> re-integration assumes that this unification or incorporation has to be renewed (Derks, 1998, 7).

The term reintegration refers to renewed reunion or incorporation within a social unity (Derks, 1998, 10)

Derks’ report further identifies various distinctions which remain relevant to conceptualizing “reintegration” right up to the present day (Derks, 1998, 7–12). These posit the need for recognizing differences between mere geographical movement leading to repatriation or return, and the provision of assistance proper; the contrasting reintegrative experiences of individuals (i.e. each individual experience of reintegration is fundamentally unique), and of groups (e.g. between female victims of sex-trafficking and male victims of commercial fishing); the experience of integration into a new environment and reintegration into a former community; and, between assisted processes of reintegration as opposed to unassisted efforts to establish (or re-establish) oneself within a community. On the basis of her investigations, Derks observes that “[s]heltering, counselling, training and reintegrating these victims of trafficking is a time-consuming and difficult undertaking” (Derks, 1998, 7).

Derks sometimes describes reintegration, as reflected in the quotation above, as an activity undertaken by the NGOs. For this she might be criticized for overly emphasizing the role of NGOs. Such a tendency is perhaps even engendered by the term itself. As noted by Slocomb:

“the verb “to integrate/reintegrate” has passive connotations: someone is reintegrated into the wider whole . . . The implication, therefore, is that a person usually does not act alone in order to “reintegrate” herself or himself, another acts on that person’s behalf” (Slocomb, 2006, 45).

Yet Derks reminds us that most trafficking victims “reintegrate” unassisted (Derks, 1998, 7). In her dual usage of this term Derks therefore implicitly communicates an important distinction between what might be described as a “procedural” and a “substantive” conception of reintegration. If the reintegration of trafficking victims occurs without formalized assistance,<sup>5</sup> then we must presume the existence of local substantive social processes.<sup>6</sup> Accordingly, for the purpose of improving the efficacy of protection assistance, it would seem advantageous to identify the specific character of these extant social processes, presuming that it is possible to do so, and to inform the provision of assistance accordingly.

Within the field of human trafficking, however, there has been a distinct lack of research corresponding to this aim. One related example, of research undertaken around this time, did not seek to define reintegration so much as to explore how violence against women is locally experienced in relation to the interventions of Cambodian NGOs (Surtees, 2000, 181–192). Accordingly, Surtees’ thesis, which was completed two years after Derks study, is critical of the tendency of NGOs to overlook cultural norms and their propensity to “(unintentionally) manipulate and impose their ideological frameworks and priorities on local groups and ways of knowing” (Surtees, 2000, 198). Surtees argues that NGOs would do well to consider local social arrangements and to calibrate their assistance to the local context.

Five years later (and seven years after the publication of Derks study), a second review was undertaken of “reintegration assistance”. Commissioned by The Asia Foundation (TAF), the TAF report boldly aspired to “inform the development of national standards in reintegration” (TAF, 2005, 4). While an emphasis upon reintegration had long been evident within the programmes of Cambodian NGOs (United Nations, 2000), the TAF report reflected a concerted (and donor backed) effort to re-define protection assistance and radically reform Cambodian national protection policy. The TAF report proposed that all forms of protective intervention (such as accommodation, counseling, education, vocational training etc.) be subordinated to the aim of “reintegration” and incorporated under the rubric of “reintegration assistance”. The formal definitions proposed are as follows:

**Reintegration:** The process of inclusion and rebuilding of relationships within a community in the country of origin at four levels: physical, socio-economic, socio-political, and cultural;<sup>7</sup>

**Reintegration Assistance:** The provision of comprehensive programmes designed to re-integrate victims of trafficking into society, including through actively preventing stigmatization, job training, legal assistance and health care and by making measures to co-operate with non-governmental organizations to provide for the social, medical and psychological care of the victims. (TAF, 2005, 6).<sup>8</sup>

This was new. Within Cambodian protection policy more formally, the notion of reintegration was (and continues to be) far more narrowly prescribed. At the time the TAF report was released, the notion of reintegration was more thinly prescribed and formally employed to describe the end-stage process of assisted return, or forms of assistance provided (e.g. capital, loans, goods or materials) once a victim had returned home or arrived within a new community (MOSALVY, 2001). What to make of the TAF report recommendations?

The TAF report sought to promote a “thick” conception of reintegration, as derived from its interviews with formerly trafficked women, local stakeholders, and the discourse employed within the field of practice. Accordingly, the notion of reintegration was broadly and relationally constructed in social, political, economic, cultural and even spiritual<sup>9</sup> terms. This claim (i.e. that a thick conception of reintegration is derived from the field), is evidenced by the descriptions of NGO programmes in the TAF report: an emphasis upon reintegration as the overarching objective is clear (2005, 34 - 38). Further evidence for the local prominence of a thick conception of reintegration may be gleaned from Derks’ review (1998), and from the programme descriptions outlined within an assessment undertaken of victims’ health needs and available services (United Nations, 2000). The evidence suggests that the primary aim of protection assistance was being directed towards “reintegration” either within family and community of origin, or where this was impossible, “integration” within a new community. The TAF report sought justification for this new overarching aim of reintegration on account of the normative emphasis developing locally within the field of practice. Additionally, the report references standards of practice related to reintegration emerging internationally (e.g. Thailand, Nepal, Albania, Europe and Eastern Europe), and several pieces of international rights legislation and policy (TAF, 2005, 18).<sup>10</sup>

A close reading of the TAF report, however, reveals a dual conception of reintegration. On the one hand, reintegration is promoted as a relational achievement to be substantively attained within

the life of community. Yet on the other hand, a procedural conception of reintegration is promoted as comprised of the provision of protective interventions (which are now renamed as “reintegration assistance”). While this dual conception of reintegration builds upon the contribution of Derks (1998), the TAF report primarily aims to describe the procedural delivery of assistance<sup>11</sup> or, “current reintegration practices” (TAF, 2005). This emphasis leaves little room for focusing upon any socio-cultural processes implicated in the substantive achievement of reintegration and the “rebuilding of relationships ...”(TAF, 2005, 6).<sup>12</sup> Neither is due consideration afforded to the question of how the provision of assistance might augment or undermine existing cultural norms and social relations. Most troubling, however, is the report’s tendency to occasionally conflate the substantive and procedural elements of reintegration, and thereby to describe the process of reintegration as being coordinated by NGOs. The various components or areas of intervention are thus posited as comprising not only the (procedural) delivery of assistance, but the (substantive) reintegration process holus-bolus. It is noteworthy therefore, that the report concludes by acknowledging that “the goal ... and the meaning of successful reintegration remain areas that need to be addressed and standardized in the Cambodian context” (TAF, 2005, 51).

The next prominent contribution to conceptualizing reintegration was published two years later, in the form of an effort to develop a “theoretical model, and practical procedures, for ‘successful reintegration’ in the Cambodian context” (Reimer et al., 2007, 9). In line with the contributions of Derks (1998) and the TAF study (2005), Reimer et al. proactively advance the focus upon reintegration within protection assistance. The same definitions of “reintegration” and “reintegration assistance” are presented and reproduced from the TAF report. Reimer et al., however, do not devote any significant attention to exploring the “value of beliefs and ceremonies” (Derks, 1998, 46), identifying relevant social arrangements (Surtees, 2000), or examining “the rebuilding of relationships” (TAF, 2005, 6), as ostensibly relevant to the substantive attainment of reintegration. Instead the report aims to reconceptualize “reintegration” as the phased provision of assistance, as guided by seven principles which are subordinated to the overarching doctrines of “do no harm ... [and] ...the best interests of the child” (Reimer et al., 2007, 40). At this point, the conceptual inconsistency evident within the TAF report, is fully incorporated into the model of reintegration posited by Reimer et al. By re-conceptualizing ‘reintegration’ as a phased process comprised of various modes of service delivery guided by rights and best practice principles, the more relational and substantive conception of reintegration is made secondary.

This conceptual reframing brought the procedural delivery of assistance to the fore, thereby unintentionally occluding, or diverting attention from the local social and cultural processes relevant to the substantive attainment of reintegration. This tendency to abstraction, it may be argued, is potentially engendered by the concept itself. According to Slocomb, the verb reintegrate “incorporates passive connotations and the assumption of one acting on another’s behalf” (Slocomb, 2006). To elaborate, within the parlance of protection it may be that the concept of reintegration tends to produce the effect of minimizing the agency of the one who is integrating, whilst maximizing the emphasis upon the imagined “*integrator*”. Building on this, it may further be observed that this dyadic construction concurrently occludes the existence of the “we”, which is rendered out-of-focus as an inchoate destination into which, it is assumed, the “integratee” will be simply inserted. Certainly, this “we”, and the social processes related to reintegration within the (assumed) receiving group, has received insufficient empirical attention in the form of social research undertaken within the field of trafficking and protection.

### **Efforts to define and evaluate reintegration within the field**

Rebecca Surtees has been at the forefront of efforts to promote access to victim protection (Surtees, 2008, 2010, 2013a, 2013b, 2014). Surtees’ conceptualization of reintegration continues to inform

protection practice in Cambodia and related research (e.g. Morrison et al., 2015). Alongside others, Surtees has claimed that many or most (of those who might qualify as) victims of human trafficking, lack access to formal assistance and are therefore forced to reintegrate unassisted (Surtees, 2013a; Nexus, 2012; Derks, 1998). Her claim that reintegration occurs without formalized assistance, presumes the existence of substantive local processes. In the following critique I argue that Surtees' universal model of reintegration fails to sufficiently correspond with these presumed local social processes and cultural norms. Therefore, while Surtees' efforts are laudable, her definition and model possess two central deficiencies. The first of these is conceptual, which partially conceals the second, which is ethnocentric. Correcting these flaws, it is argued, is a necessary step towards promoting greater emphasis upon the local social arrangements and cultural mores salient to the substantive attainment of reintegration.

Surtees' definition of reintegration extends to just over three pages in length, as presented within her research in the greater Mekong subregion (Surtees, 2013a, 37 - 40) and the Western Balkans (Surtees, 2014, 25 - 27).<sup>13</sup> For Surtees:

(Re)integration is the process of recovery, and economic and social inclusion following a trafficking experience. It includes: settlement in a safe and secure environment; access to a reasonable standard of living; mental and physical well-being; opportunities for personal, social and economic development; and, access to social and emotional support.

A central aspect of successful (re)integration is the empowerment of trafficking victims, supporting them to develop skills toward independence and self-sufficiency, and to be actively involved in their recovery and (re)integration. (Surtees, 2013a, 38).<sup>14</sup>

This definition aims to identify universal features relevant to the achievement of "reintegration" for any victim of trafficking – anywhere. Yet a clear distinction is not established between the provision of assistance (as coordinated by NGOs), and the local substantive processes related to the achievement of reintegration within a social group. Surtees' procedural focus is evident, for example, in her claim that "reintegration refers to a broad range of measures over an extended period of time that aim to support and assist..." (Surtees and Brunovskis, 2012, 11). Surtees' definition fails to adequately maintain a procedural/substantive conception of reintegration, as indirectly promoted by Derks (Derks, 1998), and developed and minimally preserved, in definition at least, within the works of TAF (2005) and Reimer et al. (2007).

Surtees' model of reintegration, as opposed to her definition, is more promising. It seems aimed at addressing a range of challenges associated with reintegration, which have been identified through past research (e.g. Reimer et al., 2007, 19-22; TAF, 2005, 21-25; Derks, 1998, 13-27). Yet within Surtees' model these challenges are transformed into a list of successful outcomes, and thus a model of reintegrative success (Surtees, 2013a, 40-41).<sup>15</sup> This list generally corresponds with the associated monitoring system Surtees has developed (Surtees, 2010). Surtees' model attempts to go beyond monitoring the procedural delivery of assistance alone. Her list of successful outcomes is intended to correspond with a range of domains assumed to be relevant to (substantive) reintegration. Given that access to adequate accommodation, physical and mental wellbeing, legal status, safety and security, etc., have been identified as relevant, or associated with "reintegration", Surtees has settled for equating all of these areas as cumulatively constitutional of reintegrative success. Thus the task of evaluating the attainment of reintegration is transformed into the task of monitoring interventions and assessing improvements as *presumed* relevant to assessing a broader conception of wellbeing or access to primary goods.<sup>16</sup>

Surtees' list therefore provides a potentially useful guide for practitioners, so long as her abstract model does not detract focus from the substantive contextual features salient to the achievement of social integration. Yet it is arguably because of her model's propensity to generate abstraction, that Surtees fails to express sufficient respect for the role of local socio-cultural norms. Indeed, Surtees

posits the ethnocentric claim that “empowerment” and the promotion of “independence” and “self-sufficiency” are central elements to reintegration (see her definition above). It has not been empirically demonstrated, so far as I am aware, how independence and self-sufficiency may contribute to the *substantive* achievement of reintegration within traditional collectivistic communities. Within anthropological and historical research related to traditional Khmer lifestyles and gender norms, the emphasis is conversely placed upon the proper performance of social role and conformity with traditional cultural ideals (Ledgerwood, 1990; Brickell, 2011; Ebihara, 1968; Jacobsen, 2008). Accordingly, there is a disconnect between Surtees’ emphasis upon independence and self-sufficiency as central to reintegration, and the means by which a woman may be perceived as successful (if not reintegrated), within a traditional Khmer community (Ledgerwood, 1990, 24). Given that Surtees’ model aspires to universality, it may be surmised that her emphasis upon independence may be similarly inappropriate to other traditional hierarchical societies, and to average children living dependently within families or in alternative care arrangements within modern social conditions.

### Emerging guidance on reintegration within formal policy

As presently described, there is a significant disconnect between the thin constructions of reintegration to be found within formal policy (in Cambodia and internationally), and the thick substantive notion of reintegration which is evident within the field of protection practice in Cambodia. It is obligatory, of course, that the concept of reintegration be procedurally constructed within formal policies whose aim is to prescribe the legal obligations upon nation states to protect the rights of victims. Yet it is not necessary, I would argue, that procedural constructions of reintegration be promoted at the expense of more substantive conceptions of reintegration (as demonstrated below). This gap between the field of law and the field of social welfare practice, and between procedural and substantive constructions of reintegration, appears related not only to contrasting professional orientations, but to deeply contested visions of justice which inform the construction of protection policies and interventions.

Cambodia’s national human trafficking law is silent on reintegration. Moreover, beyond identifying the rights of victims to seek restitution and damages, it failed to incorporate any further protective measures for victims (Law on the Suppression of Human Trafficking and Sexual Exploitation, 2008, Art. 46, 47). In practice, the implementation of the new law was publically associated with the abuse of power and the arbitrary detention of sex workers and other potentially vulnerable persons (Hoefinger, 2013, Amnesty International, 2010). Around this time, Cambodia was downgraded and named on the “Tier Two Watch List” in 2009 by the US State Department (United States Department of State, 2009)<sup>17</sup>. Later the same year, the Ministry of Social Affairs (MOSAVY), with the assistance of The Asia Foundation (TAF), developed the Policy on the Protection of the Rights of Victims of Human Trafficking (MOSAVY, 2009). Yet despite the recommendations outlined within TAF’s review of reintegration assistance (as discussed in Section 1), the local emphasis upon a substantive conception of reintegration as the overarching objective of protection assistance was not captured or acknowledged within Cambodia’s first trafficking protection policy. Instead, the new policy outlined a set of rights belonging to trafficking victims and included a narrower conception of reintegration as a component of the case management process (MOSAVY, 2009, Art. 7).

While the concept of reintegration was absent from the Trafficking Protocol, it has gradually been incorporated within the growing body of international trafficking protection policy. In Anne Gallagher’s estimation, “[s]upported reintegration is a right owed to trafficked persons by virtue of their status as victims of crime and victims of human rights violations” (2010, 352). More specifically, Gallagher has identified “reintegration” as a critical component of repatriation that is related to rehabilitation measures and avoiding “re-victimization” (Gallagher, 2012, 352). As signalled by

Gallagher's references to "supported reintegration" and "assisted reintegration", and her identification of reintegration as a "component of repatriation" (Ibid.), Gallagher seeks to limit herself to describing a wholly procedural conception of reintegration. Yet by identifying a close relationship between reintegration and the prevention of re-victimization (or re-trafficking), Gallagher arguably evokes reference to a broader substantive conception. Moreover, in support of her identification of a right to supported reintegration, Gallagher refers to a host of conventions and policies, some of which imply, or at least allow for the possibility of a substantive conception of reintegration (Gallagher, 2010, 352-353). For example, Gallagher refers to one "Handbook on Direct Assistance", as an example of a "growing appreciation of what is required for reintegration to work well" (Gallagher, 2012, 353). Here, Gallagher is presumably employing the term "reintegration" as shorthand for the procedural provision of assistance. Yet the "Handbook" referenced is less conceptually disciplined. It claims that:

the aim of the reintegration process is to *provide* for a victim's safe, dignified and sustainable reinsertion into society and a normalized life (IOM, 2007, 81 emphasis mine).

On the one hand, the "*Handbook*" seeks to maintain a procedural conception of reintegration as related to the provision of assistance aimed at upholding the rights of victims. Yet on the other, it asserts that the aim of the reintegration process (read the procedural delivery of assistance) "is to *provide* for a victim's safe, dignified, and sustainable reinsertion into society and a normalized life" (Ibid.). A "normalized life" however, may only be achieved through the establishment and maintenance of social relations in accordance with local norms and cultural mores. The "*Handbook*", therefore aims to directly *provide*, through the procedural delivery of assistance, what it cannot possibly deliver on its own.

Gallagher gives emphasis to the European Convention on Human Trafficking which outlines a broad suite of protective measures. As regarding reintegration, member States are advised to provide assistance which "favours the reintegration of victims into the society . . ." (European Trafficking Convention, 2005, Art 16 [6]). This formulation arguably allows space for both a procedural and a substantive understanding of reintegration, as the convention prescribes that the (procedural) provision of assistance should "favour", or in other words, be supportive of the attainment of reintegration (which may be constructed as a substantive achievement). Yet while this allows room for a more substantive conception of reintegration (and a broader conception of justice), it is notable that this guidance is incorporated under Article 16 which is more narrowly related to "Repatriation and Return" (European Trafficking Convention, 2005, Art. 16). This seems counter-intuitive. If a policy is developed in support of a more substantive conception of reintegration as the overarching aim of assistance, then assistance related to repatriation and return would instead be subordinated to the aim of promoting reintegration. This inconsistency, is perhaps best interpreted as evidence of the underlying contestations inherent to policy making, and the task of promoting an appropriate vision of social justice.

If, from a traditional legal perspective, we presume the *a priori* freedom of former victims of trafficking, then justice merely demands that the procedural delivery of assistance be aimed at protecting victims' negative rights, and further promoting their social rights by providing them with the material resources (or perhaps even specific skills and abilities) necessary for them to embrace their freedom and to get on with the task of pursuing and realizing their aims (Honneth, 2012). Yet if we adopt a more Hegelian conception of freedom, as advanced in Axel Honneth's theory of recognition, then the attainment of freedom and the construction of our identities and aims may only be achieved through social relations (and not through materials or the establishment of skills or abilities) (Honneth, 1995; Honneth, 2014). From this vantage point, justice demands that the procedural delivery of assistance be aimed at favoring reintegration, or the establishment or rebuilding (or building) of relationships. For Honneth, it is only through each other, and mutual processes



of recognition which exist within social institutions, that our freedom may be realized. At the level of protection practice, this conception of justice clearly resonates: if victims, once removed from conditions of exploitation were wholly free, then there would be no need for the provision of such intensive services and support.

### **Concluding reflections**

Within the concept of reintegration, we have encountered a deeply relational and normative vision of justice which is field-based, the influence of which is observable within policies aimed at the protection of victims of trafficking. Indeed, “reintegration” has even been identified by Gallagher as being closely linked with the prevention of re-victimization. It therefore represents an alternative vision, and perhaps a more restorative form of justice as related to the work of John Braithwaite and colleagues in the field of criminal justice (Braithwaite, 1989, Ahmed et al., 2001). As an overarching aim, the concept of reintegration complements an emphasis upon human rights. It reminds us, after all:

that the conditions of justice are not only given in the form of positive rights, but also in the shape of appropriate attitudes, modes of comportment and behavioural routines (Honneth, 2014, 67).

This analysis has identified thick and thin discursive constructions of reintegration within the field of trafficking and protection. Moreover, the thick conception of reintegration, as employed within the field of protection in Cambodia, appears to exist in tension with the thinner, more juridical conception. The latter procedural construction, I have observed, aims to protect victims from further external interference (negative rights), and to promote assistance (as social rights and forms of recompense) with the aim of providing the material resources necessary for the realization of freedom. In contradistinction, the rising emphasis upon substantive reintegration reminds us that “freedom” is not only achieved in the absence of external impediments, nor is it a natural state which can be sustained through material goods, rather, freedom inheres within mutually affirming relations set within social institutions. This analysis has demonstrated the potential value of applying the tools of sociology to the task of theorizing reintegration. Having interpreted reintegration as a deeply relational phenomenon, this study calls for further research into the local social and cultural processes implicated in the substantive achievement of reintegration within particular social groups and institutions.

### **ACKNOWLEDGEMENTS**

Thanks to Karen Lane, and Margaret Slocomb, Max Kelly and Liz Eckerman. My appreciation is extended to the reviewers whose advice strengthened this article, and to Mike Wessells, John Williamson, and Bill Forbes who have provided encouragement and inspiration along the way. An Australian Postgraduate Award provided by the Australian Federal Government was made available in support of this research which was undertaken through the School of Humanities and Social Sciences, Deakin University Australia.

### **NOTES**

- 1 Debuted at Tier Two in 2001, Cambodia dropped to Tier Three in 2005, rose to the Tier Two ‘watch list’ in 2006 and 2007, rose to Tier Two in 2008, dropped to the ‘watch list’ in 2009, ascended to Tier Two in 2010, 2011, 2012, before being demoted to the Tier Two ‘watch list’ in 2013, 2014 and 2015.

- 2 I spent nine years in Cambodia working for various NGOs and Universities, and as an advisor on victim protection for World Vision (2008-2011).
- 3 The majority of Derks' participants were trafficked for commercial sexual exploitation.
- 4 Derks attributes this to 'Webster's New World Dictionary (1996)'.
- 5 For a very basic case study see (United Nations Inter-Agency Project on Human Trafficking, 2012, 7).
- 6 Derks' awareness of these arguably led her to recommend further research into 'the processes of inclusion' (Derks et al., 2006).
- 7 The new definition is derived from a newsletter circulated by Global Alliance Against Trafficking in Women (GAATW) (TAF, 2005, 6).
- 8 This definition is reportedly derived from an Albanian National Action Plan (URL no longer available).
- 9 See Derks' discussion of the role of spiritual beliefs and religious ceremonies (Derks, 1998, 46)
- 10 For example: The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the United Nations Convention on the Rights of the Child (UNCRC), and the policy guidelines produced by the United Nations Office of the High Commissioner for Human Rights.
- 11 Reintegration assistance is described as being comprised of: 1. Preventing stigmatization; 2. Education; 3. Training and employment; 4. Legal support; 5. Medical/health care; 6. Social services; 7. Psychological services' (TAF, 2005, 21).
- 12 As briefly considered in relation to notions of successful reintegration (TAF, 2005, 41)
- 13 This includes a one-page diagram which differentiates between assisted and unassisted reintegration.
- 14 Bullet points and spacing changed from Surtees' original sentence construction.
- 15 Surtees' list of successful outcomes is referenced to an earlier publication, in which there is little elaboration upon the process of piloting and testing (see Surtees, 2010, 19).
- 16 That being said, Surtees' model leaves out some important aspects which are relevant to wellbeing more generally (e.g. a sustainable balanced ecological environment, access to cultural and religious opportunities). If Surtees intends to develop a list of necessary goods, or capabilities, she might consider Naussbaum's list of human capabilities (Naussbaum, 1997, 287-288).
- 17 This is not to suggest that the reasons for downgrading on the watch list are completely transparent.

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