



## ANTHROPOLOGY FOR RADICAL OPTIMISM

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Essay

One-Shots

# MEET THE SMUGGLERS. DECOLONISING THE MIND, QUESTIONING THE BORDER

November, 2024 / By Caterina Borelli



*To A. and O., for better or for worse.*

The story I want to tell might seem to be about human smugglers, but it is not. Rather, it is a story about how I came to understand the smuggling of migrants in a new light, one that does not rest at the top-down view of the state, but instead emerges from the lived experiences within the

borderlands and the people who inhabit them—those who, as Abu Hamza, a Syrian smuggler operating in Turkey, puts it, are ‘on the wrong side of the world’ (cited in Achilli 2018: 89).

## Intro: two suspects

In January 2022, a former co-worker forwarded me the link to a short news story that appeared in local papers and probably passed unnoticed by most of the public. It referred to two Iraki-Syrian brothers, residents of an asylum seeker reception centre in a small provincial town in north-eastern Italy, who were arrested under the accusation of being part of an international criminal network smuggling Syrian refugees from the Turkish coast, through Italy, to northern Europe. The text was accompanied by pictures taken during their detention, showing *Guardia di Finanza* agents escorting the two suspects down a flight of stairs in the apartment building they were staying in. I immediately recognised the place and could identify the silhouettes of the two people lined against the wall, paper sheets covering their faces.



*Associated Press/Alamy Stock Photo, edited by the author*

I knew them because I had worked at that same reception centre as a coordinator until a few months before the reported events. Instinctively, I started browsing the internet for more details. A clearer picture of the (alleged) role of the elder brother emerged: he was accused of being one of the four masterminds of the smuggling organisation, described as a powerful puppeteer (also known as “the King of Italy”), orchestrating the movement of thousands of people and millior euros across borders. Only a few days later did I learned that the investigators had wiretapped the

apartment where the two brothers had lived for months. Yet, the centre's employees (myself included), except for the maintenance operator, were unaware of that.

*Associated Press/Alamy Stock Photo, edited by the author*

## **My position**

My first reaction was one of bafflement, almost shock. How could this be possible? The way I knew the guys did not align with my idea of shrewd, ruthless criminals: in fact, they had always seemed rather clumsy to me. Suddenly, I felt as if I were being dragged into a larger scheme of things: a plot that involved big bosses, shady boat drivers, a fleet of vehicles ready to be activated by a phone call, and an international investigation following flows of dirty money and profits extracted from desperate people. I felt indirectly implicated: I had helped them register their residency, obtain their IDs, delivered groceries to their apartment twice a week for months, assisted them in rehearsing their asylum interviews, and mediated arguments and quarrels between them and their flatmates more than once. I started to connect the dots: Were those long phone calls in the middle of the night – which sparked so much conflict in the apartment – truly made to at family members living in Lebanon, or were they arranging illegal migrant crossing instead? Had the two brothers turned the reception centre into their headquarters, right under our nose? That phone, from which directives and orders were now said to have come, I remembered it perfectly. I had even held it in my hand! And if they were indeed wealthy traffickers with six-figure bank accounts in their names, I also felt doubly fooled! I, a good-faith worker of the reception system, an honest tax-payer with a ludicrous salary, tricked by those crooks.

However, as I continued to reflect on the situation and discussed it with friends and colleagues with similar interests in migration, my initial resentment began to dissipate. I knew I could not allow myself to judge the (alleged) conduct of two people without examining the broader context of the European border regime, which I consider profoundly violent and unjust. By the time the news reached me, I had already read Shahram Khosravi's *'Illegal' Traveller* (2010), a book that dramatically influenced my understanding of contemporary migration regimes. This book offers no legal frameworks, national regulations, or European directives for reference. Instead, the author rejects bureaucratic hierarchies that differentiate people into categories and condemns the refugeeisation processes migrants must endure to prove themselves deserving of admission. This logic, as rooted in the 'national order of things' (Malkki 1995), is steeped in old and new coloniality, while the invitation here is to experience borders from the perspective of those who violate them. This shift in viewpoint has the potential to shake many of the assumptions we, as holders of 'strong' passports, hold on our side of the world. What Agamben calls the 'fiction of sovereignty' (1995, cited in Khosravi 2010: 2), with its controls and criminalising mechanisms, is unmasked in all its artificial rawness. In this overturning of certainties, the legal loses legitimacy, while the illegal begins to assume it: the best example of this lies in how *'Illegal' Traveller* deals with human smugglers.

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In the acknowledgements to a recent volume edited by Khosravi and Mahmoud Keshavarz (2022), *Seeing like a Smuggler. Borders from below*, the authors write: 'Borderland communities, border transgressors and smugglers, those who have been forced to live and work with borders and bordering have taught us a great deal on how to think about borders and nation-states differently'. That is precisely what I tried to do. As soon as I forced myself to look at the phenomenon "from the other side", the entire business the two brothers were accused of being part of appeared to me as a giant mockery of Western countries' obsession with securing their borders against irregularised migration. The network operated luxury passages on stolen yachts and sailing boats to fool border patrols, who were only searching for shabby dinghies. There was a fleet of vehicles and an army of drivers ready to distribute smuggled persons throughout Europe in direct defiance of the Dublin regulation. Their operating base was established at a reception centre for asylum seekers – and they had even been granted five-years subsidiary protection permits just a few months before their arrest! (Because, after all, being a smuggler does not

contradict being a refugee)<sup>1</sup>. They may have been criminals in the eyes of the state, but there was a certain genius in their operation that I couldn't help but acknowledge.

As my perspective shifted, I realised that my positionality regarding this issue needed consideration. Initially, I had viewed the facts through the lens of my previous professional relationship with the two suspects. That relationship was undoubtedly marked by the ambiguity that often characterises social work, especially when non-state actors manage state programmes, reflecting the broader trend of outsourcing social services and the privatisation of asylum (Darling 2016). From this contradictory position, social workers are tasked with directly implementing state policies that they may personally perceive as discriminatory and exclusionary, all while striving to maintain the humanitarian and rights-oriented ethos of their work. Nonetheless, by the time the news surfaced, I was no longer employed by the Italian reception system but had transitioned into an academic researcher, critically studying the same structures I once worked within. What used to be my sphere of intervention as a social worker, indirectly funded by the state, had retrospectively become my field of anthropological inquiry as a scholar employed by a higher education institution. It was now my intellectual duty and my job to question the assumptions often taken for granted in discussions on migrations, starting with the widespread belief that human smuggling is inherently “bad”.

## Is smuggling bad?

When I began reflecting on these issues, I was still somehow holding on to the brothers' presumption of innocence. Fast-forward to September 2023: the verdict came out, and the defendants were found guilty of criminal association aimed at illegal immigration, with the aggravating circumstance of transnational crime. They were sentenced to 13 and 8 years in prison, respectively. Therefore, the question is no longer whether they did it or not, but rather what other contentious issues remain worth discussing in relation to their actions.

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The first point to note is most states and international organisations recognise significant distinctions, codified in treaties and regulations, between human smuggling (UN 2000a: article 3a) and human trafficking (UN 2000b: article 3a). However, in political and media discourse, these two terms are often used interchangeably. While both smuggling and trafficking indeed share the nature of the *action* involved (the recruitment, transportation, and transfer of people), they differ

substantially in the *means* by which the action is performed, who the *victim* is, and the *purpose* such action is aimed to. Smuggling is based on consent – having the smuggled person agrees to the action – while trafficking always involves coercion and abuse. Therefore, smuggled migrants maintain agency: the range of their choices might be minimal, but they still autonomously decide to resort to the services of a smuggler. Consent (or its absence) is a key point of differentiation concerning now the victim of the crime: smuggling is, first and foremost, a violation against the state, implying illegal border crossing. Trafficking, instead, is a violation of the rights of the individual, where the victims are the trafficked persons themselves. A third major distinction lies in the diverging purposes of these actions. While both smugglers and traffickers profit from their “jobs”, trafficking involves the ongoing exploitation of the trafficked person in the destination country, whereas the smuggler’s role typically ends once the border is crossed and the fee is paid.

However, it’s crucial to point out that the emphasis on profit is less pronounced – if not entirely absent – in certain regional and national directives. Neither the European Council Directive 2002/90/EC nor Italy’s Immigration Law (DI 1998/286) consider profit an essential element of smuggling. That is a critical point because, if profit is no longer the issue, helping someone along their journey – out of friendship, family bonds, solidarity or whatever other motivation (Vergnano 2020) – can lead to an accusation of smuggling. This is evident in the [numerous legal prosecutions](#) against activists assisting migrants on the ground or NGOs carrying out Search-and-Rescue operations at sea.

The criminalisation of solidarity in the Mediterranean must be viewed in the context of Europe’s intensified focus – especially since the October 3<sup>rd</sup>, 2013 shipwreck off the coast of Lampedusa – on combating criminal organisations in efforts to seal borders against illegalised migration. High-profile events as the Lampedusa tragedy, while shocking public opinion, also shifted attention towards alleged smugglers, who became the primary targets of operations at sea, often at the expense of protecting migrants (Garelli and Tazzioli 2017). As Anderson and Andrijasevic (2008) argue, the scorn against smugglers serves to unite public opinion, positioning them as scapegoats for the deaths and all the evils associated with borders, and we all should despise them. However, these authors caution that focusing on smugglers disguises the systemic factors enabling smuggling and absolves the state of responsibility for its approach to migration and employment.

The hunt for smugglers has led to the mass incarceration of racialised individuals for motives such as steering a boat in distress – in Italy alone, since 2013, more than 2.500 criminal proceedings have been opened against [people mostly accused of driving boats](#) carrying migrants across the Mediterranean (Arci Porco Rosso and Alarm Phone 2021) – or bought a bus ticket on behalf of a fellow countryman with no access to a bank account. [Cases are built on questionable arguments, frequently violate fair trial procedures](#) and, more often than not, [end up collapsing under the weight of their own inconsistency](#). Moreover, Europe’s externalisation of border control to t

countries of origin and transit has extended the criminalisation of assistance well beyond destination states. This is particularly troubling, as 'contrary to the popular assumption that it is an isolated criminal activity, smuggling is socially embedded and is part of the everyday lives of the local residents in origin countries and migration routes' (Mengiste 2022: 20).

Ethnographies of smuggling provide a far more nuanced picture than the one typically painted by states, international agencies, and the media. From a "border-from-below" perspective, transnational, mafia-like criminal organisations appear to occupy only a small portion of a sector that has grown exponentially alongside the foreclosure of borders but remains dominated by individuals and small groups operating locally. Of course, given the illicit nature of smuggling, official data are unreliable and render only a partial view of the phenomenon. That is precisely why qualitative accounts are so fundamental: they reveal what happens in the interstices of official statistics.

**“** *However, these authors caution that focusing on smugglers disguises the systemic factors enabling smuggling and absolves the state of responsibility for its approach to migration and employment.* **”**

In this way, we discover that in borderlands, smuggling is a well-established feature of local social structures, embedded in regional networks of trade and cultural exchange. Most illegalised travellers do not necessarily have a negative opinion of smugglers *per se*: they distinguish between good ones and bad ones, much like in any other business. On the contrary, many travellers rate the smugglers' services highly. Smugglers, in turn, have all the interest to deliver quality service because their business relies heavily on reputation. While instances of abuse certainly exist and have been well-documented, they are exceptions rather than the rule. Migration brokerage — a broad category that includes smuggling and the myriad intermediaries helping others navigate migration regimes before, during, and after border crossing (see also Tuckett 2018) — complicates the dichotomies between state and market, legality and illegality, and formality and informality (Lindquist et al. 2012). On the ground, these binaries become blurred, as 'profit, trust and empathy run hand-in-hand in the relationships between brokers and migrants, and distinctions between them are often impossible to sustain in practice' (ibid: 9).

Above all, when we zoom in closer, we see what a state-centred perspective usually conceals: the structural causes of smuggling. These causes are often described as a vicious circle, in which the more borders are fortified, the more dangerous migration routes become, and the more necessary the intermediation of smugglers, which in turn leads to even stricter border controls (Nadig 2016; Van Liempt 2016). It is, therefore, restrictive immigration policies — which historically went hand-

in-hand with the demonisation of brokerage (McKweon 2012) – that create the systemic conditions for illegalised migration and smuggling in the first place, or at the very least, these two processes should be seen as complementary and co-constitutive.

## Conclusions

Having said all this – that human smuggling, in part, is a response to strict border regimes that effectively deny legal pathways for movement, even to those who should be entitled to safe passage, such as the Syrian refugees in this story – I remain uncertain about how I feel regarding the two men I once knew. I now realise that my initial perspective was biased by a state-derived vision of smugglers as (exclusively) ruthless criminals, exploiting migrants' desperation and endangering lives for personal gain. Nevertheless, I do not wish to romanticise a practice that can be profoundly violent and exploitative, either. My aim here is to acknowledge, not resolve, the moral ambiguity of smuggling and insert it within the broader context of migration infrastructures, which include 'the institutions, networks and people that move migrants from one point to another' (Lindquist et al. 2012: 9).

In the case of these two brothers, the chances that they engaged in smuggling solely for profit rather than out of solidarity or as an ideological stance against European border regimes seem high. I cannot verify that, as I have not had access to them since I quit my job at the reception centre (spring 2021). After their arrest in January 2022, I thought of visiting them in prison, which turned out to be impossible, as anti-COVID measures still prevented visitors from entering Italian correction facilities. However, even if money was their only motive, I think there is still room for considering their actions beyond the stereotypical portrayal of smugglers as villains. Smuggling can be viewed 'as a productive endeavour, which is not merely an economical service but demands that we engage with the question of borders ethically and politically' (Keshavarz and Khosravi 2022: 9). Border regimes and continued demand for precarious labour in the global North generate the market for illegal crossings and no matter how stringent admission policies become or how risky and potentially deadly the routes may be, people will continue to travel if that is the only way to move forward in their lives. Demand for smugglers' services remains high and will continue to rise unless we begin to seriously question the one element holding up all these structures and counter-structures: borders.

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