Activists, Smugglers, and Researchers in the Migration Industry in Mexico

Activistas, traficantes e investigadores en la industria migratoria en México

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ABSTRACT

This article aims to problematize the role of activists, smugglers, and researchers in the current lucrative migration industry, understood as networks of transnational migration that facilitate the movement of people, often in violation of states laws. The analysis is based on data obtained through 18 months of ethnographic fieldwork with African migrants in transit through Mexico, smugglers, and activists in civil society organizations. Based on three specific cases—an activist, a smuggler, and a researcher—this work elucidates how the practices implemented by these actors are criminalized (or not), and how they contribute to the perpetuation of irregular migration. Moving away from a state-centric approach, this article contributes to the current literature by analyzing certain transgressive activities and the subjective position of those involved, whether for ethical, financial, or political reasons.

Keywords: 1. migration industry, 2. smuggler, 3. activists, 4. African migrants, 5. Mexico.

RESUMEN

En este artículo se problematiza el papel de activistas, traficantes e investigadores en la lucrativa industria migratoria actual, entendida como el conjunto de redes migratorias transnacionales que facilitan el movimiento de personas (a menudo) en contra de las leyes de los Estados. El análisis se basa en los datos obtenidos durante 18 meses de trabajo de campo etnográfico con migrantes africanos en tránsito por México, traficantes y activistas de organizaciones de la sociedad civil. A partir de tres casos específicos –un activista, un traficante y una investigadora académica– el artículo dilucida cómo las prácticas llevadas a cabo por estos actores son criminalizadas (o no) y de qué manera contribuyen a la perpetuación de la migración irregular. Alejado del enfoque estadocéntrico, este artículo contribuye a la literatura actual al analizar ciertas actividades transgresoras y la posición subjetiva de quienes las ejecutan, ya sea por razones éticas, económicas o políticas.

Palabras clave: 1. industria migratoria, 2. traficantes, 3. activistas, 4. migrantes africanos, 5. México.

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INTRODUCTION[2]

For most people, migrating is not an easy enterprise. On the one hand, there are natural obstacles such as rivers, jungles, mountains, deserts, and the sea. On the other, there are political obstacles, such as the borders and bureaucracy shaping most modern nation-states, as well as the right to enter and remain in them. Navigating these obstacles requires specific resources, including money or financial resources (to pay for transport, lawyers, food, and shelter on the way), social resources (such as informal networks), and knowledge (such as how to apply for a visa). As research has shown, these resources are often delivered by formal and informal service providers, such as recruitment and travel agencies, civil society organizations (CSO), digital platforms, and human smugglers (Düvell & Preiss, 2021).

Migration has become a lucrative business worldwide, due to migrants' desire to move on the one hand, and the attempts of governments to control migratory flows on the other (Gammeltoft-Hansen & Nyberg Sørensen, 2013). This has been cited as one of the many paradoxes of the current neoliberal system (Varsanyi & Nevins, 2007; Evans, 2008; Little & Vaughan-Williams, 2017; Téllez et al., 2018; Galemba et al., 2019; Zhan 2020; Richter & Vigh, 2022). While transnational flows of money, goods, and cheap labor are encouraged by neoliberal economic policies, these polices appear to go hand in hand with a xenophobic immigration discourse discouraging international migration (Hollifield, 2004). By so doing, the neoliberal politics of globalization that facilitate global investment and exchange also contribute to the increase in transnational organized crime networks, such as human trafficking and migrant smuggling.

The relationship between the neoliberal policies of globalization and the rise of transnational organized crime networks in Mexico is the subject of significant academic inquiry and policy discourse (Vogt, 2013; Alvarez, 2020; Calveiro, 2021). Neoliberal policies, which emphasize the deregulation of markets, trade liberalization, and reduced state intervention, have been instrumental in facilitating the cross-border movement of goods and capital (Richter & Vigh, 2022). While these policies have contributed to economic growth and increased trade, they have also created an environment conducive to the expansion of transnational criminal organizations (Richter & Vigh, 2022). Moreover, the quest for profit maximization in the globalized market economy has fostered corruption within government institutions, perpetuating an environment in which organized crime thrives.

In neoliberalism, the state is no longer the homogeneous structure of the past, but a highly fragmented, discontinuous apparatus. Actors in the political system recognize and generally respect their respective jurisdictions, allowing each other to act, provided the rules of accumulation and the free market remain diffuse and changing. Each actor establishes relationships between the

public and the private domains as well as between what should and should not be criminalized, according to a somewhat flexible notion of convenience (Calveiro, 2021).

Neoliberalism has therefore fostered significant links with the so-called migration industries, understood as the networks of formal and informal services that facilitate migration (Salt & Stein, 1997). The neoliberal emphasis on economic deregulation, free-market principles, and reduced state intervention has created a conducive environment for the growth of industries related to international labor migration. Recruitment agencies, labor brokers, and other migration facilitators (Sanchez, 2017) have thrived under this ideology, profiting from the commodification of labor mobility.

Drawing on the body of literature on these migration industries, as part of transnational migration networks that facilitate the movement of people often against the rules of states, this article seeks to delve into and problematize the role of smugglers, researchers, and activists in these lucrative industries. To this end, data were obtained through eighteen months of ethnographic fieldwork with African migrants in transit through Mexico, civil society actors supporting migrant populations, and smugglers themselves. Based on three specific cases—an activist, a smuggler, and an academic researcher—the article traces the thin line between legality and illegality in specific practices to profit from other people's difficulties in migrating and to facilitate the process.

This work reflects on the role of researchers, CSOs, and smugglers in the processes involved in irregular mobility within or across countries, with the ultimate goal of crossing a specific national border without the necessary migration documents. Moving away from a state-centric approach, this study contributes to the current literature by analyzing certain transgressive (if not illicit) activities in their specific local contexts and the subject position of those involved, whether for ethical, economic, or political reasons.

This paper is original in two ways. On the one hand, it contributes to current theories of migration infrastructure. Specifically, this article focusses on researchers as contributors to and perpetuators of the migration industry. Drawing on critical anthropology studies (Cabot, 2019), it argues that in chasing the funding provided by the state or private institutions to document migrant misfortunes, researchers contribute to and reinforce migration infrastructures. Empirically, this is one of the few studies to explore the role of the smuggler first-hand, through conversations and observations conducted with smugglers themselves.

The article is structured as follows: the next section provides the setting for the study, followed by the theoretical basis on the topic of migration infrastructures; a description of the methodology is followed by the presentation of three empirical cases, subsequently discussed in the final section of the paper, where further paths for research on this topic are suggested.

CURRENT MIGRATION DYNAMICS IN MEXICO

As in any other transit country, Mexico is a place of in-betweenness characterized by a complex mixture of peoples, politics, and movements (Galemba et al., 2019; Ruiz-Soto, 2020). More recently, the role of Mexico in the movement between South and North America has been rekindled. The current government's shift towards a human-rights approach towards undocumented migrants has been accompanied by increased control of transit migration through the country. As discussed elsewhere (Serra Mingot, 2023), this contradictory tactic of openness and migration control makes Mexico a key player in the United States' management of its own *migration crisis*. This tactic not only evinces Mexico's theoretical human-rights approach towards migration, but also facilitates economic agreements with the United States, affording Mexico the benefits of belonging to international organizations, such as the International Organization for Migration (IOM) or the United Nations High Commissioner for Refugees (UNHCR).

Yet even though under Mexican immigration law, lacking immigration papers is considered an administrative offense rather than a crime, it is crucial to note the criminalization of individuals in these circumstances. Although they are not illegal migrants, immigration control and containment effects have contributed to an atmosphere of xenophobia and the criminalization of migrants in the country (Eguren & Fernández García., 2017).

Historically, Mexico has been a transit country on the journey towards the United States or Canada for Central and South American migrants (Villafuerte-Solís & Anguiano-Téllez, 2020). In recent years, however, bilateral agreements between the European Union (EU) and border countries such as Morocco, Turkey, and Libya to prevent the arrival of African migrants in the EU (Schapendonk et al., 2020) have forced many of these migrants to seek alternative migration routes through the Americas to the United States or Canada (Cinta Cruz, 2020; Miranda, 2023; Serra Mingot & González Zepeda, 2023b).

It is difficult to gauge the extent of African migration to Mexico. Whereas some African migrants come to Mexico with valid tourist visas, they are a minority compared with those arriving irregularly by land. Due to their relatively liberal visa policies and their consular presence in several African countries, Ecuador and Brazil are the main entry points for many Africans, who, after flying to one of these two countries with a tourist visa, begin moving northwards by land through irregular routes (Álvarez Velasco, 2016).

Sometimes, however, these irregular arrivals through the Mexican southern border with Guatemala are not intercepted by the migration authorities and are therefore not officially recorded. The number of African migrants should not be underestimated, however. In fact, migration scholars working in Costa Rica and Panama have reported large numbers of African migrants on these routes (Winters, 2019; Navarro-Alvarado, 2022). At the same time, however, it is also important to bear in mind that some years ago, as a strategy to avoid deportation, many Haitian migrants pretended to be Congolese when registering with the Instituto Nacional de Migración (INM) (National Institute for Migration) or the Comisión Mexicana de Ayuda a Refugiados (COMAR) (Mexican Commission to Support Refugees). This is because deporting

African migrants from Mexico is costly and bureaucratically complicated, whereas deporting Haitians to Haiti is a much easier process (Sánchez Nájera, 2018; Serra Mingot, 2023).

For most of these migrants, their target destination is often the United States or Canada. However, current border controls and the restrictive migration policies to enter and legally remain in these countries are forcing many of these migrants to remain in Mexico in uncertain legal and economic conditions (Serra Mingot, 2023). Until mid-2019, Mexican migration authorities issued an "*oficio de salida del país*" or exit permit for those arriving in Mexico through its southern border with Guatemala. This document was issued to migrants who did not wish to apply for asylum in Mexico, or whose repatriation would be difficult or expensive.[3] The *oficio de salida* (exit permit) gave recipients between 20 and 30 days to leave the country, which they used to travel north towards the U.S. border (Morley & Goss, 2021). However, in May 2019, in response to the high numbers of undocumented migrants arriving from Mexico, the United States threatened Mexico with economic tariffs if the latter failed to stop undocumented migrants from crossing the U.S. border (Ruiz Soto, 2020; Serra Mingot, 2023).

Against this backdrop, the Mexican Government faced the dilemma of controlling migration on the one hand, while complying with the current policy of respecting migrants' human rights on the other. The first step was to militarize the country's northern and southern borders, which led to high numbers of migrants being apprehended and detained in border cities (Morley & Goss, 2021; Thomas, 2023). Following this measure, by late 2019, transit or exit visas were no longer issued, resulting in many Africans being trapped in border cities. This situation soon became untenable, which led to approximately 1 300 African migrants receiving some form of residence permit in Mexico (such as humanitarian protection, or stateless status), some voluntarily and others without fully understanding what they were applying for (Yates & Bolter, 2021). This seemingly random issuing of migration documents has been addressed by scholars describing it as a sort of "patch" for addressing the existing legal loophole (Serra Mingot, 2023; Thomas, 2023).

RETHINKING SMUGGLING WITHIN THE MIGRATION INDUSTRIES

Current neoliberal economic policies have been widely criticized for their incongruence (Calveiro, 2021). Neoliberalism is understood as "a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade" (Harvey, 2005, p. 2). Although they encourage the flow of goods and money across borders, as well as the demand for cheap labor, these policies also discourage the legal movement of people across borders.

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[3] Due to the limited consular representation of most African countries in Mexico and the cost of deporting an African person (approximately 10 000 USD), African nationals are rarely returned, as a result of which they were issued exit permits until mid-2019.

The systemic articulations between neoliberalism, mobilities, and organized crime are central to understanding the complex dynamics at play in the contemporary global landscape. Neoliberal policies, driven by the pursuit of profit and market efficiency, have led to the liberalization of trade, deregulation, and the privatization of various sectors. These policies have increased economic inequality and inequality in mobility, as they often benefit the wealthy and multinational corporations, while marginalizing vulnerable populations (Alvarez, 2020; Stock, 2023). This inequality creates socioeconomic disparities and disenfranchisement, pushing individuals towards transgressive activities as a means of survival or upward mobility. As Wendy Vogt (2018) puts it, "State security policies become a way to address the insecurities produced by neoliberalism, yet ultimately reproduce more insecurity and violence" (p. 43).

Another incongruency of neoliberalism is the fact that it shifts social responsibility—namely the state's responsibility to care and protect—to individuals, leaving them to rely on their own resources or on privately funded philanthropy programs (Zhan, 2020). In other words, neo-liberalism is "congenitally blind to the need for social protection" (Evans, 2008, p. 277), which is passed on to other actors, including companies, communities, CSOs, and individuals. This passing on of responsibilities together with the readiness of other actors to take them over, has led several scholars to caution against the role of CSOs in allowing the state to retreat from its responsibility to protect (Skleparis, 2015; Zhan, 2020; González Zepeda & Serra Mingot, 2021). Yet the problem here lies in the fact that in the case of undocumented migrants, this is justified by the latter's unauthorized entry and stay in the country. Therefore, it should be questioned if they are *unauthorized* (often used as a euphemism for illegal), what does this make the people and organizations helping them?

The neoliberalization of border control refers to the attempt to reconcile neoliberal economic policies with the need for security and regulation in a world characterized by globalized trade, transnational migration, and the movement of capital. This approach has been criticized for its potential to disregard human rights and social justice concerns. In fact, the neoliberalization of border control coupled with all the attention recently paid to the well-being of undocumented migrants and migration-related security and humanitarian concerns (Little & Vaughan-Williams, 2017) have contradictory ethical and political repercussions on migration (Robinson, 2022). As the cases presented in this article show, there are an array of actors providing some sort of support to these unauthorized people, and to some extent, also engaging in transgressive practices, albeit with varying degrees of "illegality."

Throughout the world, states tend to reduce practices outside the law—which do not fit the state narrative—to simplified criminal actions, such as smuggling or banditry (Keshavarz & Khosravi, 2022). In fact, "[s]muggling is posed as a problem because it undermines the state's authority over the mobility of people and commodities, and its assumed position as the sole organiser of social, economic and political life" (Keshavarz & Khosravi, 2022, p. 3). Traditionally, academic and policy research addressing migration, particularly human smuggling, has done so from a state-centric perspective, in other words, a "problem that needs to be […] solved" (Keshavarz &

Khosravi, 2022, p. 3). As such, and like any other practice branded as criminal by the state, smuggling becomes a business or profitable industry. Recent empirical research on the facilitation of migration, however, has raised concerns about the predominant use of criminological perspectives in the analysis of smuggling (Sanchez & Zhang, 2020).

A growing body of critical scholarship has scrutinized and questioned the portrayal of migration facilitation as inherently criminal, emphasizing its deep social connections in an effort to move beyond the often simplistic and anecdotal characterizations found in academic, policy, and media discussions (Sanchez & Zhang, 2020).

Migrant smugglers are part of the so-called "migration business," defined by Salt and Stein (1997) as "institutionalized networks with complex profit and loss accounts, including a set of institutions, agents, and individuals, each of which stands to make a commercial gain" (p. 448). Since then, this idea has evolved and mutated to other concepts in an attempt to accommodate the complexities of migration. The concept of migration industries is useful for analyzing and problematizing not only the concept of smuggling (as it is traditionally understood) but also the role of other actors involved in the irregular movement of people for direct or indirect financial gain.

In their book on migration industries, Nyberg Sørensen and Gammeltoft-Hansen (2013) argue that the migration industry comprises multiple actors, ranging from "small migrant entrepreneurs facilitating the transportation of people, to multinational companies carrying out deportations; and from individual migrants helping others make the journey, to organized criminal networks profiting from human smuggling" (p. 2). They also mention the myriad of non-governmental organizations (NGOs), some of which are awarded funds, either by governments or international organizations (such as the United Nations), to provide a range of services to migrants. At other times, these organizations work independently, assisting "both documented and undocumented migrants" (Nyberg Sørensen & Gammeltoft-Hansen, 2013, p. 3).

Hernández-León defines the migration industry as "the set of entrepreneurs, firms and services which, primarily motivated by financial gain, facilitate international mobility, settlement and adaptation, as well as communication and resource transfers of migrants and their families across borders" (Hernández-León, 2013, p. 25). This industry also involves the ways "migration enforcement and surveillance produce illegality that, combined with neoliberal capitalism, generates profits for a range of actors—including politicians, media, firms, military contractors and detention centers, NGOs, smugglers, recruiters, and lawyers" (Galemba et al., 2019, p. 74). For the purpose of this paper, researchers have also been added to this list.

The concept of "migration industries" is closely linked to that of "migration infrastructures" (Xiang & Lindquist, 2014, p. S133). While both concepts include similar dimensions—such as the commercial (recruitment intermediaries), regulatory (state and the whole bureaucratic apparatus), technological (communication and transport), humanitarian (NGOs and international organizations) and social (migrant networks)—migration industries focus mostly on infrastructures that facilitate migration rather than those that prevent it (Düvell & Preiss, 2021).

Moreover, migration infrastructures do not necessarily recognize the financial interest vested in all the actors, whereas this article agrees with Hernández-León's definition of migration industry, whereby all actors are, to a greater or lesser extent, motivated by the financial gains resulting from migrants' uncertain access to Mexico's protection system.

This paper analyzes three different actors who, based on what they do and the financial benefits they obtain, could be regarded as being at some point on the broad spectrum of smuggling, although some are considered good, some bad and some impartial. The term 'smuggler' is a state-created category to refer to "people transgressing state laws governing the mobility of things, people, and practices, a name that carries enormous negative consequences up to and including the loss of one's life" (Sharma, 2022, p. 169). Rather than addressing smuggling as a criminal act, some scholars have argued for the need to see smuggling as a response to the condition of precariousness, or a sort of social protest against economic inequality, differential access to welfare and nation-state hegemony over borders (Keshavarz & Khosravi, 2022).

Human smugglers are constructed as "unscrupulous criminals and traders in human beings" (Sanchez, 2017, 2018, 2022; Deshingkar, 2021; Izcara Palacios, 2022; Aziani, 2023; Casillas, 2023). With this idea in mind, and reinforced by a colorful media discourse, smuggling is depicted as beginning with an innocent migrant entering the process voluntarily, only to find themselves subjected to physical abuse and extortion during the journey (Aronowitz, 2001). Although this is unfortunately the case for many people, recent research has shown that this is not true of all migrants using the services of smugglers (Deshingkar, 2021). Indeed, as current studies have shown, "the activities of 'smugglers' are usually not the spectacular sort that end up on the front pages of tabloids but, much more often, an everyday part of people's lives, necessitated, of course, by the multiple prohibitions enacted by nation-states" (Sharma, 2022, p. 170). In fact, people who engage in 'smuggling' often view themselves as business people, workers, solidarity activists, and otherwise (Sharma, 2022). Moreover, ethnographic studies have shown how smuggling networks are based on and developed through personal (co-ethnic) relationships rather than complex criminal networks (Sanchez & Zhang, 2020; Sanchez, 2022).

Even though there has been an increase in empirical studies proposing alternative views on migrant smuggling, there is still a dearth of research on the characteristics of migrant smugglers, their *modus operandi*, and the interactions they have with migrants (Aziani, 2023). While critical geographers have extensively problematized the discourse of smuggling (Kuschminder & Triandafyllidou, 2020) and trafficking (Yea, 2020), geographical engagement with smugglers remains limited (Sharapov, 2017), probably due to the focus on migrant-receiving countries, the prioritization of victims over perpetrators, or difficulties in collecting data on smugglers (Sanchez & Zhang, 2020). The scant attention paid to smugglers in migration studies leads to misinterpretations in public opinion, policy makers, and other stakeholders. These misconceptions are strengthened by media and law enforcement agencies, who portray migrant smugglers as immoral members of large-scale criminal organizations (Aziani, 2023).

Recent literature has proposed critical reflections on the multifaceted nature of the activities involved in migrant smuggling, associated with two figures: the 'migration facilitator,' understood as individuals who occasionally smuggle people on a small scale and are sometimes motivated by empathy, and the 'professional smuggler,' referring to more stable groups that manage larger operations across national borders, whose only goal is economic gain, even if that involves victimizing migrants (Aziani, 2023).

Despite the problematization of the concept, Aziani continues to link financial gain with a greater degree of illegality, which could involve violence. In fact, the definition of "migration facilitator" (rather than smuggler) is related to the concept of small scale and empathy. The immediate connection between the term "smuggler" and illegality or criminality has in fact led to a myriad of euphemisms, such as "migration merchants" to define anyone profiting from the commodification of international migration (Kyle, 2000). This refers to the process whereby migration, particularly labor migration, is turned into a commodity that can be bought, sold, and traded on the global market. In other words, the individual's labor and mobility become economic assets, subject to supply and demand dynamics, which can lead to exploitative conditions for migrants, as their vulnerability is exacerbated when their migration journey is treated as a commodity instead of a matter of human rights and dignity.

Rather than viewing smuggling merely as a financially productive endeavor, where smugglers' violence is hyper-emphasized, this article supports the idea that

> the ethics of smuggling reside precisely in its relationship to individuals and communities as a form of negotiable protection from below when states fail to provide, or ignore or actively restrict the rights of certain groups to mobility, wealth, and safety (Keshavarz & Khosravi, 2022, p. 9).

In this work, it is argued that all three groups—activists, smugglers, and researchers—while benefitting from migration infrastructures, are part and parcel of transnational social networks and social protection infrastructures, in contexts where states fail to provide or protect.

METHODOLOGY

The data presented in this article are part of an ethnographic research project conducted in Tijuana, Tapachula, and Mexico City (Mexico) between July 2021 and December 2022. The main objective of these two projects was to determine how African migrants in transit through Mexico overcome the challenges to fulfill their basic needs. Data was primarily collected through participant observation and ethnographic interviews with African migrants, and semi-structured interviews with civil society and international organization staff. The study was divided into two independent projects, the first being undertaken during the second half of 2021. Using mixed-gender team ethnography, two researchers interviewed ten African migrants and four CSO staff members in Tijuana (Serra Mingot & González Zepeda, 2023a).

The second project began immediately after the first, but this time it was only conducted by one researcher. The fieldwork corresponding to the second project was conducted in the cities of Tapachula and Mexico City, between January and July 2022. A total of ten African migrants were interviewed, while several of the migrants interviewed in the first project—many of whom had already managed to cross into the United States or Canada—were interviewed again remotely (via WhatsApp), to follow up on their situation. Interviews and observations were also conducted at migrant shelters in Mexico City and Tapachula and with staff members at these centers.

The focus of this article, however, is not the African migrants interviewed, but other actors who actively participated in the study, namely CSO staff and smugglers. In addition to interviews with migrants, interviews were also conducted with the staff of CSOs, international organizations (such as UNHCR and IOM), and government organizations (such as COMAR) in Tijuana, Guadalajara, Tapachula, and Mexico City. Informal conversations and participant observations were also conducted with smugglers.[4] In this regard, it is important to highlight the positionality of the researcher as a crucial point for building the necessary rapport to obtain this information. As addressed elsewhere (Serra Mingot, 2023), being a white European woman and seen as a "harmless" seemed to facilitate the relationship with African respondents, including smugglers. Moreover, the fact of having previously been to their countries of origin or countries they had lived in (such as Ghana, Sudan, Uganda, and Kenya) helped create a certain level of common ground.

All the participants in this study were duly informed of the nature of the research and the reason why the author and researcher, was approaching them. However, it is important to comment on the thin line between overt and covert research on which this study is located. As explained in the following section, when the author first met Alejandro—a Mexican NGO staff/activist—and Omar —a Nigerian cafe owner/smuggler—, she immediately told them about her job and the subject of her research. Consequently, they were both fully aware of her reasons for visiting their premises. Although they knew, the author never asked them to have a formal interview simply because Alejandro had not worked directly with African migrants and Omar was an established migrant who had been living and working in Mexico for the past twenty years, so he did not fit the specific profile of migrants the author was seeking in this research.

As time passed and the author continued to meet them regularly, their transgressive practices began to emerge in the conversations. At that point, the author was forced to make two important decisions. On the one hand, she could either ask them to tell her about those practices in a formal interview (which would have probably resulted in their refusal to participate) or continue to listen and observe them without making any further mention of her research. On the other, she could either report them to the authorities or not to disclose the information shared, allowing these practices to continue. Whereas reporting them could have put an end to a series of illegal activities (see next section) that could potentially harm other people, it would also have meant betraying their trust, putting them at risk and seeing the end of her research. As has already been done by

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[4] Although the researcher was unaware of the nature of their activities until later on in the study.

other researchers working with illegal and/or criminalized activities, the author opted for non-disclosure for ethical and practical rather than political reasons (Ferdinand et al., 2007). As Keshavarz and Khosravi (2022) note, "to write about smuggling is challenging, politically as well as ethically" (p. 11).

FINDING CONGRUENCE IN INCONGRUOUS CONTEXTS:
THE GOOD, THE BAD, AND THE IMPARTIAL

Although the dynamics of irregular transit migration in Mexico described above can result in exploitation, they can also lead to emerging forms of solidarity and care among migrants, smugglers, NGO staff, and other individuals encountered along the journey, including researchers. The following subsections delve into the role of three crucial actors in the current migration industry: the NGO staff member, the smuggler, and the ethnographic researcher.

The "Good" NGO Staff

Migrant shelters are relatively safe spaces where migrants receive support to continue their journeys and/or access legal aid. Staff care for migrants, by providing them with vital basic services and information (Galemba et al., 2019). Yet as this case shows, the degree of legality involved in these relations becomes blurred.

In March 2022, the author met Alejandro,[5] one of the staff members of the NGO Ayuda Migrante that serves migrants in Mexico City. It was not uncommon for this NGO to receive unaccompanied minors of different nationalities. The Ley General de los Derechos de Niñas, Niños y Adolescentes (General Law on the Rights of Girls, Boys and Adolescents) (Decree of 2024) in Mexico highlights the special protection measures the authorities must adopt to guarantee the rights of this sector of the migrant population, whether accompanied, unaccompanied, separated, national, foreign, and repatriated in the context of human mobility. As soon as the INM determines the migratory status of the child or adolescent, the minor must be transferred to the Sistema Nacional para el Desarrollo Integral de la Familia (SNDIF) (Integral Family Development National System), responsible for minors' wellbeing (including accommodation) until their cases are resolved.

However, as happens with adult migrants, unaccompanied minors are often smuggled into the country and try their utmost not to be intercepted by Mexican migration authorities. In these cases, they often go to migrant shelters and NGOs to recover before continuing their journey to the United States.

Alejandro explained that they often received unaccompanied minors who had not been detected by the INM. Many of these minors claimed to be accompanied by "their brothers" who would contact them shortly to continue their trip to the U.S., where they had family members. As

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[5] In order to protect their anonymity, pseudonyms have been used throughout this article to refer to the people and organizations involved.

Alejandro explained, these "brothers" were often smugglers. Based on his experiences of "doing the right thing," namely, taking the children through the formal procedures with disastrous results, Alejandro and the other staff members at the NGO had decided not to always take this path. In fact, they had experienced several situations in which, after referring children to formal institutions, they had received them again at their shelter a few months later. What happened to many of them was that after going through the formal channels, they had been returned to their countries, and immediately afterwards, they had attempted irregular migration again. In Alejandro's view, forcing them to go through the whole process again was not only a waste of money for their families, but also an additional way to re-endanger their lives.

Under these circumstances, the irregular path they often chose at Ayuda Migrante was to give the children specific safety training and information (such as providing them with the contact numbers of other migrant shelters on the way) and giving them a new mobile phone with a SIM card to use in the event of an emergency. A couple of days after the children left their shelter, they would report them missing to the authorities. In addition to being a lie, these actions also increased the numbers of missing people in Mexico.

The "Bad" Smuggler

In February 2022, the author met Omar, a 52-year-old Nigerian, the owner of a small cafe in Mexico. She had been informed about the existence of a few African-owned businesses and decided to try her luck at one of them. As she was sitting drinking her coffee, she struck up a casual conversation with the owner, who was seated at a table next to hers. Omar, who spoke excellent Spanish, had been living in Mexico for the past 20 years, during which he had begun running his cafe. He was a clever man with unopinionated, informed views on some of the current crises affecting Africa. He was also familiar with what doing research involved, which influenced the extent to which he volunteered to reveal his activities as a migration facilitator. She told Omar about the purpose of her visit to his shop and he listened carefully to her description of her research. He seemed to be amused by it and said she would be welcome to drop by any time and chat to his African customers—if she happened to coincide with them.

During the following months, she went back to Omar's cafe once or twice a month, and always found African men sitting there having coffee or tea. She soon realized that she never found the same people twice, so she concluded that the best thing to do would be to observe, attempt some informal conversation and then get to know Omar better. After several months of getting to know Omar and his family, and his getting to know the researcher's family, he told her he helped African migrants cross over to the United States, for approximately 10 000 USD. He must have detected the horror in her eyes, so he went on to explain how everything worked.

In order to protect Omar's identity, as well as the identity of the people he brought to Mexico, exhaustive details about the process are not provided. The important point to mention here is that Omar's "travel arrangements" were not only free of violence, but also full of care and support, from start to finish. In fact, on their arrival in Mexico, Omar would personally collect his clients at the

airport—in case there were any issues with the migration authorities—and take them to a nearby hotel. The following day, or a couple of days later, they would travel together to the northern border, where a trustworthy contact, who will be referred to as Peter, would host them at his home and wait for instructions to cross the border at a particular point where he had already paid the border patrol to turn a blind eye. Once they had crossed the border, Omar's work was done.

During the author's fieldwork in Mexico, she met Peter and saw the hotel where the migrants stayed. Peter seemed to be a decent man, concerned about his own and his family's wellbeing, and the hotel seemed to be not only safe—with security guards—but also in good condition. Although the author never thought of Omar as a smuggler—with all the drama, violence, and criminality the word implies—that was the first word that came to mind in colleagues with whom she discussed the situation. Moreover, during the fieldwork, the author met some of the smuggled people as well as other smugglers linked to Omar. One of the smugglers, a young Nigerian man she met, was killed during her fieldwork. The smuggled people she met always spoke highly of Omar, even after crossing the border and no longer having any formal ties to him.

The "Impartial" Researcher

Since 2014, the author has been hired by European institutions to conduct research on aspects of the *migration crisis* across Europe, Africa, and Latin America. More specifically, her job has often revolved around determining how migrants overcome multiple challenges to fulfil their (and their families') basic needs. In other words, she is paid to identify and write about other people's misery. As some scholars have pointed out, security regimes, humanitarian interventions, and academia often find their purpose and funding at times of crisis, encouraging crisis chasing in scholarship on displacement, rather than addressing crisis critically (Cabot, 2019). In fact, as neutral and impartial as they would like it to be, the truth is that research informs policy and funding informs research, meaning that research is inherently political.

In their endeavors to chase and understand crisis, anthropologists must (or should) build trust with their respondents; in the process, they find out about personal stories, dreams, and fears, they also come to know about their engagement in irregular activities for the purpose of having a better life (or helping others access a better life). As anthropologists, they are trapped in a contradiction, which most of them seem to perpetuate without talking about it. On the one hand, they are supposed to build rapport and gain the trust of our respondents, to whom they promise anonymity and confidentiality. On the other, they are also bound by ethical committees to report major illegal activities, if they encounter them. At the same time, even though they may spend weeks, if not months with their respondents, during which personal bonds inevitably develop, they are also supposed to remain impartial. Yet they often encounter situations where an impartial attitude is immoral. The following paragraphs describe some of these situations, which question the impartiality of researchers and their active role in feeding into the migration industry.

In March 2022, the author went to Tapachula—city on the southern border between Mexico and Guatemala—to conduct fieldwork with Rachel, a U.S. researcher who was conducting similar research but from a legal perspective. In fact, she was a law professor who supported immigration cases on a pro bono basis. When they arrived, the few NGOs they had been able to establish contact with, did not have any African migrants at the time. They therefore decided to go out into the streets and randomly approach any Black person they found who, according to our traditional understanding of Africans, looked and spoke like an African, that is, any Black person not speaking Creole.

Across one of the main parks downtown, there were a group of young black men sitting in the shade of the Palacio del Ayuntamiento building (town hall). Most of them seemed to be alone, minding their own business on their mobile phones, while others were chatting to those next to them. Rachel and the author approached one of them randomly and asked him in Spanish what all those people were doing there. He did not understand Spanish, so they tried in French, which seemed to work: "*On attend* [we're waiting]," he replied, without removing the headphones attached to his smartphone. He seemed to be watching a YouTube video. They continued to make small talk with him in French, as he looked at them in bewilderment. His name was Mafara, he was twenty-five years old and came from Guinea Conakry. They introduced themselves and told him that they were academics doing research with African migrants. As they talked, the boys sitting next to him removed their headphones too and gazed at them with curiosity. Most of them turned out to be from Senegal, but could barely communicate in French, only in Wolof. They thanked Mafara for his time and asked him to contact them via Whatsapp over the next couple of days if he wanted to do an interview with them. They gave him their phone numbers and parted ways.

That very same evening, Mafara called them and asked to meet with them for an interview, as he was leaving Tapachula to go to Mexico City the next day. Rachel and the author met Mafara at a quiet cafe downtown. He told us he had left his country for a better life in the United States, where he had a very clear plan: to go to university to study law and get a well-paid job, make some money, and then return to his country. Until then, Mafara's trip through the Americas had taken him about two months and 5 000 USD, travelling by plane to Brazil on a tourist visa, and then continuing his journey over land. After he had shared his story with them, the author could not help but wonder why he had decided to contact them. They had not offered him any money or any other type of support, and they had not told him Rachel was an immigration lawyer (who could potentially help him). So, why was he doing this? The author asked him directly and he replied that he thought they were TV reporters. Apparently, before embarking on this adventure, Mafara had seen several YouTube videos, where reporters interviewed and followed migrants during their migration odyssey through the Americas.

The next day, Mafara sent them a Whatsapp to say he was on the bus to Mexico City. They both wished him good luck, and then did not hear any more from him until a couple of months later, when he wrote to say he was already in the United States and needed a lawyer. It was then that Rachel put him in contact with the right person to work on his case, while she invited him to meet her law students, and the author continued to contact him to help her with her own research.

Just like Mafara, during the fieldwork in Mexico, several respondents asked for some sort of help before and after crossing the border. This help was rarely financial. In fact, it was either related to networking, (such as being put in touch with an NGO or another organization supporting migrants) or information, for example, to know what to tell the authorities after being held in detention in order to "have a case" and not be deported to Mexico. The extent to which researchers decide to help them find the right information and tell a convincing story depends on their professional and moral standards.

DISCUSSION AND CONCLUSION

In this article, the discussion of unauthorized migration facilitation is framed within the context of neoliberalism as a paradoxical process that encourages the flow of goods and money across international borders, while at the same time developing nationalistic political-geographic closure across borders through a myriad of migration control policies and the militarization of borders (Varsanyi & Nevins, 2007).

States remain at the center of the system (infrastructure) of contemporary mobilities, driving the emergence of illicit, profitable economies that have found a commodity in the migrant population, as well as opportunities in transnational legal loopholes to continue negotiating the mobility of hundreds of people from other continents. Migration infrastructures are both socio-material per se and produce migration in socio-material ways (Xiang & Lindquist 2014). By exploring the role of three actors in the migration industries (smugglers, civil society activists, and researchers), this article argues that their very existence is not only a byproduct of the state but also that their role contributes to the production and reproduction of irregular migration and practices.

The cases presented have shown the stories of three people with an active role in keeping the lucrative wheel of the current migration industry turning. In various ways, all three actors presented here provide different types of services and protection for migrants, while supporting the industry of migration, the difference being that some are supported by states and some are not. The cases also evince the incongruence of the current neoliberal systems, particularly Mexico's uneasy balance between the securitization of migrant mobility and its humanitarian obligations (Galemba et al., 2019). Smugglers open the possibility of migrating "even for the very poor and those without formal educational qualifications, and help them to access international migration which is usually the preserve of the rich" (Deshingkar, 2021, p. 337). The case presented here shows a very different vision of the smuggler as compared to the violent criminals seen on television (Kansara et al., 2023).

In fact, one could even say that Omar took good care of his clients: first, he would arrange all the paperwork for them so they could fly directly to Mexico to avoid them having to take long and dangerous routes across the American countries, where many people are robbed, raped, or murdered (Serra Mingot & González Zepeda, 2023b). On their arrival, Omar would pick them up at the airport and provide them with safe accommodation until the second leg of the trip to the north. Then, he would either accompany them, or have someone trustworthy accompany them until they crossed the

border. Omar's services were actually a good deal in comparison with others. While his customers paid him 10 000 USD, in addition to the flight, approximately 2 000 USD, he ensured both their safety and arrival in the United States. Other migrants who had done this alone said they had spent between 6 000 USD and 10 000 USD, with many failings to reach the United States.

Yet from the perspective of the state, Omar's job has nothing to do with helping people travel in safety, but rather with frustrating their aim of controlling people's mobility. However, one should not fall into the fallacy of believing that people like Omar are not easily locatable by states. So why allow their "criminal" existence? How does this benefit the state? By keeping the image of smugglers alive (in the media and political discourse), states continue to have the public believe that smugglers are, in fact, villains of many tragic migration stories.

It is here that researchers play—or should play—a critical role. At least in the European context, their jobs often depend on public funding, namely state money, which raises two major problematic issues. First, by depending on public funding, researchers will inevitably explore issues of interest to states, such as those that portray migration as a crisis, or smugglers as criminals rather than migration facilitators. In doing so, they are feeding the migration industry that provides them with money to continue contributing to the ideas of "chasing crises" and "chasing funding" to research and support the notion of migration as a crisis and the irregular activities surrounding it.

Second, although they are encouraged to identify the core of current social problems, they are also expected to report on illegal activities. Depending on the funding, researchers must provide an ethical self-assessment, in which they are often requested to report any illegal or criminal activity they observe and then describe how they are going to deal with this, which could involve reporting to the authorities. Asking the impossible, that is, having an anthropologist break their commitment of confidentiality and anonymity to their respondents, places researchers in serious moral dilemmas, which can even become legal issues (Oberwittler, 2023). Worse still, as research has shown, it is often the case that even the authorities do not know how to proceed in these situations (Huws et al., 2004).

It is also important to consider the impact of the adoption of increasingly standardized top-down research ethics codes in current migration studies. Standardized institutional systems of ethics discourage research that is more challenging due to particular groups of study (such as smugglers and traffickers), as well as the topics or methods involved (such as covert research on illegal practices such as corruption, people smuggling and prostitution). Standardized codes of ethics can place an additional burden on researchers, especially those seeking to work on more challenging topics, who would have to use their own judgement to address the ethical issues they may encounter (Scott & Geddes, 2016). Keeshavarz and Khosravi (2022, p. 11) raise the question of "How should we study smuggling?" especially when one considers the existing discrepancies between theoretical claims of critical approaches and empirical data which are uncritically collected from official sources.

This article has made a crucial empirical contribution to studies on smuggling in that it has provided direct data on a smuggler and a range of "illegal" activities. As mentioned before, studies addressing smuggling are scarce, especially those addressing the issue from the standpoint of the smuggler. However, this involves several ethical implications for the researcher engaging in covert research, and failing to report on activities that take place outside state control.

Finally, there are the activists and migrant-serving NGOs whose actions are either allowed or tolerated by states, meaning that their jobs—even if they support undocumented migrants—are still considered legal. Yet activists like Alejandro are aware that by following the rules of the state, they will end up further jeopardizing migrants' lives. They therefore use their common sense and ethics to allow illegal activities to happen, to make people's lives easier.

During the author's fieldwork in Tijuana, she also came into contact with activists who engaged in criminal activities to help people. One example was Daniela, the director of an NGO who would periodically go to the United States to obtain medicine for transit migrants, mostly women who had been raped and become pregnant on the way. Daniela had contacts with other NGOs in the United States, who would give her the drugs for free, while she would subsequently take to Mexico in her own car. Both Daniela and Alejandro are supporting the migration industry in that they receive money to work for an organization that supports migrants. Yet rather than doing what "should be done," they decide to go outside legality due their own ethical standards, to do their jobs properly, even though this could create serious problems for them if this were discovered.

Alejandro is making 1 000 USD per month at an NGO that helps migrants. Omar is making 10 000 USD to arrange the entire journey of someone from Africa to the U.S. border. Researchers are making different amounts of money to write about these people's lives. They are all benefitting from state-created illegalities that contribute to making migration a highly lucrative business to the detriment of migrants themselves. In other words, they are all engaging in transgressive actions as a moral response to the immoral actions of the state. Migrant facilitators, whether they are classified as smugglers, activists, or researchers, provide an alternative route to counter the immobilization and border-controlling strategies of states (Sharma, 2022). It is important to remember that the rising numbers of undocumented migrants and the consequent increase in smuggling activities are a direct result of restrictive border controls and immigration policies. When one stops thinking like a state and instead sees smuggling from the perspective of those engaged in it (at one end or the other), one realizes that there are often strong social ties between smugglers, migrants, and others within and across national borders (Sharma, 2022).

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