M y research focuses on Tingjiang, a rural region along the southeast coast of China known for decades as a source area of transnational migration. I have tried to trace how the current migration trend towards high income states began, developed and expanded. Undoubtedly, the migration wave has been the result of a combination of many interacting factors. Here I focus on migration brokerage, a key node in migration networks.

Emergence of brokerage
Tingjiang is at the mouth of the Min River. For as long as anyone can remember, young local men have been sailors. With the coming of modern shipping, many youths were employed by foreign shipping companies, and when their ships called at New York some sailors jumped ship to try their luck ashore. This was how people from Tingjiang began their lives in the United States in the first half of the 20th century.

Emigration was interrupted after the establishment of the People's Republic of China and condemned as counter-revolutionary during the Cultural Revolution. In the mid-1970s, when the Cultural Revolution was near its end, returned overseas Chinese and their families received permission to travel abroad if they could provide the required documents. Permission was severely restricted but emigration had become possible again; Tingjiang residents with relatives in the U.S. seized the opportunity. New regulations in the early 1980s enabled returned migrants, especially those who had family members abroad, to migrate once again.

As most applicants were unfamiliar with the necessary formalities, most applications were handled by Chinese abroad. Some successful applicants were able to obtain permanent residency upon arrival based on family ties or were granted work permits and settled down; others went to Hong Kong where opportunities were plentiful and wages much higher than in the PRC. News from the first emigrants was so encouraging that more followed. Only a small percentage of potential migrants, however, met the selection criteria. Many others needed help.

Helping people go abroad was first motivated by affection, friendship or sympathy, but as demand for help grew, it became a business. Relatives of overseas Chinese could easily obtain passports and entrance visas, so some became brokers themselves, arranging transnational marriages and adoptions. Though this trend began with real marriages and adoptions, false arrangements soon appeared. As few could master the complicated procedures, it became a business for experts.

Sister Ping: illegal migrant to illegal broker
In June 2005, a series of reports in Chinese-language media in the U.S. attracted the attention of Chinese immigrants and their relatives in mainland China. The reports concerned a woman on trial in New York. Sister Ping, accused of having amassed US$40 million by smuggling Chinese into the U.S. and of involvement in the tragic death of dozens of stowaways.1

Sister Ping (Full name Zhe Zhe Chai Ping) was born in a peasant family in Tingjiang and received only a primary school education. In 1974 she and her husband emigrated to Hong Kong; in 1981 she settled in New York’s Chinatown as an undocumented worker. Nobody knows how she managed to get her green card within a year of her arrival. Ping started to help her relatives and friends emigrate. At first, in exchange for her assistance, she received rewards of appreciation, but soon it became an open secret that ‘it takes money to buy every step of emigration’. In Tingjiang in the mid-1980s, the quoted price for helping a person emigrate to the U.S. was US$15,000. By the end of the 1990s, the price had skyrocketed to US$60,000-70,000.

When Ping was just starting out, a new law boosted her business. The implementation of the Immigration Reform and Control Act enabled 2-3 million undocumented immigrants to obtain permanent residency status. Among the lucky ones were hundreds of Sister Ping’s first customers. When this news spread in Ping’s home region, she became a local heroine.

In the late 1980s Ping began renting and buying freighters to smuggle larger groups. According to online news reports, groups organised by Ping often included hundreds of people, and her largest group, according to what I heard during my fieldwork in Tingjiang, might have included 500 people. In June 1993 the world was shocked when 300 Chinese on board the decrepit freighter Golden Venture made an emergency landing during which 11 passengers drowned. Although Ping did not own the freighter, she had lent money to the owner and had helped in the overall planning. After the tragedy, Ping was one of the most wanted smugglers in the United States. But she used a fake passport and did not cease running her business until she was arrested at Hong Kong airport in April 2000.

From snakehead to tail: the emigrant broker hierarchy
Unauthorised emigration brokers, dubbed ‘snakeheads’ by the Chinese state media, comprise a three-tiered hierarchy linking source and destination countries. At the top are the ‘big snakeheads’, small groups (like Sister Ping’s) who legally live abroad and use large sums of money to ‘pave the way out’ of China and into the destination country. They organise and expand transnational migration networks, take care of documents or facilities for clients, and/or be in official China and elsewhere.

The middle tier is comprised of institutional brokers who often work for officially registered companies in the migration source area. Authorised to procure labour for export and assist participants in study abroad programmes and internationally contracted projects, these companies often provide training in languages, cooking, nursing, basic computer skills, job interviewing, document preparation and sometimes how to apply for legal status after arriving illegally. Clients pay for the training and upon completion receive a certificate which can be used to prove that the holders meet the immigration requirements of the destination state.

The bottom tier of brokers are local agents who act individually. They have connections with the middle tier but may also have contact with a ‘big snakehead’ through, as in Sister Ping’s example, that snakehead’s fellow villagers. Their task is to find potential customers and introduce them to companies or snakeheads. For each recruited migrant, the company or snakehead pays the local agent a commission ranging from a few thousand to tens of thousands of renminbi.

Most difficult, and thus most expensive, is acquiring official immigration status, but if the applicant agrees to go abroad as a contract worker to countries such as Israel or Kuwait, the charge will be lower. Third, it depends on the applicant’s status. If the applicant is more or less qualified to meet immigration requirements, the fee will be lower. If the applicant needs to be ‘trained’ to qualify, the price will increase accordingly.

Since the late 1990s, the Chinese authorities have declared human smuggling illegal and local police have been hunting down smugglers. After the Dover tragedy in England, where 38 Chinese stowaways were found dead in a truck, dozens of snakeheads were arrested and put in prison. Many of those arrested, however, were at the bottom of the hierarchy; their direct contact with the victims meant they could be identified. Big snakeheads such as Sister Ping, however, often live abroad and possess several passports. Their criminal activities cannot be stopped without transnational co-operation.

The view from Tingjiang
On 16 March 2006, Ping was sentenced to 13 years in prison, meaning this 57-year-old woman would spend the rest of her life in jail. Many Chinese immigrants in New York disagreed with the judgement. The commonly held opinion was that Ping is a good migration broker because she helped a lot of her co-villagers realise their dreams of upward mobility. And, ‘Only in the eyes of the American officials was what she did criminal.’ The head of the Fujianese association in New York said, ‘Sister Ping enjoys the best reputation among dozens of snakeheads. She did offend the immigration law of America. But from a moral perspective she is not a criminal. She is innocent.’ None of the people I interviewed in Tingjiang agreed with this view.
Peng’s hometown regarded her as a criminal, though some maintained silence on the issue. One important factor behind Peng gave him a special discount for channelling his son to the U.S. without her help. She said, ‘My son could not get into the U.S. without her help. I could not build this five-storey house without my own money.’ When asked whether it was criminal that Peng had charged so much, one interviewee in Peng’s hometown told me, ‘It is reasonable because she needed to buy the flat for her son’. The money can be earned back so long as the person can get into the U.S.... All companies charge money for labour export. Only those who received money but did not send the payers to the destination state are criminals.’ According to my research, this is the consensus among Tingjiang natives.

The people of Tingjiang evaluate transnational migration brokerage in three perspectives: first, whether the broker delivered the clients to the destination efficiently, second, whether the journey was safe, and thirdly, whether the broker charged a reasonable fee. According to a local saying, it is more difficult to find the right broker than to borrow enough money to pay off the Flat Fee. Taking these grass-roots principles into account, it is understandable that Sister Peng received the highest praise from her fellow villagers. According to Peter Kwong at Hunter College, a crucial factor in smuggling Chinese makes Sister Peng a very capable business woman. He added that what praise from her compatriots cannot erase her criminal activities.

The attractiveness of working abroad – regardless of its legality – is the reward of high income for hard work. However, for the average person who is not qualified to meet the entrance criteria of destination states, upgrading one’s economic status through emigration cannot occur without a broker’s ‘help’. If brokers are able to make emigration possible, they are socially accepted, and if their business is successful, they are even admired. Brokers are indispensable for making transnational migration possible for average people.

Illegal but licit

The transnational migration industry in China has become institutionalised. To participate, the contradiction between official migration policies and practical labour needs in destination states transforms formally illegal transnational migration into acceptable (licit) practice. The whole process of brokerage exists in between legal and illegal realms, both in China and in the destination states; while none of these states openly support illegal practices, their policies – witty or not – have contributed to illegal activity. From a broker’s perspective, it is often difficult to see the line between a smuggler (snakehead) and a legal intermediary dealing with the affairs of going abroad. Sometimes, legal agents channel their clients illegally while undocumented brokers channel their clients legally.

Destination states have strengthened controls on immigration, but while governments desire talented people such as entrepreneurs and professionals, the market demands cheap labourers. Illegal migrants often hold the low-pay, dirty, and dangerous jobs that nationals of high income states reject. Moreover, some high income states occasionally legally employ illegal immigrants to uphold their legal rights, a possibility that tends to make such immigrants believe that their illegal status is only temporary.

Among Tingjiang residents, there is no doubt that the government has made great efforts to stop human smuggling. Smuggling networks are often portrayed, especially on snakeheads. Posters and pamphlets publicise the government’s decision to crack down on human smuggling and urge villagers not to partake in it. However, successful Chinese returning from abroad, especially if they invest in or donate to their home areas, are treated with great honour. In the eyes of the migrants and their family members, ‘being channelled to another country’ is not a criminal act, but a worthwhile undertaking chosen by people who wish to make a fortune abroad but lack the legal entitlement. As long as migration is successful and the costs are affordable, no one cares how the brokers deliver – what matters is the end result.

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The conclusion that smuggling is carried out by powerful criminal organisations is often based on government reports and official statements, whereas the conclusion that smuggling is carried out through looser social networks is often based on field interviews. Is one right and the other wrong?

Melvin Sudije

Newspaper articles and government reports warn of ‘snakeheads’ who organise the journey from China to the West. These journeys can take weeks or even months, are sometimes dangerous and cost as much as €50,000. It takes migrants years to repay this debt, often by working in exploitative conditions. These statements together paint a disturbing picture: the smuggling of Chinese people is an evil business, where migrants fall prey to powerful criminal organisations.

On the other hand, interviews with smugglers often show that they are not engaged in other types of crime. Transport is often provided through family networks and social contacts. Migrants themselves prove not to be helpless victims, but conscious parties in the services provided by smugglers. Following the famous American media interest, human smuggling seems nothing more than the continuation of migration by other means.

Contradictory findings about Chinese human smuggling can often be explained by looking at the kind of data and the method of their collection. In general, there are two ways in which empirical data on Chinese human smuggling is collected: through government sources (e.g. court files) and field interviews (with illegal) migrants and smugglers. The two methods have their particular advantages and disadvantages.

Analyses of court files provide insights into the organisational aspects of human smuggling. Statements by perpetrators, police observations, searches of premises or conversations recorded on tapped telephone lines provide information on how smugglers work together. Nevertheless, researchers need to take a number of limitations into account. First, there is the question of how representative the subjects really are. But while fieldwork and interviews are expensive and time-consuming, it is difficult to justify these costs when you consider the size of the smuggling networks and the lack of criminal diversification. It is important to be aware that the systems and methods of illicit migration. This is to be expected, as smuggling via purely migratory-based, as opposed to organised crime-based ties is situated more on the unorganised end of the smuggling spectrum. Because certain ‘invisible thresholds’ of police practice come into play, the former are not easily investigated and brought to court. For example, interviews with government officials show that police investigations are more likely to be carried out if more than one smuggler is involved in more than one recent incident, while no sanctions were applied to those who fraudulently became ‘victims’. However, the author also stated in interviews that the cost of prosecuting such cases outweighs the benefits, as chances of conviction are very low and the success of procedures where small-time smugglers (or so-called ‘mom and pop’ smuggling operations) are essentially absent from the court files.

This makes it perfectly understandable why official government reports stress Chinese smuggling as a highly organised criminal activity and overlook other, simpler methods of illicit migration, whereas field interviews stress the involvement of family networks and social contacts and overlook other, highly organ- ised criminal activity. Still, court files leave questions unanswered. Why do people go to certain countries? What is the role of family or kinship connections? Only fieldwork can fill these gaps. Therefore, it is not the case that the conclusion based on one source is right and the conclusion based on the other is wrong. Each comes to certain conclusions that the other by design cannot come to, let alone pursue. Neither do they necessarily contradict each other. In fact, court files and the research can be used in a complemen- tary fashion to gain a more complete understanding of Chinese human smuggling.

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The relevant reports can be found in various Chinese news websites.


2 In some English news reports the name has been translated as Chen Chui Ping.

3 Quoted from the relevant news report in Qiao Bao (China Press in USA) online available online: http://www.chinapressusa.com/index.htm.