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FEMALE CRIMINALITY VS HUMAN TRAFFICKING

AUTHORED BY - K. KAVITHA

Abstract

This research article examines the complex relationship between female criminality and human trafficking, focussing on women's ambivalence in trafficking networks. This study uses books, journals, and case studies to examine the cultural, social, and economic factors that lead women to human trafficking. The first half of the paper examines key criminological concepts and the historical context of female criminality. It also describes human trafficking's global scope and harm, focussing on women's disproportionate burden. Key findings suggest that poverty, unemployment, gender inequity, psychological trauma, and coercion increase the risk of human trafficking for women. The research also demonstrates that cultural norms and patriarchal institutions render women more vulnerable to human trafficking, which drives some to become traffickers. Compare and contrast national and international legal frameworks to see where enforcement and policy are inadequate against female human traffickers. In its last portion, the paper advises gender-inclusive rehabilitation, policy reform, and law enforcement. It also stresses the need for additional research on female victims of human trafficking, especially those who become perpetrators. Human trafficking is complicated, and policymakers can aid women in peril by understanding it.

Keywords: Female criminality, human trafficking, women as perpetrators, women as victims, socio-economic factors, psychological trauma, gender inequality, coercion, legal frameworks, rehabilitation, patriarchal structures.

1. Introduction

Human trafficking and female criminality are related issues that sociologists and criminologists have recently focused on. While male criminality has traditionally been more widespread, "female criminality" describes the rising number of women committing crimes. However, new data suggests that women are increasingly engaging in illegal operations like people trafficking.

Globally, human trafficking includes forced labour, sexual exploitation, and organ trafficking¹. Contrary to popular belief, women are often traffickers, either voluntarily or unknowingly. The double bind in which women are victim and perpetrator is significant for research. To understand the situation more fully, we must know how women get trafficked. The complex combination of socio-economic, psychological, and legal factors often leads women to traffic as offenders or middlemen. Women join criminal groups for financial or personal motives, although economic despair, gender-based violence, and coercion are more widespread. To understand why women become criminals, analyse the relationship between female criminality and human trafficking². This study examines women's experiences as victims and a perpetrator to illuminate human trafficking's complexity. Within human trafficking, it will explore how legal frameworks, psychological trauma, and socio-economic restrictions affect female criminality. The research will discuss national and international frameworks for female human trafficking and use secondary sources such books, journals, and court files.

2. Literature Review

Female Criminality: A Sociological Perspective

Female criminality has been understudied in criminology due to its early focus on male offenders. People either didn't care about women's illegal behaviour or blamed biological and psychological issues, making women seem like helpless victims rather than responsible agents. Modern sociological ideas recognise that women commit crimes due to a complex web of social and environmental factors, like men. Female perpetrators in human trafficking and organised crime have increased. Criminology has developed key theories to explain female crime. Feminist criminology challenges the established system that marginalises women in crime³. Economic poverty, gender-based violence, and economic inequality lead many women to commit crimes, according to this thesis. Feminist criminology emphasises the role of patriarchy and power relations in female criminality because many inmates have been victims of domestic abuse or human trafficking. Strain theory implies that women may commit crimes when they cannot achieve socially acceptable goals like financial security. Due to economic hardship, poor education, and few career opportunities, women may turn to illicit enterprises like human

¹ Gonzalez, C. M. F. (2022). The intersection of race and gender in human trafficking vulnerability and criminalization. In *Diversity in criminology and criminal justice studies* (pp. 115-131). Emerald Publishing Limited.

² Rodríguez-López, S. (2020). Telling victims from criminals: human trafficking for the purposes of criminal exploitation. *The Palgrave international handbook of human trafficking*, 303-318.

³ Stanojoska, A., & Jurtsoska, J. (2018). Ladies or criminals: An exploratory study of patterns of female criminality in the Republic of Macedonia. *International journal of criminal justice sciences*, 13(1).

trafficking to support their family. Differential association theory suggests that women, like males, learn criminal behaviour from their peers. Male relatives, friends, or companions may have introduced women to human trafficking for profit⁴. These theories illuminate the cultural, social, and economic factors that influence female criminality and women's roles in human trafficking.

Human Trafficking: Definition, Scope, and Global Impact

A significant international crime, human trafficking includes slavery, forced work, and sexual exploitation. Often called modern slavery, it affects millions of people worldwide, especially women and children. According to the UNODC, people traffickers utilise force, threats of force or coercion, kidnapping, fraud, dishonesty, or abuse of power to exploit victims. Sexual trafficking involves exploiting victims for prostitution⁵. However, labour trafficking involves forcing people into agriculture, manufacturing, and domestic work. ILO estimates that 24.9 million people worldwide are victims of forced work or sexual exploitation due to human trafficking. This heinous atrocity has global repercussions. Human trafficking targets women and girls, who make up the majority of victims, using school or career excuses. Human traffickers exploit poor and displaced people by denying them basic human rights. The UNODC and the Global Report on Trafficking in Persons are two of several international bodies that have documented case studies to demonstrate the problem's prevalence and severity⁶. A well-documented problem involves illegally transporting Nigerian women and girls to Europe for sexual exploitation, forcing thousands into prostitution. Southeast Asia also enslaves children and adults in the fishing and clothing sectors. Despite international legal frameworks like the Palermo Protocol and national legislation to prohibit human trafficking, weak law enforcement, corruption, and poor victim protection are to blame. Human trafficking earns billions of dollars annually at the price of victims who suffer incalculable mental and physical harm.

⁴ ISLAM, M., & TALUKDER, I. (2021). The Impact of Vulnerable Family Relation on Female Criminality: Its Forms, Causes, and Consequences in Society. *Journal of Kolkata Society for Asian Studies*, 7(1), 166-179.

⁵ Richert, A. (2021). Failed interventions: Domestic violence, human trafficking, and the criminalization of survival. *Mich. L. Rev.*, 120, 315.

⁶ TRAFFICKING, P. O. S. (2023). CHAPTER ELEVEN FEMALE OFFENDERS AND PERPETRATORS OF SEX TRAFFICKING DEANNA R. MCPHERSON. *Legacies of Slavery and Contemporary Resistance*, 221.

3. Intersection of Female Criminality and Human Trafficking

Human trafficking and female crime are complex and contradictory. Human trafficking victims and abusers are typically women. Women have largely been victims of human trafficking, but recent research has examined their roles as recruiters, facilitators, and traffickers. Many trafficking victims engage in the trade. Traffickers may deceive or coerce victims into joining the network⁷. These women may feel powerless and forced to traffic to escape their abusers or recover control. Women may traffic for financial gain or as members of criminal groups, rather than coercion. Women commit more human trafficking than men for many reasons. Poverty is a major influence, especially in locations where women have few economic opportunities. These women may work in trafficking to supplement their income. In underdeveloped countries without schools or jobs, human trafficking can help women escape poverty. Traffickers often employ threats, physical abuse, and emotional manipulation to force women to participate in illegal activities. Many women in trafficking networks believe their cooperation is crucial for survival since they were victims. Human trafficking involves power relations and women's unlawful activity. Women in trafficking networks often recruit or broker instead of leading. For revenge fantasies or network dominance, they may recruit more women and children into trafficking. In sex trafficking, one woman may claim to be a friend or neighbour to attract another into prostitution.

According to research on this relationship, external and internal forces encourage women to become human trafficking victims⁸. Poverty, unemployment, and social marginalisation increase the risk of victimisation and crime for women. Financial gain or authority in trafficking networks attract women to illegal roles. Understanding these factors is crucial to developing effective interventions to combat women's trafficking-related victimisation and crime. Overall, the research emphasises the need to study female criminality and people trafficking. Contrary to popular assumption, many women are trafficked and actively engage, whether forced or not. To understand this complex relationship, we must recognise trafficked women's autonomy and vulnerability.

⁷ Matos, M., Gonçalves, M., & Maia, Â. (2018). Human trafficking and criminal proceedings in Portugal: Discourses of professionals in the justice system. *Trends in Organized Crime*, 21, 370-400.

⁸ Aronowitz, A. A., & Chmaitilly, M. (2020). Human trafficking: Women, children, and victim-offender overlap. In *Oxford Research Encyclopedia of Criminology and Criminal Justice*.

Methodology

To examine how human trafficking and female criminality relate, this study employs secondary research. Secondary sources like academic journals, government files, and court records are the study's main focus. This method is suitable for studying female criminality and human trafficking because books, journal articles, and case studies provide qualitative and quantitative data. The research will fill gaps in our knowledge of the psychological, social, and legal factors that affect female human trafficking victims and traffickers using these sources. This research will use scholarly publications, case studies, and UN and ILO anti-trafficking reports. These papers provide crucial information and case studies to understand global human trafficking. We will also examine policy assessments, legal frameworks including the Palermo Protocol, and national laws on female human trafficking victims and offenders. To understand how legal systems address female criminality in trafficking, one must critically evaluate current laws, their application, and any flaws. The study will analyse case studies to support its assertions of female criminality in human trafficking. Using secondary data to analyse the topic provides insights into many social, legal, and geographical settings without using primary data. This research will use this methodology to highlight prior findings and examine literature patterns in the ongoing discussion on female criminality and human trafficking.

4. Factors Contributing to Female Involvement in Human Trafficking

Cultural, psychological, and economical factors drive women to be traffickers or victims. Women may become victims of human trafficking due to their frailty or imprisonment. If we want to prevent human trafficking and support its victims, we must understand its causes.

Socio-economic Factors

Economic hardship is one of the most significant drivers of female involvement in human trafficking, either as victims or facilitators. Women in poverty-stricken environments are particularly vulnerable to exploitation by trafficking networks. Often, systemic barriers such as unemployment, illiteracy, and the lack of viable employment opportunities leave women with few options for survival. In many developing nations, women face gender-based discrimination in education and employment, which restricts their economic mobility and independence. These barriers are deeply entrenched in patriarchal societal structures, where opportunities for women to advance professionally and economically are limited⁹. This

⁹ Preble, K. M. (2019). Under their "control": Perceptions of traffickers' power and coercion among international female trafficking survivors during exploitation. *Victims & Offenders*, 14(2), 199-221.

systemic marginalization renders many women susceptible to becoming victims of human trafficking, or in some cases, active participants, either by coercion or through the perception that it is their only means of supporting themselves and their families. In patriarchal societies, where men dominate the workforce and control economic resources, women are often excluded from economic opportunities that could otherwise protect them from exploitation. This exclusion drives women into precarious situations where traffickers can easily exploit their vulnerabilities. For example, traffickers often lure women with false promises of employment or financial security, using these offers as bait to trap them in exploitative situations. Economic desperation, particularly in regions with high rates of unemployment and poverty, leaves women with no choice but to accept these offers, only to find themselves trapped in cycles of abuse and exploitation.

Furthermore, research indicates a strong link between gender inequality and economic vulnerability, particularly in regions where women have little to no control over their financial or personal lives. In societies where women are not allowed to own property, work independently, or make financial decisions, they are often forced to rely on male family members or partners for economic support. This dependency can make them more susceptible to manipulation by traffickers, who exploit their economic needs. In some cases, women join trafficking networks not out of choice, but as a means to provide for their families. Poverty and lack of education push these women into trafficking operations, where they may be coerced into recruiting others to ensure their own survival. Female traffickers often emerge from the same socio-economic backgrounds as the victims they recruit. Many women involved in trafficking have been victims themselves at some point. Economic constraints and power imbalances within trafficking networks contribute to a dynamic in which women, who may have initially been trafficked, transition into roles of recruitment or management. In some cases, traffickers exploit these women's desperate circumstances, coercing them into recruiting others to avoid further exploitation themselves. The socio-economic factors that drive female involvement in human trafficking are closely intertwined with gendered power dynamics, which make it difficult for women to escape these networks once they are ensnared.

Psychological and Emotional Factors

Psychological and emotional factors also play a pivotal role in female involvement in human trafficking. Many women traffickers have experienced abuse, trauma, and exploitation, often at the hands of the very networks they eventually join. This cycle of victimization, in which

women who were once victims of trafficking become traffickers themselves, perpetuates human trafficking across generations. Psychological trauma is often a key driver in this transformation, as women who have been subjected to repeated abuse may internalize their victimization, leading them to justify their involvement in trafficking others as a means of survival. Female traffickers frequently suffer from mental health issues such as post-traumatic stress disorder (PTSD), anxiety, depression, and emotional detachment. These issues stem from the abuse they experienced as victims of trafficking, sexual violence, or domestic abuse. Studies show that many female traffickers have histories of abuse that mirror those of their victims, making them particularly vulnerable to the manipulation of traffickers who exploit their emotional instability. For example, traffickers may prey on the emotional needs of women who feel powerless or abandoned, offering them a sense of control and stability in exchange for their participation in the trafficking operation. This psychological manipulation creates a bond between the trafficker and the victim, making it difficult for the woman to extricate herself from the situation¹⁰.

The concept of "trauma bonding" is especially relevant in understanding why some women remain in trafficking networks despite the possibility of escape. Trauma bonding occurs when a victim forms an emotional attachment to their abuser due to the cyclical nature of abuse and intermittent reinforcement of affection or care. Women traffickers who were once victims may feel a sense of loyalty or obligation to their abusers, even when presented with opportunities to leave the trafficking network. This emotional attachment makes them more likely to become involved in criminal activities, as they see their participation as a way to secure favor, protection, or survival within the network. Furthermore, the psychological toll of long-term exploitation can lead women to rationalize their involvement in trafficking as a means of self-preservation. For victims who are unable to escape trafficking networks, taking on a more active role in the operation can give them a false sense of control over their situation. Participating in the recruitment or exploitation of others may provide them with a way to dissociate from their own victimization, allowing them to cope with their trauma by shifting their focus to the power dynamics of trafficking. This rationalization is often reinforced by traffickers, who manipulate these women into believing that their involvement is justified or necessary for their own survival.

¹⁰ Nwala, P. (2023). International legal framework on human trafficking and criminal liability on traffickers. *Wukari international studies journal*, 7(1), 15-15.

Cultural and Familial Influence

Cultural and familial influences are significant contributors to female involvement in human trafficking, particularly in societies where women are expected to prioritize the needs of their families over their own well-being. In many patriarchal cultures, women are socialized to be obedient, submissive, and self-sacrificing, often at the expense of their own health, safety, and autonomy. These cultural norms place immense pressure on women to conform to traditional gender roles, which can lead them into exploitative situations where they have little control over their lives or decisions. In some cases, women are sold into trafficking by their own families, either as a result of financial desperation or cultural practices that devalue the autonomy of women. For example, in certain regions, daughters may be viewed as economic burdens, and families may resort to selling them to traffickers to relieve financial pressures. In other cases, families may pressure women to enter into exploitative situations, such as forced marriages or labor trafficking, in order to provide for the family's economic needs. These familial pressures are often reinforced by cultural norms that prioritize the collective well-being of the family over the individual rights and autonomy of women.

Cultural norms that condone or ignore exploitation also play a significant role in normalizing human trafficking within certain communities. In societies where violence against women is prevalent and normalized, trafficking becomes an extension of the broader culture of exploitation. Women in these societies may internalize the belief that trafficking is an inevitable part of their lives, leading them to accept their roles as either victims or participants in the trafficking operation. This internalization of exploitation is often reinforced by the lack of legal and social protections for women, making it difficult for them to report abuse or seek help. Patriarchal cultures, where women are discouraged from reporting abuse or exercising autonomy, further perpetuate the cycle of trafficking¹¹. In many cases, traffickers exploit cultural taboos surrounding women's independence, knowing that women who seek help or try to escape will be ostracized by their families and communities. This fear of social exclusion or retaliation can prevent women from leaving trafficking networks or seeking legal protection, trapping them in exploitative situations. In addition to cultural and familial pressures, traffickers often exploit societal norms that limit women's access to education, healthcare, and legal resources. In many patriarchal societies, women are denied access to these essential services, leaving them vulnerable to exploitation by traffickers who promise to provide for their

¹¹ Jurek, A. L., & King, W. R. (2020). Structural responses to gendered social problems: Police agency adaptations to human trafficking. *Police quarterly*, 23(1), 25-54.

basic needs. This lack of access to resources not only makes women more susceptible to trafficking but also makes it harder for them to escape once they are involved.

The socio-economic, psychological, and cultural factors contributing to female involvement in human trafficking create a complex web of exploitation and coercion. Economic hardship, coupled with gender inequality and systemic barriers to advancement, makes women vulnerable to trafficking networks. Psychological trauma, often rooted in prior victimization, can lead women to rationalize their involvement in trafficking operations as a means of survival. Cultural and familial pressures further reinforce these dynamics, trapping women in cycles of exploitation where they have little control over their own lives. To effectively address female involvement in human trafficking, it is essential to develop gender-sensitive policies and interventions that take into account the socio-economic, psychological, and cultural contexts that contribute to female criminality. By understanding these factors, policymakers, law enforcement, and advocacy organizations can develop more effective strategies for preventing trafficking, supporting victims, and rehabilitating women who have been coerced into criminal roles within trafficking network.

5. Legal Framework and Policy Responses

Women are more likely to be victims and perpetrators of global human trafficking. There are many national and international laws and policies to combat this issue. These models aim to end human trafficking, including female offenders' specific role. Obstacles to policy implementation include gender-sensitive responses in the justice and police systems.

International Legal Framework

Several major international accords protect girls and women from human trafficking. The Palermo Protocol (2000), an amendment to the UN Convention against Transnational Organised Crime, is a key international tool to combat, eliminate, and punish human trafficking. The treaty defines human trafficking, protects victims, and requires nations to criminalise it. Despite without naming female traffickers, it acknowledges that women and girls are vulnerable to trafficking and underscores the need to safeguard them. Human trafficking disproportionately affects women, and CEDAW fights this and other gender inequities. CEDAW advocates for gender-sensitive regulations on human trafficking, since women are more vulnerable. The pact prioritises protecting female victims but also promotes gender

equality and empowerment to combat female crime¹². International law greatly influences national human trafficking laws and policies. By setting global norms, it criminalises trafficking, protects victims, and prosecutes criminals, including women in trafficking networks. However, states apply and execute these norms differently when it comes to women's twin obligations as traffickers and victims.

National Legal Systems

National legal systems' approaches to female human trafficking victims vary in success. Some nations' laws protect female trafficking victims but ignore female offenders' complexity. Legal regimes that fail to distinguish between victims and willing participants may under- or over-criminalize women traffickers. However, other nations have more advanced strategies. Sweden and Canada decriminalise victims of trafficking while prosecuting traffickers, including women¹³. Problems arise even in these nations when female traffickers are victims. Judicial systems must balance punishing illegal activity and addressing oppressive situations when it comes to women's trafficking participation. Case laws from different countries illuminate female human trafficking criminality. Judicial responses can sometimes reflect women's complexity when they consider the psychological and economical factors that inspire trafficking offences. However, social attitudes of women's criminal roles contribute to the legal system's treatment of female traffickers compared to men.

Challenges in Policy Implementation

Despite comprehensive anti-trafficking laws, gendered impediments remain. Traditional gender stereotypes that downplay or exaggerate women's responsibilities in trafficking can impact law enforcement and court responses to female traffickers. Female traffickers may receive lesser penalties due to victim-blaming and cultural expectations of women's morality. For victimised female offenders, victim identification is difficult. The legal system and law enforcement may struggle to determine when a woman traffics for survival rather than free will. Making sure the legal reaction is fair and acceptable gets harder.

Finally, reintegrating female convicts is tough. Stigmatised and without rehabilitative options, trafficking victims and participants may suffer awful experiences. Reintegration programs for

¹² Acale Sánchez, M. (2019). Penal and custodial control of female criminality in Spain from a gender perspective. *Social sciences*, 8(2), 52.

¹³ Mackenzie, S. (2020). Human Trafficking. In *Transnational Criminology* (pp. 37-54). Bristol University Press.

female convicts are rare in many countries. Counselling and economic empowerment programs to help these women escape trafficking are lacking, making an already difficult situation worse. Finally, while national and international human trafficking legislation has improved, sex-based policy implementation still faces challenges¹⁴. Female traffickers require more sophisticated and individualised legal solutions due to the complexity of their victims' and offenders' lives. To overcome these difficulties, rehabilitation and law enforcement must be gender-sensitive, together with legislative changes.

6. Case Studies

Real-life examples can illuminate the intricacies of female human trafficking. In some criminal networks, women are both criminals and victims. Human trafficking's goals, strategies, and consequences on women can be better understood from both the victim's and perpetrator's perspectives.

Case Study 1: Women as Perpetrators

Women have been involved in several high-profile trafficking network incidents in recent years. These stories indicate that women can play complex roles in trafficking operations, challenging the perception that traffickers are mostly men. Italian authorities arrested Nigerian Joyce Meyer for involvement in a huge sex trafficking network. Meyer initially appeared to be a trafficking victim, but she helped the network recruit and manage additional women. Many female traffickers, like Meyer, were victims. Instead of a better life in Europe, her kidnappers enslaved her in the sex trade. She turned from victim to culprit, driving defenceless women from her native country into prostitution¹⁵. She utilised the same unrealistic expectations that drove her into human trafficking to entice others to Europe with guaranteed work. Meyer's rise in the trafficking network shows how powerlessness can lead to complicity, especially for women who see no other way out. Meyer faced legal trouble for her role in the trafficking enterprise. Many accused her of forced prostitution, organised crime, and human trafficking. Despite her lengthy prison sentence, courts considered her initial victimisation. Meyer's case highlights how the justice system fails to handle human trafficking's complexity and how victim-offender lines can blur. The grave legal implications of female traffickers are seldom

¹⁴ Judge, S. M., & Kawahito Doherty, Y. (2022). The Demographic Characteristics of Federal Trafficking Defendants: Who are the Offenders?. *Journal of Human Trafficking*, 1-24.

¹⁵ Ang, S. Y., & Saat, G. A. M. (2024). Sociological factors of women criminality: A systematic review. *Geografia-Malaysian Journal of Society and Space*, 20(3), 155-170.

considered when defending themselves. Ana Maria C., a Romanian, worked for a Spanish labour trafficking organisation. Ana Maria recruited impoverished Romanian women to work as domestic maids in Spain. However, the women were exploited upon arrival. The network's male leaders forced Ana Maria, like Joyce Meyer, to become a trafficker. Her involvement illustrates how women manipulate or threaten other women into recruiting them.

Case Study 2: Women as Victims

The majority of human trafficking depictions depict women as victims. Unfortunately, many victims become criminals in trafficking networks, perpetuating victimhood. A young Honduran woman, Maria Gomez, was trafficked to the US and subjected to sex work. After years of mistreatment, her traffickers pushed her to help them recruit more women, especially from her native country. After receiving an opportunity to clean in America, Maria's journey began. However, her passport was confiscated and she was forced into prostitution upon arrival. She gave up to her traffickers when they beat her and threatened her family back home. Her involvement in abuse forced her to recruit more young Honduran women into the trafficking network¹⁶. Human trafficking can trap women in a cycle of victimisation, as seen in this case study. Maria never wanted to work in trafficking, but excessive pressure and intimidation forced her to. She recruited for her traffickers, allowing them to expand their operations and preventing her rescue. Many women, like Maria, become perpetrators to survive manipulation and terror. Maria's experience illustrates the legal challenges of convicting coerced female traffickers. Her recruitment role became obvious after her detention during a trafficking raid. Her history of victimisation complicates legal proceedings. Due to coercion, the courts reduced her punishment for trafficking. Maria received rehabilitation and support reintegrating into society, but her psychological trauma remains. Tatiana S., an immigrant from Eastern Europe who became a slave in the UK, depicts the victimisation cycle¹⁷. Like Maria, Tatiana believed a job was a trap. Her captors made her a manager by making her oversee other hostages' labour and prevent them from escaping. She's another example of how human traffickers use threats and psychological manipulation to compel victims to aid them. These cases blur the line between criminal and victim. Like Maria and Tatiana, many enslaved women help commit the crimes that got them there. Due to this victimisation circle, prosecuting female traffickers is difficult. These case studies show women's complex and often conflicting roles in human

¹⁶ Salami, T., Babu, J., & Hari, C. (2022). Criminal Justice Students' Perceptions of Human Trafficking Victims: Assessing Bias and Helping Behavior. *Journal of criminal justice education*, 33(1), 93-109.

¹⁷ Hua, J., & Nigorizawa, H. (2019). US sex trafficking, women's human rights and the politics of representation. In *New Directions in Feminism and Human Rights* (pp. 109-131). Routledge.

trafficking. Socio-economic, psychological, and coercive factors affect their engagement, whether perpetrators or victims. We must understand these relationships to create laws and regulations that benefit female traffickers and victims.

7. Discussion

Comparing female victims and human traffickers reveals several key similarities and differences. Female abusers with complex victimisation histories blur the borders between victim and offender. Social factors including poverty, illiteracy, and gender inequity can render either group vulnerable. The majority of criminals have victimised before recruiting or managing new victims. Victims stay in exploitation because they never attain to power. Psychological trauma strongly influences victims' and perpetrators' human trafficking decisions. This shows how emotional and mental manipulation can lead to crime. Human traffickers and victims are women, and society profoundly affects this. Poor economic opportunities, strong cultural standards, and little legal protections contribute to women's systematic marginalisation. For instance, patriarchal regimes limit women's education, labour, and economic independence, making them more vulnerable. Many women are vulnerable to predators due to financial problems, and some join trafficking networks as a last choice. Many women are victims and perpetrators, but law enforcement and the courts often fail to recognise this. This makes providing appropriate aid and rehabilitation harder. Despite growing studies on human trafficking, we still know little about female criminality in this scenario. Writing regarding women aggressors is scarce; much of it focusses on victims. Since studies of female criminals often ignore psychological manipulation and coercion, gender-sensitive legal frameworks have not advanced. Cultural, familial, and economic factors that lead women into trafficking roles need more complicated research. Future research could examine female traffickers and victims' views and how societal factors affect their profession to fill these gaps.

8. Conclusion

This study illuminates the complex and interrelated experiences of female victims and traffickers in human trafficking. Social and economic issues, trauma, and patriarchal cultural norms contribute to their participation. Captors pulled many women into the criminal underground, who later became traffickers. These findings emphasise the need to understand the victim-perpetrator relationship to develop effective legal solutions. Policy and law must include gender-sensitive measures in national and international human trafficking frameworks.

Legal institutions must recognise the complex victimisation processes that drive women to crime. Rehabilitating rather than punishing should be the goal. Addressing gender inequality, poverty, and illiteracy is essential to protecting vulnerable women from human trafficking networks. Future research should focus on human trafficking victims to develop successful rehabilitation programs and gender-sensitive law enforcement. Legal and cultural institutions enable or prohibit female trafficking crime, which needs additional research. Filling these gaps in our understanding of human trafficking would help legislators help victims and traffickers.

Reference

1. Gonzalez, C. M. F. (2022). The intersection of race and gender in human trafficking vulnerability and criminalization. In *Diversity in criminology and criminal justice studies* (pp. 115-131). Emerald Publishing Limited.
2. Rodríguez-López, S. (2020). Telling victims from criminals: human trafficking for the purposes of criminal exploitation. *The Palgrave international handbook of human trafficking*, 303-318.
3. Stanojoska, A., & Jurtoška, J. (2018). Ladies or criminals: An exploratory study of patterns of female criminality in the Republic of Macedonia. *International journal of criminal justice sciences*, 13(1).
4. ISLAM, M., & TALUKDER, I. (2021). The Impact of Vulnerable Family Relation on Female Criminality: Its Forms, Causes, and Consequences in Society. *Journal of Kolkata Society for Asian Studies*, 7(1), 166-179.
5. Richert, A. (2021). Failed interventions: Domestic violence, human trafficking, and the criminalization of survival. *Mich. L. Rev.*, 120, 315.
6. TRAFFICKING, P. O. S. (2023). CHAPTER ELEVEN FEMALE OFFENDERS AND PERPETRATORS OF SEX TRAFFICKING DEANNA R. MCPHERSON. *Legacies of Slavery and Contemporary Resistance*, 221.
7. Matos, M., Gonçalves, M., & Maia, Â. (2018). Human trafficking and criminal proceedings in Portugal: Discourses of professionals in the justice system. *Trends in Organized Crime*, 21, 370-400.
8. Aronowitz, A. A., & Chmaitilly, M. (2020). Human trafficking: Women, children, and victim-offender overlap. In *Oxford Research Encyclopedia of Criminology and Criminal Justice*.

9. Preble, K. M. (2019). Under their “control”: Perceptions of traffickers’ power and coercion among international female trafficking survivors during exploitation. *Victims & Offenders*, 14(2), 199-221.
10. Nwala, P. (2023). International legal framework on human trafficking and criminal liability on traffickers. *Wukari international studies journal*, 7(1), 15-15.
11. Jurek, A. L., & King, W. R. (2020). Structural responses to gendered social problems: Police agency adaptations to human trafficking. *Police quarterly*, 23(1), 25-54.
12. Acale Sánchez, M. (2019). Penal and custodial control of female criminality in Spain from a gender perspective. *Social sciences*, 8(2), 52.
13. Mackenzie, S. (2020). Human Trafficking. In *Transnational Criminology* (pp. 37-54). Bristol University Press.
14. Judge, S. M., & Kawahito Doherty, Y. (2022). The Demographic Characteristics of Federal Trafficking Defendants: Who are the Offenders?. *Journal of Human Trafficking*, 1-24.
15. Ang, S. Y., & Saat, G. A. M. (2024). Sociological factors of women criminality: A systematic review. *Geografia-Malaysian Journal of Society and Space*, 20(3), 155-170.
16. Salami, T., Babu, J., & Hari, C. (2022). Criminal Justice Students’ Perceptions of Human Trafficking Victims: Assessing Bias and Helping Behavior. *Journal of criminal justice education*, 33(1), 93-109.
17. Hua, J., & Nigorizawa, H. (2019). US sex trafficking, women’s human rights and the politics of representation. In *New Directions in Feminism and Human Rights* (pp. 109-131). Routledge.