

migrant workers from deserting their legal employer or complaining about abusive working conditions.

The Immigration Challenge of Labor Law

Hanny Ben Israel

In recent years, Israeli labor law has been transformed significantly with respect to migrant workers employed under temporary labor migration programs. After several years characterized by expanding recognition of certain rights granted to migrant workers, a countertrend of significant erosion of these rights began to develop. This transformation has manifested in the tightening of employer sponsorship schemes and limits on workers' labor market mobility, in exclusion from minimal labor standards, and in the restriction of migrant workers' access to labor rights enforcement mechanisms. The article proposes to understand these transformations as a process of internalization of the organizing logics and assumptions of immigration law into labor law, resulting in a subsidence of the inherent tension between these two normative systems.

The article consists of two parts. Part 1 generally outlines the tension between labor law and immigration law along three main axes, representing the “who,” “what” and “how” of these two normative systems, and describes respectively tension relating to perception of subjects/beneficiaries, tension relating to socioeconomic purpose, and tension relating to ethical approach towards commodification. Part 2 offers an in-depth case study of the governance of Israel's home-care sector — the largest sector in the country that relies on migrant workers — through which the general argument outlined in Part 1 is demonstrated.

Examining two decades of legal transformations in the governance of the home-care sector, the article reveals growing and deepening similarities between the discourse of labor law and the discourse of immigration law, and traces the processes that led to the assimilation of the basic principles of immigration law into labor law — most notably, ideas on consent, unilateral commitment to the interests of citizens, and a weakening commitment to redistribution.

Agriculture as a Site of Trafficking in Persons, Modern Slavery and Forced Labor: Between Migrant Recruitment and Worker Rights

Avinoam Cohen and Yahel Kurlander

In this article, we seek to explain why the trailblazing success of a bilateral labor agreement that eradicated entrenched practices of illegal immigrant recruitment did not affect illicit employment practices in the Israeli agricultural sector. Through a meso-level analysis of the regulation of migrant labor channeled to the agricultural

sector in Israel, we explore the distinct institutionalization paths of recruitment and employment of migrant workers in the sector, as two separate spheres. Our analysis further shows how the conceptual and regulatory framework of trafficking in persons assisted in the institutionalization of bilateral agreements that regulate recruitment and placement of workers, but had limited impact on the institutionalization of employment and the continuing worker rights violations.

Our meso-level analysis spans the period from 1990 to 2010, demonstrating how separate state logics influenced institutionalization in and of each of the spheres. Regulating recruitment required transnational coordination to overcome transboundary migration industry networks and resulted in the Israel-Thailand agreement and its cooperative implementation framework, the Thailand-Israel Corporation (TIC). By contrast, the neoliberal logic of removing government support led to the regulation of the agricultural sector in Israel, while the peripheral character of agricultural production contributed to preserving its employment structures and buffer the impact of worker-rights regulation. Thus, despite governmental declarations regarding the importance of acting against trafficking in persons and various forms of modern slavery and forced labor, migrant worker exploitation in the internal domain of the agricultural sector remained largely unaffected. The successful intervention at the far end of the migration continuum was not matched in the employment sphere.

Human Trafficking and the Gap between Economies: A Medieval Perspective

Youval Rotman

This article examines the economic conditions pertaining to human trafficking from a comparative historical perspective that focuses on the Middle Ages. Between the eighth and the eleventh centuries, human trafficking assumed unprecedented dimensions with a geographical spread encompassing three continents. Women, men and children were captured, enslaved, sold and trafficked between northern Europe, the Eurasian steppes, the Iberian peninsula and the African Sahel. A network of connected trade routes led the enslaved people towards the richest medieval economies from Iraq, through Byzantium to Andalusia. Two regions were the main source of human trafficking: eastern Europe and the Caucasus in the east, and the African Sahel in the south. The enslaved were mostly local inhabitants who were captured and sold to merchants who took them far from their country and family.

A comparative analysis of socioeconomic systems reveals a global economic rationale: The economic system in developed countries depended on what could be termed “human capital.” The great difference between developed and underdeveloped economies led to trafficking in humans as a means to connect them and a source of profit for the underdeveloped economies. Enslavement, forced migration and human trafficking enabled their participation in the international economic system,