'Doing Something’ about Modern Slavery: Scenes of Responsibility, Practices of Hospitality

A thesis submitted to the University of Manchester for the degree of Ph.D.

in the Faculty of Humanities

2016

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School of Social Sciences
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‘Trafficking’ and ‘migration’

The US, Immigration, and the TVPA

Approach

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Word Count: 80,361 words.
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<td>AATC</td>
<td>Asian Anti-Trafficking Collaborative</td>
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<td>AFP</td>
<td>Agence France-Presse</td>
</tr>
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<td>AG</td>
<td>Attorney General</td>
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<td>AP</td>
<td>Associated Press</td>
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<td>APILO</td>
<td>Asia Pacific Islander Legal Outreach</td>
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<td>ASI</td>
<td>Anti-Slavery International</td>
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<tr>
<td>ATCBA</td>
<td>Anti-Trafficking Collaborative of the Bay Area (formerly AATC)</td>
</tr>
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<td>AWS</td>
<td>Asian Women’s Shelter</td>
</tr>
<tr>
<td>CATW</td>
<td>Coalition Against Trafficking in Women</td>
</tr>
<tr>
<td>CDA</td>
<td>Communications Decency Act (1996)</td>
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<tr>
<td>CNN</td>
<td>Cable News Network</td>
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<tr>
<td>CONGDP</td>
<td>Congressional Documents and Publications</td>
</tr>
<tr>
<td>COTJ</td>
<td>Committee on the Judiciary</td>
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<tr>
<td>CP</td>
<td>Continued Presence</td>
</tr>
<tr>
<td>DA</td>
<td>Deferred Action</td>
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<tr>
<td>DHS</td>
<td>Department of Homeland Security</td>
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<tr>
<td>DOJ</td>
<td>Department of Justice</td>
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<tr>
<td>DSS</td>
<td>Department of Social Security</td>
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<tr>
<td>EFF</td>
<td>The Electronic Frontier Foundation</td>
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<tr>
<td>FTS</td>
<td>Free the Slaves</td>
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<td>GAATW</td>
<td>Global Alliance Against Traffic in Women</td>
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<td>GX</td>
<td>Global Exchange</td>
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<td>GSI</td>
<td>Global Slavery Index</td>
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<tr>
<td>ICE</td>
<td>Immigration and Customs Enforcement</td>
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<td>ICI</td>
<td>International Cocoa Initiative</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<tr>
<td>INS</td>
<td>Immigration and Naturalization Service</td>
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<tr>
<td>Acronym</td>
<td>Full Form</td>
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<tr>
<td>IRS</td>
<td>Internal Revenue Service</td>
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<tr>
<td>JVTA</td>
<td>Justice for Victims of Trafficking Act (2015)</td>
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<tr>
<td>LPR</td>
<td>Lawful permanent residency / Lawful permanent resident</td>
</tr>
<tr>
<td>MUA</td>
<td>Mujeres Unidas y Activas</td>
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<tr>
<td>NCMEC</td>
<td>National Center for Missing and Exploited Children</td>
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<td>NFS</td>
<td>Not For Sale</td>
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<tr>
<td>NI</td>
<td>New Internationalist</td>
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<td>NILC</td>
<td>National Immigration Law Center</td>
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<td>NYT</td>
<td>New York Times</td>
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<tr>
<td>OMCTP</td>
<td>Office to Monitor and Combat Trafficking in Persons</td>
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<tr>
<td>PRUCOL</td>
<td>Permanently Residing Under Color of Law</td>
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<tr>
<td>SAGE</td>
<td>Standing Against Global Exploitation</td>
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<td>SAPA</td>
<td>South African Press Association</td>
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<td>SHI</td>
<td>Shared Hope International</td>
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<td>SIJS</td>
<td>Special Immigrant Juvenile Status</td>
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<tr>
<td>SOMArts</td>
<td>South of Market Arts, Resources, Technology, and Services</td>
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<tr>
<td>SWOP</td>
<td>Sex Workers Outreach Project</td>
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<tr>
<td>TIP</td>
<td>Trafficking in Persons</td>
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<tr>
<td>TVPA</td>
<td>Trafficking Victims Protection Act (2000)</td>
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<tr>
<td>USCIS</td>
<td>United States Citizenship and Immigration Service</td>
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<tr>
<td>VAWA</td>
<td>Violence Against Women Act (1994)</td>
</tr>
<tr>
<td>VVM</td>
<td>Village Voice Media Holdings</td>
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<td>WFF</td>
<td>Walk Free Foundation</td>
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Abstract

The University of Manchester

Andrew Slack

Ph.D.


2nd December 2016

This thesis examines the desire and efforts to ‘do something’ about what is variously called ‘modern slavery’ or ‘human trafficking’. Neoabolitionist efforts to fight such phenomena are typically wedded to a simplistic and essentialist ontology, unaware of or rejecting their own performativity. The thesis is not about slavery: it is about the ethico-political problem of responsibility and hospitality toward the other in the context of contemporary anti-slavery. What constitutes an ethical response to modern slavery? I explore the often violent effects of particular answers to this question but ultimately argue that the focus on doing something (and knowing it) threatens the very possibility of hospitality – of an ethical response. Through a conceptual vocabulary of ‘scenes’ I explore the performative interrelation of ontology and ethics. It is intended to help resist the metaphysical seductions of ontology and moral urgency. Scenes bundle specific ontologies, frames, conjured histories and futures, roles and narrative structures, distributions of concern, desire and enjoyment. Response begins with the discursive and affective co-constitution of the self, the one to whom we respond, and the scene in which it takes place. Scene-specific forms of responsibility can operate as a defence against the full force of responsibility to the other. Chapters 1 and 2 develop the notion of scenes and explore how neoabolitionism sets its scenes and locates favoured solutions. The remaining chapters explore those solution areas. Chapter 3 looks at how a US movement against ‘sex trafficking’ in internet advertising reproduces a Manichean world of simplicity by a game of Whac-A-Mole™ with websites, ritualistic repetition of baseless ‘facts’, silencing of sex workers, and aggressive demonization of those who disagree or argue for greater complexity; Chapters 4 and 5 draw on time I spent in San Francisco with two very different organisations. One, Not For Sale, makes a product of experiencing neoabolitionism, joining together charity, capitalism, consumer enjoyment, technology and the excitement of a movement of ‘true believers’, producing innovative approaches but in the process reinforcing problematic gendered and colonial stereotypes. The other, Anti-trafficking Collaborative of the Bay Area, works quietly and tactically in a messy immigration system, aware of the political and performative nature of their work. They actively take responsibility for their own preconceptions and desires to ground a profoundly hospitable client-centred approach avoiding many pitfalls identified in earlier chapters. The thesis has a performative element woven through it – the ethos of the work is one of unsettling both existing practices and literatures, and the writer and reader. The concluding chapter explores the impossibility of hospitality, its interrelation with juridical subjectivity and the ethics demanding and giving accounts in light of the preceding chapters, suggesting a performative approach toward the other is possible.
Declaration

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Acknowledgements

I wish to thank everyone whose support, patience and encouragement have kept me going throughout this research. My supervisors, Maja Zehfuss and Véronique Pin-Fat, have been generous with time, encouragement and conversation as well as supporting me above and beyond what anyone could ask. I appreciate engagement and advice from other staff members, past and present, at the Politics Department of the University of Manchester. I am also grateful for funding from the Politics Department, without which this would not have been possible. Thank you to Ann Cronley for saintly patience in administrative support.

Thank you to my friends and colleagues in the Department and elsewhere for intellectual stimulation, support, patience and a lot of laughter. Thanks especially, in randomised order, to Aggie Hirst, Megan Daigle, Jenny Edkins, Kathryn Starnes, Rob Kendrick, Tom Gregory, Astrid Nordin, Richard Reeve, Lesley Mitchell, Clare Johnston, Paul Wright, Laura Routley, Stephen Fletcher, Annick Wibben, and Daniel Silverstone.

Thank you especially to Holly Kendrick, Maxine Green, Zac Gale and Liz Merron for adopting me as extended family, nudging me along when things were difficult, and many delicious meals. Thank you to Linda at Mood Swings Network without whom I doubt this would be finished.

Thank you to Cristina Masters and Moya Lloyd for their thoughtful engagement as examiners, and for feedback that has improved this final submission.

Finally, to my parents David and Elizabeth Slack, thank you … for everything.
I could begin as many writers would, by telling you that slavery is still with us, that it did not end 200 years ago, that there are at least 27 million slaves worldwide today, that trafficking is a vast and growing crime with 800,000 people trafficked across international borders each year, that we must end it and rescue those in bondage. That would be one beginning, one way of setting the scene.

A thesis must after all begin somewhere, but introductions do more than begin: they conjure possibilities. Introductions are unavoidably embedded in—indeed inaugurate—a realm of responsibility and choice: how will I frame this thesis? What story will I tell about its beginning? What is it about? What or who is it for? To whom is it addressed? What should it do? What and who shall be excluded? What scene will my introduction set?

An introduction also constitutes an invitation to the reader and, ideally, a guide to what is to come. Introductions thus set a scene and welcome readers, but also set boundaries. In all these aspects the question of introduction is an ethico-political question of hospitality and responsibility – of what possibilities will be conjured. It is a question of relation to others – to oneself as writer, to readers, to those written about or written for, and between each and the others. Such is the terrain of this thesis, investigating how present-day neoabolitionism frames responsibility and hospitality and with what effects. By ‘neoabolitionism’ I mean efforts to combat various forms of exploitation often brought together under the umbrella term of ‘modern slavery’ or ‘human trafficking’ by campaigners self-identifying as ‘new abolitionists’ and seeking to end ‘modern slavery’ partly by encouraging readers to take responsibility.

I could also have begun with a human story of suffering in modern slavery. Such was my first encounter with ‘modern slavery’ in the work of Kevin Bales, an influential academic
and activist who has done much to popularise ‘modern slavery’ as a concept. It is not my beginning, but it will help me set the scene …

Bales’s seminal *Disposable People* (1999) opens in the peaceful French countryside, where Bales has gone to hear Seba’s heart-wrenching story of violent enslavement and torture in Paris. Seba is a young woman who was deceived into travelling from Mali to France on the promise of education. She was instead trapped and enslaved, working 16 hour days, 7 days a week, doing all the work in the house. Her mistress inflicted appallingly cruel tortures upon her: she was starved, beaten, whipped, bound, cut, and had chilli pepper rubbed into her wounds and inserted into her vagina. She was eventually rescued after a neighbour called the police. She has since been well cared for and has made enormous progress, but according to Bales remains mentally and physically scarred, and “baffled by the idea of “choice”” (Bales, 2004, p. 3). Recounting stories like Seba’s is an emotive tactic Bales frequently employs, here more powerful for appearing in the first person, echoing traditions of American antebellum abolitionist slave narratives. Bales wants to shock his reader into believing what we don’t want to believe, namely that slavery exists now around the world, including in the most developed cities – Bales estimates Seba to be among “perhaps 3,000 household slaves in Paris”, who are “just one small group of the world’s slaves” (Bales, 1999, p. 3). His words leave us standing overwhelmed before the face of the individual suffering other, understood to represent countless other suffering others. The story is a testament to vulnerability that demands response. We are expected to feel for those like Seba but we are also to be held practically responsible, as privileged beneficiaries of a bewildering global array of suffering:

*Slaves in Pakistan may have made the shoes you are wearing and the carpet you stand on.*

*Slaves in the Caribbean may have put sugar in your kitchen and toys in the hands of your children. In India they may have sewn the shirt on your back and polished the ring on your finger. They are paid nothing … They made the bricks for the factory that made the TV you watch. In Brazil slaves made the charcoal that tempered the steel that made the springs in*
your car and the blade in your lawnmower. Slaves grew the rice that fed the woman that wove
the lovely cloth you’ve put up as curtains. Your investment portfolio and your mutual fund
pension own stock in companies using slave labor in the developing world. Slaves keep your
costs low and returns on your investments high. (Bales, 1999, pp. 3-4)

By this point the (presumably caring) reader is reeling, seeking an escape, perhaps feeling
helpless, angry or revulsed, simultaneously sympathetic and guilty. Bales might add that
there is likely slave labour in the supply chain of most non-Fairtrade chocolate you buy,
and of the tomatoes and prawns in your shopping basket (Hodal and Kelly, 2014; Hodal et
al.; Kara, 2012, pp. 121-122; Lawrence, 2011). Slaves likely mined the ore for tantalum used
in the capacitors in your mobile phone (Bales et al., 2008, p. 15; Bales et al., 2009, p. 49;
Chalke and Blair, 2009, p. 43), and in the alloys that make up parts of the jet engine that
flew you on holiday to relax from work.

There seems nothing to debate about slavery: it must stop. My question became: What can I
do to bring an end to slavery? (Bales, 2012, p. 8)

For Bales it is us – his readers – who can and indeed must respond, who must take
responsibility, who must do something. The only question is “What?”

Here I would like to pause for a moment. I do want to respond: I value the affirmation of
the need for change, and the willingness to try to do something about it…

But…

“But…” is perhaps the truest beginning of this thesis. As intuitive as Bales’s position may
sound in light of the horrifying scene he sets, there are things to debate – even though
critiquing anti-slavery is not infrequently taken as akin to endorsing slavery or being
“against motherhood and apple pie” (Anderson, 2007, p. 3; Anderson and Andrijasevic,
want to emphasize that it comes to matter in particular ways. Neoabolitionism is
accompanied by, made possible by, and perhaps exceeded or undermined by particular scenes. I will expand on the notion of ‘scenes’ in the following chapter. Here it suffices to emphasize that scenes are not mere representations of an external world: to set a scene is productive of possibilities of sense-making. Any response is a response to a particular configuration of ‘the problem’. Thus the framing of the problem is already part of response, producing and constraining possible forms responsibility can take.

The ellipsis in “But…” perhaps reflects a certain reticence – a feeling on my part that the “but” needs to be there, but a lingering unease about questioning the ‘good guys’. The ellipsis might also invite a pause, indicating something to come but uncertainty as to what it will be. Perhaps such uncertainty should not be hastily or too easily resolved, if at all, and not without interrogating the drive for certainty. An ‘ethical impulse’ seems a suitable shorthand for an orientation toward the other – a desire to encounter the other non-violently, non-exploitatively, or to actively help them. But, whilst I wish to hold onto that impulse as something valuable, that valuation is itself problematic. Our desire to help can be just that – our desire – and if we are to approach an ethical relation to the other, we must take responsibility not only for the other, but for the effects of our desire on how we relate to the other. We must take responsibility for the way we choose to understand and take responsibility.

Ironically for a discourse concerned with freedom, I find myself wanting to twist loose from neoabolitionism. While it helps liberate many, its exclusions lead to systematic failure to liberate many others or to pay attention to the forms of freedom. Neoabolitionism in some sense confines its beneficiaries within its categories, and serves its benefactors’ and audience’s interests and self-image such that sometimes one wonders who is rescuing whom? Particularly troubling are areas such as immigration restriction and sex work prohibition, where neoabolitionism fails to criticize and sometimes even perversely justifies literal confinement in the name of liberation.
My opening is, then, both typical and unusual. It is typical in setting a scene relating horrifying facts and a story of terror, and seeking to affect the reader emotionally. It is unusual in pausing, in problematizing its own positioning of the reader, its own responsibility, and in pointing out that it is a particular scene. As a result this thesis came to be partly about scene-setting, partly about responding to others, and partly about our desire to respond.

Therefore I had to broaden out my research question. Bales’s question, “What can I do to help end modern slavery?” carries baggage without which it could not make sense, and with which it tends to lead to narrow answers that offer a kind of ethical comfort blanket to the reader. Instead, I want to ask “What constitutes an ethical response to slavery?” This can be read in multiple ways simultaneously. It still permits valuation of and asking of a question of the form “what should we do?” (broadly, “what’s a good response?”), a question I empathise with but which can be dangerous. It also implies that the terrain of ethics and response is itself part of the problem. Instead of “what is an ethical response”, “what constitutes…” asks how scenes are set such that certain things come to make sense as responsible or come to be constituted as seemingly ethical in relation to ‘slavery’, however defined.

There is no one answer. This thesis looks at several. Response begins in the face of a demand, not necessarily spoken but rendered visible and imposed on us somehow – the demand of another. The beginning of response is thus in part the constitution of what it is to which one responds.

It is not the world we respond to, hence I will introduce a notion of scenes in which the demand, response, action and world creation are played out. Only once we have a picture of the world can we begin to imagine that we know how to respond. The question of what constitutes an ethical response is always answered in context, where that context is the
beginning of response, and often undermines it. Ironically, we can end up trapped by the way we have framed the need for freedom.

Before I proceed, a note on terminology is required: I do not intend to distinguish formally between ‘slavery’, ‘modern slavery’, or ‘trafficking’, and will use them interchangeably except where specified. What I am interested in here is not ‘slavery’ *per se* but anti-slavery. If a particular scene focuses on trafficking, I use ‘trafficking’ when the connotations of the term are relevant. In the literature I address, ‘slavery’ and ‘trafficking’ are most often treated synonymously or circularly defined against one another.

Chapter 1 develops a conceptual vocabulary for the thesis. My general contention is that response begins with the discursive and affective co-constitution of the self, the ones to whom we respond, and the scene in which it takes place. The chapter explores ways of thinking about these processes. I outline many connotations of scenes, together intended to help resist the metaphysical seductions of ontology and moral urgency.

Chapter 2 provides background on the context of neoabolitionism, in particular in the US, before looking at mainstream responses to modern slavery, notably those of Kevin Bales. The principal response is to seek to scientifically *know* ‘modern slavery’, in order to identify tactics to end it. I look in detail at what scene is set and how – how slavery is defined, how it is characterized and the scene’s dependence on characters of victim, villain and hero. I explore the effects of ubiquitous introductory tropes in writing about slavery – slavery as anachronistic and out of place, abundant statistics and the use of life stories. These, with comforting exclusions and emphases, tell us a story not only of what slavery is, but of who we are, what our history is and what the future must be. The chapter finishes by outlining generally proposed solutions to slavery, including awareness raising and personal activism, ethical consumerism and pressure on businesses, and acting as concerned citizens in support of state action to be more hospitable to ‘genuine’ victims.
The empirical focus of the thesis is primarily on influential US efforts. Besides the simple necessity to narrow my focus, the USA is prominent in spreading the language of trafficking and slavery, pushing to globalize its own understandings and preferred tactics, setting itself up as a monitor of all countries through its annual *Trafficking in Persons* reports (TIPs). In addition, many of the most influential voices in neoabolitionism are from the US. The US is typically presented as the model of freedom, a beacon of best practices and a leader in fighting trafficking, including efforts to provide immigration relief to victims of trafficking.

Chapter 3 looks at US efforts to tackle ‘sex trafficking’, involving experts, celebrities and ordinary citizen-activists in awareness-raising and public pressure. Here the importance of different scenes becomes obvious in debates over what is the appropriate response to online escort advertising sites. The actual response has been a strange game of Whac-A-Mole™. Pressure is applied to one website to shut down, relying on repetition of dubious facts. When it does, traffic goes elsewhere, at which point the process starts again. The differences in opinion relate partly to the strength of belief in a future promise to end demand for all prostitution and thus eliminate sex trafficking, versus a more practical approach to doing something about ‘trafficking’ without demonising all sex-work. Neither tends to take account of the voices of sex workers who, depending on the scene figure as victims, as criminals or not at all.

Chapters 4 and 5 focus on NGOs in San Francisco. California—and the San Francisco Bay Area in particular—had several appealing factors for narrowing my focus. The Bay Area is a major destination for illicit migration and home to many anti-trafficking NGOs. It also stands out as in some ways unusually welcoming to migrants and has a thriving political culture addressing almost any cause one can think of from multiple perspectives. By US standards, the scale and variety of social safety-nets and services available to residents (including noncitizens) are exceptional. Between federal law, California state legal codes and
benefits programmes, and city and county service provision, San Francisco can be thus be seen as unusually hospitable. I visited San Francisco from January to April, 2013 fortuitously coinciding with National Human Trafficking Awareness month, for which there were abundant public workshops, trainings and presentations. My time there turned out quite differently than I anticipated: I had intended to observe an organization, Global Exchange (GX), to whom I owe thanks for a warm welcome and apologies for changed plans. GX’s Alessandro Isola invited me along to Not For Sale (NFS)’s ‘6th birthday bash’ (see Chapter 4), which changed my focus. Similarly, I had been only dimly aware of the Asian Women’s Shelter (AWS) and Asia Pacific Islander Legal Outreach (APILO) before attending training sessions for Trafficking Awareness month. Their presentations and our subsequent conversations led me to a greater appreciation of the variety in approaches to trafficking in the Bay Area, and changed the direction of my fieldwork and my thinking (see Chapter 5). Unfortunately due to personal difficulties I was not able to follow up on all my conversations. I would like to have seen more of NFS, though I have since immersed myself in their literature and media. I had hoped too to spend more time with AWS, and wish I had been in a position to discuss my subsequent analyses with them after writing up.

Chapter 4 looks at Not For Sale, who make a product of *experiencing* neoabolitionism, joining together charity, capitalism, consumer enjoyment, technology and the excitement of a movement of ‘true believers’. In the process they come up with innovative tactics but also legitimate capitalism as a solution through the combination of activism and profit. They reinforce a certain heroic rescuer subjectivity and reiterate problematic gendered and colonial stereotypes. Various parts of the thesis have a performative element woven through them: the ethos of the work is one of unsettling both existing practices/literatures and the writer and reader from too-easy certainty of what constitutes doing good. To explore the role of affect and experience, and the importance of music and presentation to
NFS, and to lay bare my own ambivalent experience, parts of this chapter are written auto-ethnographically.

Chapter 5 looks at the victim-centred approach of the Anti-trafficking Collaborative of the Bay Area (ATCBA), whose members include AWS and APILO. They are unusual in actively trying to avoid a self-serving, self-reassuring enjoyment. They work quietly and tactically in a messy immigration system, resisting the binary characterization of migrants, aware of the political and performative nature of their work. They actively take responsibility for their own preconceptions and desires to ground a profoundly hospitable client-centred approach that avoids or attenuates many of the pitfalls identified in the other chapters.

A constant thread running through the thesis is the inter-relation of ontology and epistemology, ethical response to the other and the construction of oneself. The chapters show in various contexts how a concern to know that one is doing something and to know it is the right thing frequently undermines the possibility of an ethical response, or contaminates it with a certain narcissistic self-regard that can blind us to differing viewpoints including those of the people we want to help. AWS and APILO are unusual in consciously trying to address and accept the complexity of the situation but not to overcome it – they both try to do good and try to do so in such a way that their desire does not lead them to impose their scene on others.

Chapter 6 offers concluding thoughts drawing together the preceding chapters and considering the underlying difficulty of ethical response through Derrida’s deconstruction of hospitality and a notion of the ‘accountable’ subject. Each of the preceding chapters describes an attempt to respond to the demand of the other, to say Yes to the other, but each suffers from performative contradictions, limitations and restrictions, such that the ‘Yes’ always appears to be a ‘Yes, but…’, mirroring the ‘but…’ with which I began.
Derrida’s absolute hospitality is, strictly, impossible, being both logically aporetic and practically unattainable, and suggests the ‘but…’ may be unavoidable. However, exploring the encounter and co-constitution of self and other through models of ‘hospitality’ and accountability can elucidate the performativity of imperfect and scene-specific productions of ‘ethical’ or hospitable response. I suggest that while we may not be able to attain the ethical or be absolutely hospitable, with a reflexive approach that holds knowledge lightly it may be possible to approach the other.
Chapter 1

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Setting a scene

Introduction

In the introduction I suggested that ‘slavery’ comes to matter in particular ways. I want to suggest that neoabolitionism comes with, sets up and makes sense in a particular scene. This dominant neoabolitionist scene will be explored in the following chapter. Here, I develop the vocabulary of ‘scenes’ as an aide-memoir for a practice of critically exploring processes, presumptions and effects of ‘responsibility’ or ‘doing something’, to be built on throughout the remainder of this thesis.

I will start by introducing the notion of ‘metaphysical seduction’ in order to clarify the work I want the notion of scenes to enable, before briefly exploring the interconnectedness of ethics, ontology, epistemology and the desire underpinning enquiry. I argue in favour of what I call ‘ontological diffidence’.

I explore several implications of ‘scenes’, including metaphors of stage, direction, cinematic mise-en-scène, ‘scenery’, the progression of time, a cast and an audience. I then discuss ways of thinking in more detail about the performativity of objects and subjects in the scene, about the functioning of desire, affects and enjoyment, and about encountering others. This discussion clarifies aspects of scenes by connecting with theoretical vocabulary from Judith Butler, Slavoj Žižek and Emmanuel Levinas. Overall, I suggest that scenes operate to produce a knowable world in which we can make sense of ourselves, but do so by eliding a traumatic complexity and producing a particular realm of im/possibilities. Certain notions of responsibility specific to a given scene coincide with particular pictures of subjectivity and constructions of ethical demands upon the audience, leading to certain
understandings of what it means to act hospitably toward an encountered other. How this proceeds and with what effects are matters for the following chapters.

I start from the position that as we exist in a produced social reality, we do not encounter the world or an objectively delimitable ‘slavery’. Nor is there one natural way to ‘take responsibility’ (that is, to respond to the other) by ‘doing something’ (whether because we are culpable for their suffering or whether out of care or common humanity), flowing neatly from a ‘scientific’ understanding of the phenomena at hand. Rather, we encounter a particular framing or staging – a scene playing out in particular ways – in which we ourselves are mutually implicated. The point is to be able to think through the arbitrariness of neoabolitionist approaches (and indeed any approach) while still being able to take seriously efforts to help or to do something about suffering and injustices. It is not therefore that ‘we’ shouldn’t ‘do something’. The desire to help, to act, and to respond to need is not directly at issue here; rather its specific forms, logics, associated practices and effects are. However, we should interrogate our complicities in producing a particular world, and attend to our own investment in doing certain somethings and understanding ourselves as certain kinds of subjects. What ‘we’ is it that should do something? How does that particular ‘we’ come into being and with what exclusions? What world is produced, with what spaces for which kinds of subject? What drives the ‘should’? What counts as doing something? What constitutes certain practices as “doing something” more effectively or more ethically than others? What notions of effectiveness or ethics are at work and how are they constituted? What are the effects of the desires to do something, and to know one is doing something ethical?

These questions are easier asked than answered! My goal in developing the notion of ‘scenes’ is not to finally answer all of these questions, but to provide a useful way of thinking about such questions, and to enable me to partially answer some of them in some contexts in subsequent chapters. Below, I spell out some of the key connotations of
‘scenes’\(^1\), but first it will help to indicate some of the critical work I want the notion to enable.

### ‘Metaphysical seduction’, ‘ontological diffidence’ and responsibility

**Metaphysical seduction**

Before outlining some of the features of scenes I want to draw out and make available to support my analysis in future chapters, it will help clarify the intended critical purchase and *ethos* behind this to explain what Pin-Fat (2010, chapter 1) terms ‘metaphysical seduction’:

> *the (almost) irresistible meta-physical pull towards being seduced by the notion of universality*
> 
> … ‘metaphysical seduction’ - a desire to locate a foundation for universality so that an international ethic can, indeed, apply to everyone on a global scale. When a theorist is metaphysically seduced, they have an irresistible urge to dig, to dig beneath the surface of reality (language) in order hit upon the real nature of things and of humanity. (Pin-Fat, 2010, p. 3).

The term ‘seduction’ is apposite, inasmuch as the desire operates in advance of and in excess of reason – indeed as a foundation of particular forms of reason. Simultaneously, it gives the lie to any intellectual ‘rational’ separation of subject and object. It captures something of the psychic investment we have in ontology, and in the intellectual tools we bring to ‘the world’ (or to what we compulsively believe to be regularities in the external world). Pin-Fat develops a process of ‘grammatical reading’ as an *ethico-political* practice of “rendering the familiar unfamiliar” (Pin-Fat, 2010, p. 2) in order to resist such seduction. ‘Grammar’ refers here to the ‘rules’ of a specific Wittgensteinian language game, which are productive of the forms and possible routes of enquiry and solution. Consistency that might appear to be a feature of the world we enquire into is instead understood as

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\(^1\) While my thought draws heavily on Judith Butler's work, my conception of ‘scenes’ was developed largely before the publication of *Frames of War*. There is some obvious overlap between ‘frames’ and ‘scenes’, but I find ‘scenes’ preferable in potentially capturing more nuances of dramaturgical, aesthetic, and temporal aspects. The language of ‘frames’ does not seem as well suited for capturing aspects of promised future and narrative trajectory, or active audience participation and excitement. Furthermore, Butler's discussion of sentiment is largely limited to grievability as valuation of a life, and, as argued here, I wanted a broader engagement with affect and different ways in which others can impinge emotionally upon the self.
grammatical: to resist the pull of metaphysical seduction, we must look for consistency as a product of grammar – as a feature of the language game rather than as a super-order merely reflecting and mapping onto an underlying order of reality (Pin-Fat, 2010, pp. 9-10). Pin-Fat uses a notion of “sketches of landscapes” (see especially Pin-Fat, 2010, pp. 6-7) and their associated ‘pictures’ – of reason, of the subject, of ethico-political space – to take a step back from the presumptions and habits that trap thought in grammar. While these pictures,

*may be held by their proponents to be representations of reality, they are more accurately to be understood as regulative … pictures regulate possibility and impossibility: what can and cannot be done, what is ‘real’ and what is not, what is ‘false’ and what is ‘true’, what ‘exists’ and what does not, what is ‘ethical’ and what is not, what counts as ‘universal’ and what does not.* (Pin-Fat, 2010, p. 19)

The regulative pictures produce certain possibilities of action and make more likely the elision or refusal of others. In doing so, they are not merely an accidental or unwelcome imposition on the subjects who ‘see’ them, but something in which subjects are (re)produced and invested, by which they may be comforted against the terror of not knowing such boundaries, and against the vertiginous responsibility of co-existing with Others in the absence of any ontological or ethical guarantee.

**Why ‘scenes’?**

Why, then, do I want to talk about ‘scenes’ rather than ‘pictures’? Firstly, selecting a new term enables me to make my own connections and leaps, forces me to think for myself, even if I may end up somewhere already well-travelled by others. It lets me connect with vocabularies and incorporate insights from other critical thinkers such as Judith Butler, Jacques Derrida and Slavoj Žižek without tying myself down in efforts to be faithful to one, to use terminology ‘correctly’ or to produce a synthesis. I also hope to keep the strength of an ‘ordinary language’ quality where possible, to combine a hospitable writing
style with a license for a certain degree of theoretical promiscuity and playfulness. I have found, as I hoped, that ‘scenes’ can provide an accessible way of discussing potentially highly complex concerns with people unfamiliar with or uninterested in poststructuralist concepts and vocabulary. This has the potential to enhance the persuasiveness of my argument and my approachability, and to improve conversations amongst differing viewpoints by clarifying different sets of assumptions and positions as not merely disagreements within the same world.

Secondly, I think that ‘scene’ works nicely in already carrying certain additional connotations outlined below, compared with ‘landscape’ or ‘picture’. Both ‘landscape’ and ‘picture’ potentially tend towards a spatializing metaphor that might imply a certain static or synchronic aspect where as I wish to focus on temporalities also. ‘Scene’, drawing in connotations of cinema, narrative, characterization, stage setting, audience, directorial functions, and performance, reminds me to include time, teleology and narrative which are central to my particular purpose.

**Ethics and the desire for ontology**

My preference for connotation rather than definition, and my choice to resist fixing meaning are not intellectual laziness – rather they are performatively appropriate to the ethos of this thesis. Ethical enquiry can be undermined by metaphysical seduction, leading to a tendency to impose our ethical concerns onto the enquiry and its objects, even at their expense. If we are to be open to encountering uncomfortable answers, if we are to resist the tendency to impose the answers with the form and presumptions of our question, then we need to be willing to let go of needing to know what the real ethical response is.

Ethics (the problem of relation to the other), ontology (what exists? what is the nature of its existence or order of its reality?), and epistemology (how can we know?) are all intertwined with one another and with the purpose and desire of enquiry. If we hold tight
to the desire to know with certainty what an ethical response (to slavery, for example) is, we must hold similarly tightly to a belief that we can know to what it is that we respond (what ‘slavery’ is and what is the nature of its reality), and that we can know what would constitute a truly ethical response. Alternatively, we might admit that ‘slavery’ does not merely refer to an external order of clearly demarcated phenomena but cling to the need to produce a definition in order to be able to clearly target ‘it’ or have secure knowledge about it. In the latter case, the coherence of ‘slavery’ as an object is less a matter of ontology than a project necessity: it reflects our desire rather than ‘reality’. Both moves will be seen in the following chapter. Subsequent chapters (with the notable exception of Chapter 5) explore the effects of keeping such a tight grip. Metaphysical seduction is perhaps most seductive precisely when the questions at hand seem as obvious and urgent as they do in anti-slavery. This may go some way to explaining the anti-theoretical, anti-critical tone of much neoabolitionist discourse.

**Ontological diffidence**

Conversely, I favour what we might call ‘ontological diffidence’ – not an outright rejection of ontology but a displacement in favour of questioning and resisting the grammar of ontological questions. This ontological diffidence is something I see in Judith Butler’s work (particularly her earlier works, such as Butler, 1993, 1997a, 1997b, 1999a, 1999b). She does not ask “what is the subject?” or “what is gender?”, but instead pays close attention to the impositions of the grammar of the enquiry, or the grammatical presumptions of objections to her work (the preface and introduction to *Bodies that Matter* are masterpieces in this regard). She tends to proceed not by defining an object of enquiry, but instead by tracing around it with various thinkers always with an attention to the effects of tracing in that particular way. Thus, for example, by the end of *Gender Trouble* the reader has thought through, or around, ‘gender’ with Althusserian interpellation, with Foucauldian discipline, with Lacan, Freud, and Kristeva, in terms of language and of embodied performance.
among much else – to which list *Bodies that Matter* adds Derrida. No one tracing ‘wins’: none supersedes the others, nor does Butler force them into a smoothed-out *synthesis*. Each contributes in Butler’s deft hands to a considerable critical purchase and a renewed possibility of seeing—and maybe even resisting or refashioning—one’s own subjection. One is left with the feeling that although one hasn’t read what gender ‘is’, one has glimpsed ‘it’ anew somewhere in the space left by our tracing. Indeed, the movement of thought back and forth, and the effort of active reading required may be said to *perform* a certain resistance to metaphysical seduction (in Butler’s terms the metaphysics of substance) that nicely mirrors the insight that gender was performative all along.

Refusing the notion of a single logically coherent, external, and representable reality is not a blank cheque for evil, as one might assume from the anxious wails of indignation that often greet poststructuralist approaches. It is not a warrant to say, think and do just anything, nor to abandon ethics or morality, rather it is a call to engage with them in a different way. It is *not* a belief that anything is equally valid, nor a wholesale rejection of ‘truth’. Refusing ontological absolutism and the seduction of metaphysics is not an abdication of responsibility – it is the condition of possibility of responsibility. Refusing the assumption there is one pure unconstructed “world”, “logic”, “consistency”, “systematicity” lets us see that there are worlds, logics, consistencies, and systematicities whose regularities are at the same time regulative. The notion of a scene (instead of ‘the world’) is intended to act as a constant reminder of this, to myself as much as to the reader.

**Senses of ‘scenes’**

I do not intend to formally define a ‘scene’. The point of using the term is to draw flexibly upon multiple connotations. I do not claim that a ‘scene’ constitutes a radically new way of looking at the world, representation or ethics. Rather, ‘scene’ appears to me a felicitous term for my purposes, allowing multiple connotations rather than precise definition.
Scenes do

A ‘scene’, in my sense, does not exist per se, in that I do not posit ‘scenes’ as something ontologically independent and causative (though this can serve as a useful catachresis). ‘Scene’ is a name for a bundle of aspects – ontological, epistemological, methodological, affective, normative, temporal and so on – that I find together, or perceive as interrelatedly important and intertwined, or characteristic of particular efforts to constitute a response to slavery. A scene is not the world: it is a shorthand for a set of practices and possibilities of sense-making, and of making sense of oneself and the world. As such it exceeds any individual, it names something with a significant and insistent social reality that cannot be simply wished away, but at the same time it is socially constituted. In terms of what a scene does, it sets (imperfectly) the boundaries of thought, affect and possibility, and it tells us what’s at stake. A scene is performative and (re)iterated/iterable, not monolithic or hermetically sealed and totally or perfectly imposed. Some aspects may intersect accidentally and others systematically. There may be frictions and incompatibilities (though to some extent ritualistic repetition can act as an imperfectly articulating ‘glue’, holding together otherwise incompatible aspects).

Direction and selectivity

Scene-setting may refer to its everyday sense: an author can quite deliberately set a scene, descriptively, narratively and explicitly, as does Bales in Disposable People, to which I referred in the Introduction. Scenes are not limited to such an introduction, but introductions are a particularly clear locus of scene setting. This type of scene setting seeks to create a picture for the reader. It does not only relate facts or present a story. It also gives them a picture of the world, the author’s motivation, purposes and approach and a (regulative) picture of themselves and others within that world (see below regarding ‘cast’ and ‘audience’). In this sense, scene setting is a matter of making a preliminary truth claim and/or rhetorically
preparing a space for such truth claims or normative injunctions, their standards of truth and accompanying tropes.

Scene-setting allows for, but does not presume, authorial intentionality (nor is it limited to singly authored works). A writer or speaker may or may not intentionally and consciously set a particular scene, but scenes will be set, presumed and produced regardless. It should by now be a truism to say that the text exceeds the intentions of the author. It is not my purpose to excavate the motivation of authors or to posit a unitary author who would have such a motivation as a predicate. I do not propose to separate intentional and unintentional scene setting. The scenes I draw out are not the only ones possible, but they do have important effects. Regardless of authorial intent, there is an ethico-political ‘choice’ (or potentially a depoliticizing choice) in how one sets a scene, and in setting out that scene that particular way. The scene thus may have something approaching a ‘director’ (or at least a directorial function) directing action. This may be explicit, as when authors adopt a prophetic and pedagogic mode explicitly seeking to guide action in particular ways that make sense in the context of the scene set. Alternatively, it may be implicit and subconscious. The choice of scene and its framing has particular effects which may exceed—or even militate against—the author’s stated intentions which are themselves already enabled and constrained by pre-existing discourses and imperatives. It should be clear that by ‘choice’ I do not mean that an author can take sovereign charge of the scene’s effects, nor can they avoid setting scenes. However, laying out or uncritically re-iterating a scene as the truth and as representative of the world forecloses recognition of this contingency and precludes an ethical awareness of such selectivity.

Scenery

We may think in terms of ‘scenery’ as the representation of the world presumed and produced by a scene as the base for or background to action, characters and audience. It may be particularly obvious when set out explicitly but may also be a tacit framework in
which things come to be intelligible. It is nevertheless an active (re)staging. Through delineation or habitual presumption of ‘the problem’, specific ontologies and epistemological and methodological commitments, cast, past, future, a scene leads towards specific questions and specific kinds of answer which are deemed possible, plausible or desirable, whilst at the same time producing an abject domain or ‘obscene’ and an unseen of questions, phenomena and subjectivities that do not appear. An analytical (if not always a practical) separation can be made between the unseen, which can be thought of as that whose invisibility tends to be habitual, and the obscene, which refers to that scandalous supplement whose elision is necessary and without which fundamental aspects of the scene cannot work. By fundamental, I mean to say they are a privileged ground (fundament) on which other aspects of the scene stand. Other aspects may be important and favoured but perhaps open to reconsideration. The fundamental and privileged scenery tends to be where we look for the levers that will enable intervention. If the world is understood as consisting of certain objects (for example, states, laws), and containing certain phenomena (for example good and evil, or freedom and slavery, or particular configurations of economic rationality) then it is here we can expect to seek points of intervention. We can imagine our heroes on stage looking around at the world (scenery) and selecting from it those pertinent phenomena and practices that can be tools to advance the narrative in a desired direction.

*Mise-en-scène – scene as aesthetic*

‘Scene’ may also be considered as akin to a cinematic or novelistic mise-en-scène. Even were we to accept a purely positivist epistemology and hence a neutral truth, setting a scene would remain a representational and rhetorical act. Setting a scene is an aesthetic, artistic and directorial act, one with dramaturgical and affective force and with political consequences. We can think of setting a scene as on a stage, or for a shot in a film. To stretch the metaphor, one would position particular players amongst the scenery, even choreograph
their movement. The camera (or viewpoint) is situated, and a selective shot framed. Particular objects and characters are presumed to exist or to be possible, and selectively (de)focused. Existence is posited and to be understood within certain terms. That is to say, a scene carries with it a specific ontology, and a metaphysically seduced commitment to ontology – there is a ‘cast’, as-it-were, of both people (or types of people) and selected aspects of ‘reality’. Focusing on scene as scene helps remind us that it is to an extent arbitrary and selective, and should not be conflated with all that is. It encourages ontological diffidence. It can also help us notice the particularity of characteristic questions in a given setting, how and where to look for the answers and who looks for them.

**Time in/of the scene**

In the sense of a scene as in theatre, literature or film, the notion of scene is not limited to initial positioning but also implies an extended narrative span of time, whether open or delimited. It may encapsulate narratives, a timeframe, and particular temporalities. Narratives—which may appear coherent or incoherent, intelligible or unintelligible, believable or unbelievable in the context of prior expectations of structure, progression and rhythm—can be crucial to stabilising and reiterating, or destabilizing the scenes which/in which the narrative performs. The scene setting may begin ‘before’ (in time or in textual layout) a narrative, but narrative may retroactively install or alter the scene. Each is potentially immanent to the other.

A scene enacts temporalities: it conveys certain understandings of what time is, and may presume or articulate specific relations of the author, audience and objects to time and to history. For example, it may make reference to a presumed (self-)image of (our) modernity. It may draw on images of the future, or draw lines with respect to specific pasts as the past, explaining and stabilising the present and laying out a particular promised (or threatened) future. Secondly, by temporality, I also suggest that scenes contain (or perhaps fail to contain) and produce characters whose attributes only make sense if their existence, their
being, and their (and our) relation of self-to-self has certain performatively instated temporal and ontological characteristics (see ‘Performativity’, below, and ‘Accountability’ in Chapter 6).

A present is constituted and a future inaugurated – things are set in motion with a call of “Action!” (often quite literally in neoabolitionism), and there will be a moment when the curtain figuratively comes down, as-it-were, a telos. There is also selectivity: some are kept waiting out of shot or in the wings, to be brought on later at the appropriate time to begin their choreographed progress through the scene. Some will only be recognisable through that choreography. Others will not appear, or will appear only through others’ witnessing, through another’s ‘gift’ of voice, only intelligible through a translation.

**Cast**

Scene implies a cast, perhaps including individuals but often of character types, with recognisable archetypes and behaviours – those who will be seen and heard, for whom a place is made. Characters may be permitted to be complex, but often may be morally loaded archetypes such as perfectly helpless victims, moustache-twirling villains, irresponsible fools unaware of important goings on, or brave heroes and savvy witnesses. We may also ask what characters are excluded. Who will not be able to make sense? Who will have no role, or none they can bear? Who will be recognisable? What will be easily believed, by whom, and what will be unintelligible to a particular audience? What audience will be addressed? While characters are scene-specific (though often instantly recognizable as genre stereotypes), there is one role that is ubiquitous: scenes imply an audience.

**Audience**

The audience’s role is multiple. In campaigning literature the audience is not easily separated from the cast, being explicitly enjoined to play a role themselves. Here the
specificity of the address is important – what presumptions are made about the audience, and what are we invited to presume about ourselves? Who is not spoken to? In assuming a role the audience is not passive – it requires an active participation on some level – to think through things in certain ways, to take action and to feel. There is no guarantee of success but the scene and its texts offer and favour particular sorts of action, particular positions and scripts for the audience while de-emphasizing, eliding or forbidding others. There may be no clear-cut ‘fourth wall’, as-it-were, but there is a distinction presumed and reproduced between the privileged viewpoint of the audience and those (re)presented as objects of concern. Keeping this stage metaphor, I would like to suggest there is a (usually unacknowledged) politics in producing a specific fourth wall – a specific set of connections and separations, imaginary barriers or imaginary shared communities in which certain addresses are to be possible.

**Understanding responsibility, learning hospitality**

Not only are we encouraged to perceive particular character types, and to understand others in those terms, but we may also be encouraged to see ourselves similarly, situating ourselves in relation to the scene and to its embedded assumptions about what it means to be responsible to others, what it means to be a good person or live ethically, to face up to our responsibility. If we are to be actors, then we must have some idea of what constitutes action, thus the scene is where we make sense of ourselves, where we make sense of what is wrong with the world and where we learn what possibilities of resistance or action are available. We are offered scene-specific understandings of responsibility, of political community, of others and our relation to them. In the context of a specific understanding of responsibility masquerading as universal, we can intuit what is ‘right’ behaviour, or what it would be to admit others into our sphere of concern and respond hospitably to them. Hospitality here is an ethical stance, but crucially a rule-limited one that comforts and
protects the self from the infinite demand of the other (this will be further considered in Chapters 5 and 6.

**Performativity**

In understanding the importance of being able to make sense of oneself within a scene, the stage character metaphor can only take us so far. There is indeed a theatrical element, however, ‘performance’ in a thespian sense might suggest clear separation between the person of the actor and the person of the character they play: there is far more at stake in our collective belief in these characters than this might imply. I want to foreground and play on the implication that along with a scene come *performances* (more accurately, *performativities*, distinct from an understanding which would see the stage and cast as *the* world and true *identities*). Following Judith Butler, the notion of performance does not imply a free, prior, *actor* (rational or otherwise) who enacts a performance as pure conscious artifice. Rather it is through reiterated acting in regulated and constrained circumstances that actors appear, come to be recognisable and intelligible, and acts appear attributable to *an* agent. Against the visible, normative performativities, there are the unseen and unseeable – the abjected, unintelligible, unlivable subjectivities and bodies.

The roles and constructs of a scene are a partly conscious, partly unconscious collective fantasy akin to Judith Butler's explanation of the persistent appearance of gender as seemingly grounded in essential nature (Butler, 1993, 1999a). Butler's formulation of performativity describes a complex interplay of citation of regulatory norms through which subjects come to be intelligible.

In dominant understandings of gender to which Butler responds, ‘gender’ (often conflated with ‘sex’) is understood as an *attribute* grammatically predicated to ontologically prior and temporally pre-existing subjects. Thus the grammar of gender enables (and in this dominant form *demands*) that we (can) say “I am male” or “I am female” as a report of fact.
The subject that speaks this and the reality of its attribute are each posited as having an ontological status independent of discourse and of practice. This reality is seen as being expressed (the “I am”). The attributes themselves, when thus understood as natural, are posited as existing outside of the time in which they are expressed – they appear timeless insofar as they are held to be universal and essential. As timeless they are also anterior: they pre-exist any given subject’s citation of them. While Butler develops this in terms of gender, it might equally be applied to many other supposed ‘attributes’ that attempt to impose simplistic categories onto norm-discomfiting complexity. Among these could be ‘good’ and ‘evil’, ‘helpless’ or ‘agentic’, ‘choosing’ or ‘forced’. Such distinctions demand an either/or determination and promise the comforting, knowable simplicity of essence. Thus scenes may be said to differentially distribute supposed attributes such as ‘agency’ to particular individuals according to practices of recognition. They also constrain the domain in which the either/or question is to be considered – once one asks if someone is forced, you are already subscribed to a particular understanding of free will and atomistic subjectivity. The dependence of much neoabolitionism on such a simplistic understanding of ‘agency’ will be explored in the following chapter, and some of its effects in subsequent chapters.

Butler’s citational reading inverts this (a)temporality of ‘essence’: instead of a temporally bounded subject acting in ways that express prior natural attributes, there is instead what Butler calls a “reiterated acting” by which the subject becomes intelligible in reference to regulatory norms, and by which the norms themselves are retroactively (re)installed. The subject does not stand separate from or before its gendering – one is, for Butler, ‘girled’ or ‘boyed’ long before one can take the grammatical subject position ‘I’ – the subject is expected to be always already gendered. A condensed historicity of citations of gender norms produces the apparently pre-existing (strictly speaking, apparently atemporal) coherence of the norms themselves. What appeared to be the immutable materiality of
gender is thus revealed as vulnerable to re-citation and different materialisation through performances that destabilise the distinctions on which gender norms rest. This is not a simple wilful act, but nor is it devoid of political potential. There is resistance in recitation, but the effects of such ‘queering’ are contingent and contextual rather than being predictable in the abstract.

**Affect, Desire, Attachment, Enjoyment**

There is a sense in which the scene must have a psychic reality – for us to inhabit it, it must in some way inhabit us. For Butler there is a psychic pain in undergoing the interpellations and micro-policing that produces conformant gender performances, and in subjection in general (Butler, 1993, 1997b, 1999a). Non-conformance may threaten psychic pain and bodily danger, even death. Paradoxically this painful subjection is also a condition for agency – the source of both the psychic pain or cost of defying (or failing to live up to) constraining norms, but simultaneously enabling the subject to assume its grammatical position. Butler refers to our ‘passionate attachment’ to subjection. The flipside of this, however, would appear to be that such ‘passion’ is politically important – some forms of power need and work through and as our affective investment in the reality of discursive constructs. If so, we are bound to the scene’s meanings and to one another’s meanings (and it bound to us) *irrationally and unconsciously*: our felt experiences of self, of truth and of purpose can neither be divorced from nor reduced to our rational beliefs about ourselves and others. Such irrational affect props up and gives force to our perceptions and to our attachment to particular forms of rationality within a scene. Similarly, when phenomena or others are not as expected, or are unexpected, that irrational kernel can trip us up. That which reinforces our convictions may be in a sense ‘comfortable’ – even when it is facts that we abhor at least we know where we are, and we might enjoy responding. That which shakes our convictions comes up against our fears, our desires, our guilt and our irrationality.
This goes some way to illuminate both the violence that dominant norms do and why queer performativities can evoke such hostile and visceral responses from those invested in conservatively sanctioned ‘natural’ identities – how non-conformity can feel like such a threat. It also perhaps explains why opposing views, particularly those that question fundamental presumptions, can evoke similarly visceral responses or result in mutual incomprehensibility amongst those engaged in anti-trafficking, an endeavour of especially strong convictions. Those things felt at a most visceral level are perhaps those least likely to be interrogated, and may be powerfully woven into the functioning of a scene.

As seen in the introduction, biographical and autobiographical narratives can perform a powerful emotive function as well as produce a certain authority, credibility, or appearance of truth. Narratives combined with the broader aesthetic aspects of scenes set a tone, perhaps of outrage, or shock, urgency, rarely caution. This affective tone, for want of a better phrase, is not merely an experience for the reader. The reader is not clearly separable from affect, nor is affect limited in its effects to the reader. This tone is part of the view of the world favoured by a particular scene – a world to be afraid of, a world to be master of, a world of crisis, a world of order – there are many possibilities. ‘Tone’ can also be an aspect of genre – expectations of tragedy or triumph, excitement, fervour – a way in which the stories told and heard in a scene are felt, experienced and anticipated. Nor is it clearly separable from ‘truth’: objects, questions and solutions are not only constituted through discursive practices, but also animated by and productive of particular tones. I want the notion of scene to also connote something more than just the field in which this rhetorical function occurs, rather I want to include in a scene a specific differential distribution of affect, which is hugely important in producing possibilities of interaction and likely responses to others. By speaking of ‘distribution’, I wish to connote that this, as with many of the other aspects of scenes and of inter-relation, is not a sovereign, fully subjective or intentional act but a set of tendencies. Our likely response to others depends on the cast of
characters – in part, we make sense of others accordingly – but our response to others is not only a question of whether we understand them or accept them, or of any other intellectual or conscious valuation. There may be a habitual set of pre-reflective, pre-conscious, pre-rational (but nonetheless historically embedded) responses. By this I mean something approaching Judith Butler’s understanding of grievability (only across a broader range of emotional and affective responses and political performances of value), wherein certain bodies, certain lives are not seen or felt as grievable and concomitantly not quite seen as lives and felt as losses (see Butler, 2009). Conversely, perhaps some lives are felt particularly important, even to the extent that they are commodified and feelings about them fetishized. Such pre-reflective valuation differentially distributes concern, interfering in any scene where one is responsible before another (see also ‘Scenes of Address, Face(s), En/Countering Responsibility’ below).

It should be noted that by ‘distribution of affect’ I mean a two-way process often but not necessarily aligned with discursive constitution of political categories. One cannot say “no-one grieves a certain group of people” (or for that matter, loves or welcomes or is revolted by, or any other visceral response), without also presupposing a particular set of people who might or might not have such a response. More accurately one could perhaps say that ‘we’—a specific ‘we’ located in specific contexts—experience certain affect, and the ‘we’ and ‘them’ are co-produced and co-constitutive. Affective and discursive distinctions form an inextricable visceral performativity. ‘Distribution of affect’ implies distribution on both sides of this binary of ‘us/Them’: indeed differential affective responses to members of a particular community rather than another are precisely part of what stabilizes ‘us’, ‘them’, and the ‘/’ – that is the clear separation and implied hierarchy and differentiated concern.

Concern, in the form of sympathy, empathy, grief, care or any form of affective attention is not necessarily ‘good’ for the recipient. For Butler, though, their absence is dangerous: the ungrievability of certain lives serves to enable profoundly unethical actions in the name
of ethical action. Only by differentially valuing some (as habit, in terms of affective response) do certain politics become possible (Butler, 2004, 2005, 2009). It may seem from that premise that it would be ethically preferable for all lives to be grievable, an intuitive position. However grief and sympathy are troublesome gifts: whilst I would wish any life to be grievable, it does not follow from that that any life should be grieved, nor that everyone would welcome such grief or from whom (or by extension any other affective and memorial process) or the actions it supports and renders meaningful. There is potentially a possessive, self-regarding quality latent in affect ostensibly experienced for another, as will be a recurring theme in the remaining chapters. Affective aspects interact with but are distinct from discursively constituted subject positions, instead providing a sort of (e)motive force feeding off, and into, particular courses of action. A scene tends to produce a specific distribution of affect with profoundly political consequences, and this affective split is tied directly to, maintaining and maintained by, the metaphysical seduction of the ‘reality’ of the scene. Seduction may apply to particular subject positions, and the enjoyment possible in shared experiences of such positions, materialized in particular practices. A scene might thus also imply a community (as in ‘gay scene’ or ‘musical scene’) – a milieu of activity, companionship, or some shared experience or goals. This sense too implies a performative aspect and an affective-psychic aspect insofar as it is constituted by shared repetitious acts and experiences. It is also interesting to pursue the broader sense of affect as embodied sensations – quickened pulses, rushes of excitement, waves of nausea, tensed muscles or countless other visceral sensations that play over and within our bodies or sweep through crowds – making a mockery of attempts to bring them into language and of detached considerations of ‘subjectivity’ or ‘discourse’.

One approach to bringing that unruly realm into thought, without systematizing and defining it, may be to bring in Žižekian ideology and jouissance. Although the terminology is not synonymous with mine or Butler’s, there are similar critical concerns at stake in Ilan
Kapoor’s use of Žižekian notions of ‘ideology’, the ‘Real’ and enjoyment to critique celebrity humanitarianism. This can usefully expand the framework I have outlined so far, and raises questions about its ethico-political potential, and what might constitute resistance.

‘Ideology’, in Žižekian terms, “designates a totality set on effacing the traces of its own impossibility” (Žižek, quoted in Kapoor, 2013, p. 7). This mirrors my contention that a scene masquerades as reality. Ideology here is the movement of metaphysical seduction as creative production—not repression—of reality. Social reality is necessarily incomplete – it is already a masquerade operating as a defense against what might be called ‘uncomfortable complexity’. This refers both to ontic difficulties and traumas that we may simply want to ignore in order to bolster our understanding and the fantasy of acting decisively, and to a similarly traumatic ontological uncapturability and uncontrollability that allows no final comfort from the demand of responsibility to others. ‘Defence’ here implies both the English sense of ‘protecting from’ and the French défense as ‘prohibition’ of such traumatic complexity. The scene (or ideology) effaces that traumatic complexity or un-comfortability, offering comfort through belief, through particular ways of acting and of bearably being in the world.

‘Ideology’ in Žižekian terms is close to my understanding of a scene’s relationship to reality not only in the sense that it masquerades as reality, but also that the social reality produced is, as noted above, a collective fantasy. Ideology is conceived not as false consciousness opposed to a true external reality, but as a

*fantasy-construction which serves as a support for our ‘reality’ itself … The point of ideology is not to offer us a point of escape from our reality but to offer us the social reality itself as an escape from some traumatic, real kernel. (Žižek, quoted in Kapoor, 2013, p. 7).*
As a ‘fantasy-construction’, it depends upon the non-rational elements of belief and enjoyment (Kapoor, 2013, p. 8). Kapoor stresses that for Žižek, belief is both irrational and materialized. We may believe we have reasons to believe what we do, and believe that it is for these reasons that we believe; but belief is not ultimately a matter of such persuasion and rationalization. This is inadvertently revealed by the child who responds to every ‘answer’ with another “why?”. Our beliefs, as with the endlessly deferred chains of meaning in language and the citations of gender norms, rest on other beliefs that rest on still other beliefs, upon others, ad infinitum. Eventually, continuing down the chain, there must be a submission – a moment when the child believes, or behaves as if believing, because they must – a moment when the parent says “because I said so” not because the parent does not wish to share their reasoning, but because ultimately, traumatically, there is no reason (they too are subject to such a moment):

The ultimate justification for parental (and societal) authority is tautological … this absence of a ground for the parental injunction is typically our first experience of the missing binary signifier that would provide a sense for the senseless master signifier. (McGowan, quoted in Kapoor, 2013, p. 8).

There is always a submissive act of belief before belief. Rationalization comes afterwards. The anxious production of belief (as materialized performance) in Butler’s performativity strives to hide precisely such a traumatic absence of grounding. It is in a similar sense that Kapoor notes that belief is externalized and materialized in custom:

Going along with the Law … even if grudgingly, is already a step towards consent; but with repeated submission over time, the Law is finally confirmed as belief, and it is as though one already believed in it because it was always true, right, and just. (Kapoor, 2013, p. 9)

In its mechanics of repetition, this might sound very much like Butler’s performativity, but there are differing emphases, difference valences to their approaches. This approach seems more pessimistic, and emphasizes the successful repetition of submission, whereas Butler
cautiously emphasizes the iterable Law’s vulnerability to recitation: although there is repeated submission over time, there is always the possibility of withdrawing belief by acting differently. Precisely because belief is materialized, different materialization implies different belief or even the possibility of revealing the artifice. This may be a resource for resistance but also a source of traumatic uncertainty / unknowability.

Žižek cautions that ‘ironic distance’ may be limited in its potential for resisting the seductions of ideology: ideology does not need our unquestioning identification, rather “it thrives on allowing us a certain distance from it, a space from which we can ‘dis-identify’ with the power regime”. (Kapoor, 2013, p. 11) Indeed, a certain feeling of being able to transgress or maintain detachment, while carrying on much as we might otherwise, strengthens our psychic investment in that prevailing ideology precisely insofar as we enjoy our non-conformity (Kapoor, 2013, p. 11). How far this accommodation or appropriation can be pushed – whether disidentification will prove revolutionary or conservative – is not definable in advance, but must introduce to any project of change an extra layer of tactical consideration – an additional responsibility to attend to the effects of the unconscious.

As unconscious, and even able to be ‘outsourced’ (Kapoor, 2013, p. 9) to the ‘other supposed to know’ by virtue of their presumed expertise or profile, belief and enjoyment operate materially in our actions as noted above (Kapoor, 2013, p. 11). Kapoor shows this to be at work when we ‘know better’ but carry on regardless, for example when we know goods are cheap because of sweatshop labour but mostly we buy them anyway, or when we donate to the charity foundations of self-aggrandizing celebrities because we still believe in their motivation, or presume they are still doing something (Kapoor, 2013, p. 11). Both Butler and Žižek can be read as implying we should be very suspicious of easy, enjoyable fixes.
In focusing primarily on what she describes as “the formative or generative effects of restriction or prohibition” (Butler, 1997b, pp. 87, my emphasis) and in her later work addressing affect in response, Butler does not really engage with enjoyment, which is necessary for my purposes here in thinking through the affective injunctions and possibilities of a scene.

享受 is explored by Ilan Kapoor, drawing on Žižek, in the context of celebrity humanitarianism, philanthrocapitalism and charitable shopping (of which more in Chapter 4). Beyond the quotidian sense of enjoyment, it refers to jouissance, a “libidinal surplus … that constantly drives yet troubles human pursuits” (Kapoor, 2013, p. 9). It is inherently irrational, a surplus ‘something’ that drives us beyond and even against our reasoning. There are things we have good reasons for doing that we often don’t do without that something extra – the buzz or kick we get out (or unconsciously seek to get out) of something. This is not limited to positive emotion, rather it is a sort of affective ‘charge’ that can be transgressive and even painful – we can ‘enjoy’ the viscerality of horror, or indignation. It is also pursued – desired – leading to more desire even when we feel deep satisfaction, and driving irrational envy when we feel ‘our’ enjoyment has been stolen by another (Kapoor, 2013, p. 10). The circulation and pursuit of jouissance operates like an economy of libidinal investment. While fantasy helps structure desire (Kapoor, 2013, p. 10) with the (deferred) promise of future satisfaction, the pursuit of jouissance provides a kind of motive force and support for fantasy. Collectivities exist in part by organizing jouissance – as when people are comforted by nationalist, bureaucratic or religious rituals (Kapoor, 2013, pp. 9-10), enjoy shared experience (or experience shared enjoyment). This is implied in the social connotation of ‘scene’ noted above, but is relevant to potentially any group, perhaps especially among those self-identifying as part of a movement. Kapoor emphasizes “the thrill we get from feeling unique (e.g. as celebrity, humanitarian, or activist)” (Kapoor, 2013), though such ‘uniqueness’ is oddly collegiate. The desire to do something is a desire for such a thrill, for the promise of satisfaction from doing something, a libidinal ‘pay-off’. It is
not that we only help for cynical self-interest. Rather, this understanding suggests self-interest and altruism are not the dichotomy they may appear to be. Our enjoyment, then, and affect more generally, may be subject to characteristic manipulation or deployment in a particular scene. Thus metaphysical seduction may intertwine with the seduction of promised satisfaction.

**Scenes of Address, Face(s), En/Countering Responsibility**

I suggested above that a scene produced a specific ‘fourth wall’, i.e. specific separations and distinctions. I also suggested that differential distribution of affect between constituted positions alter our response to others. That moment of demand/response needs further consideration. A scene is always also a *scene of address*, or more likely involves multiple scenes of address. It constitutes a set of relations, and specific forms of relationality. That is not to say that readers, for example, or border guards or victims have no prior ontic existence or material differences – they clearly do. Rather it is to suggest that it might be worth considering a general model of encounter, and how a scene might affect it. It will be useful to briefly introduce a Levinasian notion of ‘the face’. The face eludes attempts at definition (Butler, 2004, p. 132) but has several valences. My use of this term draws on Judith Butler’s theorisation of the exposure and vulnerability of human subjects to one another and to representations of others. The Levinasian face, while “not precisely or exclusively a human face, … communicates what is human, what is precarious, what is injurable.” (Butler, 2004, p. xviii) The face is that which poses the question of ethics, which demands response. As such it is an imposition, not something with which I am face-to-face as an equal but something which towers *above* me (Butler, 2004, pp. 131–132), yet does so in part because of the possibility that I threaten the other. Its impact is not of the order of willing, acting before the possibility of willing (Butler, 2005, p. 85), though we may sometimes be wilful about our responses. It may be said to be a predicament, that which we find ourselves *in the face of*. 
Butler de-emphasizes the divine aspect of the Levinasian face in favour of treating it as:

> an idealized dyadic structure of social life … The other’s actions “address” me in the sense that those actions belong to an Other who is irreducible, whose “face” makes an ethical demand upon me. (Butler, 2005, p. 90)

It is in this sense that I use the term. This ‘face’ is phenomenological. It is not any particular face: it cannot be considered to be produced, it has no history, it is uncoded and finally uncodifiable. This might appear troubling if we want to take a critical relation to particular situated encounters: it makes no sense to ask, for example, what discursive conditions produce the demand of ‘the face’. It is not of the order of norms, rules or discourse. Nor can we quite say that any particular other speaks its demand: its demand is made – but it is not made by a subject, it is experienced as a command prior to speech (Cohen, 1986, p. 5). At the same time a mute other, unaware of me and not gazing at me, presents a certain demand by virtue of our shared being in the world in a relation of alterity.

Yet it seems that somehow, ‘actual’ face-to-face encounters (and, at some remove, attenuated representational encounters where faces of others signify vulnerability and personhood and call upon the receiver) partake in or somehow ‘cite’ the power of the face. When we are faced with a representation of suffering such as Seba’s, there is something of that demanding vulnerability felt by the reader. Such experienced encounters are at least partly framed: they do have a history and a genealogy; they are coded or represented and as such perhaps they re-present. That is to say they may ‘stand in for’, replace or supplement the phenomenological or divine face, masquerading as the ‘full’ and complete other to whom we must respond, allowing us to ‘forget’ a more radical relatedness. We are always in practice encountering a representation, which would imply that all encounters are embedded in a logic of iterability, and productive of objects and related norms. We must therefore consider what happens when an other (or representation of an other) arrives and
a possible encounter begins. We may always fall short of responding to the infinite demand of the face, yet the arrival of another, facing us, occasions a response. That response itself constitutes an imposition on that other, or perhaps an invitation. These are questions of the possibilities of encountering others within a scene, to which I will return in future chapters.

Particular encounters, or milieux of potential encounters, might thus be considered as produced limited instances of *being in the face of* an other, *occasions* of the face that occasion specific vulnerabilities, impositions, response and experiences of responsibility, both threatening one with the scandalous alterity and vulnerability of the other and being occasions to tame it, to recuperate the self-as-active against a radical self-effacing passivity commanded by, indeed *done by* the other's alterity. The Levinasian face is an idealized *structure* of address, preceding and accompanying any actual address – it is an address before and beyond address. An encounter iterates (in) a specific *scene* of address. Encounters are preceded by scene-specific preconceptions, staging and its particular partitions: they are *prepared*, political, and inflect likely responses. Scene and structure might be considered related to one another partly as a *context* is to (or with, or through) text. We do not receive texts without context, context changes the effect of text: analogously we do not encounter the structure without the scene. Within the scene, we encounter representations – *faces* – in place of *the* face, thus in part trying, impossibly, to avoid the full force of responsibility. We may always refuse to acknowledge responsibility, but this does not undo its primacy – such refusal is distinct from avoidance or resistance. Instead, scenes give us ways to make sense of ourselves as *responding*, comforting ourselves even if before the face we must always fall short.

So what happens in such an encounter? That *the* face makes a demand upon me does not, in and of itself, say anything about how I will respond. *The* face of the other – that is, the otherness of the other, beside all specifics commands me, while the specific other may
make demands. Will I be willing (and enabled) to *encounter* another or will I try (or be only able) to *counter* the other, to avoid encounter? A perfect encounter is no more possible than completely avoiding responsibility, since the responsibility to the other is infinite. Yet we can still ask, will I *disregard* them? Will I secure myself against feeling the impact of radical responsibility by finding that I know them to be someone else’s problem, or by bringing their suffering into the realm of knowable objects? To what extent will I regard their uniqueness, their demands, their very demandingness – *meet* them, not some essence but simply *that* appearing-individual in *that* moment and not another? Will I instead meet *what* I perceive them to be – an instance of a category, an example of a character archetype – or what I was expecting already?

What of advocacy for others? Can we show the face, transmit its power? The importance of opening oneself to compulsion from the face of the other is not to be dismissed; however it is not a simple matter. For Butler, representation—or even the ostensibly direct appearance—of a face, is ambivalent, always mobilized in particular narrative functions that may undo its potential for humanization. (Butler, 2004, p. 143).

The Levinasian face does not, strictly speaking, *represent*, and no representation or human face can *equate* to it, yet for Butler certain deployments and representations constitute a *defacing*. If—insofar as they relate to *the* face—particular ontic representational and rhetorical deployments of actual faces can *deface*, that is to say they can elide the Levinasian face and purport to *be* the face of the other, then in an encounter we both always suffer the ontological persecution of the face and at the same time rarely or ever ontically *encounter* or feel its full force.

**Summary**

This chapter has outlined a vocabulary in the abstract: the subsequent chapters will employ and extend this in specific contexts. This is only appropriate: scenes are nothing if not
contextual. Thinking in terms of scenes is intended to support a critical ethos of *taking responsibility*, as-it-were, for *how we take responsibility*. This is not to suggest there is a perfect ‘scene’ that would be true(r) to the world, and in which the forms of responsibility we take and help or hospitality we give would be pure, free from violence or self-benefit, or in which we could escape our unconscious desires. Rather, it is a call to remember we are always framing our world, already framed by it, present within it, and tripped up by our own unconscious investments. When this is forgotten or denied – when the scene is deemed to *be* the world, the characters simply given, the past and future known and the narrative righteous and predictable – then we are already defended and defending against the trauma of responsibility. We can now turn to looking at neoabolitionism’s dominant scene, to explore the constitution of its objects, its subjects, past and future, its problems and proposed solutions.
Chapter 2

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Setting the scene of neoabolitionism

Introduction

This chapter explores responses of neoabolitionists to the problem of ‘slavery’, asking what scene accompanies and is produced by neoabolitionism, and what its effects may be. By ‘neoabolitionism’ I mean that body of efforts that see themselves primarily as reporting on or fighting against a meaningfully unified category of ‘modern slavery’, ‘new slavery’ and/or ‘human trafficking’, the latter increasingly ‘rebranded’ as ‘modern slavery’ (Chuang, 2015a, p. 146). The reality and definitional boundaries of these phenomena are typically presumed to be ‘out there in the world’ – this is a metaphysically seduced scene. I focus primarily on works aimed at a broad readership that seek to enlist us – that is, readers – as abolitionists, telling us about the nature of ‘modern slavery’ and what we can do to help end it. To that end, though I have widely reviewed literatures on slavery, trafficking, international trafficking law, and the political economy of unfree labour, my central focus is intentionally narrower though my citations will sometimes reflect the much wider spread of particular rhetorical moves.

I address the period since 1999. This period is marked by the first publication of Kevin Bales’s bestselling Disposable People (Bales, 1999), which popularised the term ‘modern slavery’, and by increasing state interest in defining and fighting ‘human trafficking’ resulting in the UN ‘Palermo Protocol’ (United Nations General Assembly, 2000), and the US Trafficking Victims Protection Act (TVPA) (US Congress, 2000).

Disposable People (originally published Bales, 1999; second edition 2004; revised edition 2012) marked a shift in consciousness of the notion of modern slavery, broader public awareness
of the persistence of forms of exploitation to which this name might be given, and the notion that there is something distinctly modern or new about this ‘slavery’. Probably no other single individual is more frequently cited both as an authority and as a target of critique. The book did not, of course, emerge in a vacuum: many of the phenomena Bales describes have been widely reported piecemeal much earlier in older academic and practical traditions and can also be addressed through different conceptual groupings. What seem to me to have been genuinely new were the scope of both the project and its readership, and the drawing together of these multiple phenomena under a single term. Bales’s influence may reflect the relative economic and political palatability of the scene he sets, but also reflects the enormity of his efforts (both in research and subsequent dissemination and activism, public speaking and consultancy) and his global empirical reach. He and his research team spent years aggregating and sifting data from other sources as well as their own research (Bales, 2005, pp. 95-96; Bales, 2012, pp. 8-9). A key contribution and intention of his works is bringing together this formidable quantity of research and expertise in an accessible, ostensibly systematic fashion and on a global scale, although his methodology and the quality of data have been subject to severe criticisms (Agustín, 2010d; Anderson, 2008b, p. 369; Chuang, 2015b; Gallagher; Howard; Kessler, 2015c; O’Connell Davidson, 2015, pp. 8-9). His comparative fame and the degree to which he straddles and targets both academia and public activism make him of particular interest. His influence, the timing of his work, his infectious enthusiasm, the notion of a specifically modern form of slavery, and the confidence of his definitions all matter for the scene in which many people understand the phenomena discussed, and how they implicitly understand themselves as free, against the background of a new abolitionism.

Since the late 1990s and early 2000s, there has been an enormous rise in interest in these phenomena in academia, in government, in the press, and among the public, nowhere more so than in the USA. The TVPA and subsequent reauthorisations have formed part of a
substantial engagement of the US state in legally defining and combatting ‘human
trafficking’. The term ‘trafficking’ predominates in US legislative discourse, but is explicitly
understood as ‘modern slavery’. President Barack Obama declared in 2012 that it “must be
called by its true name—modern slavery” (Obama, 2012), and began a series of annual
Presidential Proclamations of January as “National Slavery and Human Trafficking
Prevention Month”. Since 2010 the Department of Homeland Security (DHS) has run an
ongoing ‘Blue Campaign’ of awareness raising, trainings and initiatives against trafficking
(see DHS, 2015). DHS is responsible for investigating and prosecuting human trafficking
cases, victim protection and immigration relief. The USA has taken on something of a role
of ‘global policeman’ through the work of the Office to Monitor and Combat Trafficking
in Persons (OMCTP), which produces annual Trafficking in Persons reports (TIPs) ranking
other countries’ governments on their compliance with what the US deems minimum
standards for fighting trafficking. These national and international actions are embedded in
and further entrench specific, depoliticized, formulations of slavery and trafficking that sit
comfortably with the neoabolitionist scene described here, and emphasize law enforcement
and border enforcement ‘solutions’. There is also a focus on criminalising prostitution and
treating sex-related trafficking as inherently different from and worse than other forms of
labour. In the context of the TIPs, compliance of other states with US understandings of
and approaches to slavery are actively ranked, with the threat of economic sanctions to
non-conforming states.

During the same period, countless advocacy groups have sprung up around the world.
Three prominent US examples using the neoabolitionist framing of “modern slavery” or
“human trafficking at modern slavery” are Free the Slaves (FTS), set up in 2000 (with
Kevin Bales as cofounder), Not For Sale (NFS) in 2007 (see Chapter 4), and Polaris Project
in 2002, though other organisations number in the hundreds. Also of interest is Walk Free
Foundation (WFF), founded by Australian billionaire Andrew Forrest in 2012, which produces an annual Global Slavery Index (GSI), a research project headed by Kevin Bales.

These represent only the merest fraction of a frenzy of activity that might offer hope for change including greater availability of support, immigration relief, broader openness to responsibility to others and willingness to enact hospitable policies. Yet there is also great potential for depoliticization through technocratic problem-solving approaches that fail to address—or even further entrench—aspects of global politics that contribute to vulnerability to exploitation. It is thus important to look at how the issues are framed – at the scene of dominant understandings.

This chapter cannot be comprehensive. My focus here is on a dominant scene set by and perpetuated by an influential subset of these organisations, by academics and campaigners more broadly. This does not mean there is only one scene or that it is homogeneous, but these dominant presumptions and staging are very widespread. They fit comfortably with US domestic and international political agendas, with contemporary capitalism and with a certain western neo-liberal subjectivity. The scene described here is increasingly mainstream: besides its embedding in US and wider policy it is increasingly popularly entrenched, as seen in initiatives such as CNN’s ongoing “Freedom Project” (2011-present), and MTV EXIT (2003-2014) (CNN Freedom Project, 2016; MTV EXIT Foundation, 2014a, 2014b).

There is a growing body of critical interventions from some quarters (notably, sex worker rights advocates – see Chapter 3), and in academia (see e.g. Agustín, 2007; Anderson, 2007, 2008a, 2008b, 2013; Anderson and Andrijasevic, 2008; Andrijasevic, 2010; Aradau, 2008; Brennan, 2010, 2014a, 2014b; Chapkis, 2005; Doezema, 2010; Geiger and Pécoud, 2010; Kempadoo, 2005; O’Connell Davidson, 2005, 2006, 2010, 2014, 2015; Pearson, 2002; Sharma, 2003; Soderlund, 2005). These come from various perspectives, but two common
threads they all share are an awareness of the contingency and specificity of neoabolitionism, and an attention to not just ‘victims of trafficking’ but to what might be thought of as the casualties of anti-trafficking – those individuals and groups systematically disadvantaged or harmed through the ways slavery and trafficking are defined and thought about in this mainstream. These will be drawn on as appropriate here, but overwhelmingly the mainstream appears to be proceeding largely untroubled by these critiques, indeed with the supreme confidence peculiar to this scene.

The neoabolitionist scene

What, then, are the key features of this scene, and what are their effects? The presumption is that the only possible ethical response to slavery is “end it” – categorically, and in a finite period of time as short as possible. The key question – the motive force of the scene – is thus some variant of Bales’s “What can I do to help end modern slavery?” which leads inexorably to a demand for secure knowledge – “What is slavery?” Bales’s question is intuitively appealing – it is a question of response to a phenomenon and responsibility to its victims – expressing and presuming a desire to live ethically and to effect change. But what scene does this set, and in what scene does it make sense? What past does the scene present, and what future does it promise? What scenery are we presented with, what characters populate the scene, and what audience are we called to be? What are we to feel, for whom and why? What are we to do, and what counts as action? What is missing?

In exploring these questions I focus on Kevin Bales as exemplary and influential. Several things are worth drawing out, beginning with the attempted definition of ‘modern slavery’. In Bales’s work among others, the absence of agency defines slavery and performs crucial rhetorical functions. ‘Agency’ is absent too, however, from detailed consideration: in this dominant scene it appears difficult—even threatening—to address questions of agency without being perceived as denying the reality of slavery. While these definitions are intended to tell us about slavery, their exclusions and peculiarities can be seen as revealing
at least as much about the ‘us’ they are supposed to inform, offering us ways to make sense of our world and our responsibilities within it. As Julia O’Connell Davidson succinctly states, the figure of “the slave” … works as a device to tell liberal subjects who they are by showing them what they are not.” (2015, pp. 24, my emphases). The ways slavery is defined and spoken about emphasize a clear moral separation masquerading as ontology – we are presented with reassuringly identifiable victims, villains and heroes. Moving on from the definition of modern slavery, and the seeming need for such a definition, I look at how it is written about. I identify three common tropes of introduction and explanation: the use of life stories, the preponderance of authoritative if problematic statistics, and the treatment of slavery as anachronistic, that is to say out of time, and also place. These tropes deploy a certain geographical and temporal imaginary, influencing and encouraging specific feelings. Slavery as anachronism tells a story of what our modern freedom is, or should be, and promises a future redemption of current failings. They also constitute an interpellation of, and a promise of consolation to, a particular audience – they tell us who we are, what we should do to help whom, and how – but also what we don’t need to do and who we can disregard.

Having looked at how neoabolitionism defines and speaks about its world (scene), I sketch the general forms of solution typically proposed to the problem of slavery. These focus on action as a sum of individual choices offering us a story about our own potent agency and a set of actions that promise to ‘end slavery in our lifetimes’. They promise to do so without significantly challenging the status quo: states, capital and consumption are all to be roped in as emancipatory forces through our democratic pressure on our states to fight slavery, our enlightened consumer choices and activist campaigns pressuring businesses to act responsibly. This is to go hand in hand with continuing ‘awareness raising’ through purportedly sound knowledge and presentation of (auto)biographies. Some of the
complications of these solutions will begin to be addressed, but will be explored further throughout the remaining chapters.

The need for meaning

Perhaps the most obvious requirement of the scene structured around ‘ending slavery’ is that the word ‘slavery’ is assumed to mean something in order to be able to say this really is slavery with authority, and to be able to measure its incidence. There must be something in the world to which the word ‘slavery’ refers, preferably undeniably: Bales explicitly claims there are ‘core’ aspects of slavery, and that these are “real, not metaphorical” (Bales, 2012, p. 259). A concern for formal definition thus appears in an influential subset of neoabolitionist literature (Bales, 2005, 2007a, 2012; Kara, 2009; Skinner, 2008a, p. 19 especially) but is at other times tossed aside. These same authors, along with many others paying varying degrees of lip service to definitional difficulties, often write as though what is and is not slavery is reasonably obvious, while re-iterating forcefully that it is ‘real’ slavery. (Bales and Soodalter, 2009; Bales and Trodd, 2008; Bales et al., 2009; Batstone, 2007b; Bechard, 2006; Bowe, 2007; Chalke and Blair, 2009; Cotton, 1998; Cox and Marks, 2006; FTS et al., 2004; FTS and Choi-Fitzpatrick, 2004; Gaon and Forbord, 2005; Goff, 2007; Gupta, 2007; Hunter, 2007; King, 2004; Kristof and WuDunn, 2010; Le Breton, 2003; Malarek, 2004; McDonald and Sauerland, 2007; McGill, 2003; Ojeda, 2004; Sage and Kasten, 2006) Many of those who seek definitions assume that without a sufficiently narrow definition of ‘slavery’ its meaning will be ‘diluted’ (Bales, 2005, p. 43; Craig, 2010, p. 3; Skinner, 2008a, p. 19). Some agonise (albeit often for practical reasons) over whether definitions are “too narrow” or “over-liberal, perhaps based more on the notion of ‘exploitation’” (Buck and Nicholson, 2010, p. 43).

Alternatively one might recognise that naming is not referential, but argue that the normative project requires (and thus justifies) strict definitional clarity. This remains akin to a ‘metaphysical seduction’, albeit in different modality. Desiring definitions as a normative
necessity also rests on a seduction with the project as framed. The need for solid meaning is both logical and felt. ‘Slavery’ may not be an objective thing in the world but the project is held to be an unquestionable universal good dependent on maintaining strict definition. Bales, like many, makes both moves together:

[S]lavery should not be confused with anything else: it is not prison labor, it is not all forms of child labor, it is not just being very poor and having few choices. All these things are terrible and need to be addressed, but they are not slavery. Slavery in a real, not metaphorical, form is growing and evolving. Human rights organizations must treat slavery as a separate and distinct type of human rights abuse. We have to name the problem as slavery, rather than roll it up into a mishmash of other problems. Only if we are very clear that slavery is the object of our research and campaigning can the work against slavery move ahead. (Bales, 2012, p. 259)

Bales thus claims for ‘slavery’ a conceptual solidity based both on an ontological claim and a normative claim of moral and social necessity. He seeks to define and publicise modern slavery, and to understand and expose it as it really is, to further the project of its eradication. To do this he deploys definitional clarity to claim various phenomena really are slavery, claiming he offers a precise, universal definition (Bales, 2005, p. 40) but also, with a sleight of hand, a ‘dynamic’ one. He calls for the development of a “protoscience” (Bales, 2005, p. 16; Bales, 2006b, pp. 105, 111) of contemporary slavery, and ultimately a ‘proper’ “science through the use of sound data and systematic methods” (Bales, 2006b, p. 16). Bales recognizes the complexity of social phenomena, but ultimately comes down very strongly in favour of strict simplified definitions as necessary. He promises a future in which ‘we’ will understand and stop this thing called slavery (and soon), but that future depends on naming it so.

The rhetorical power of framing exploitation as ‘modern slavery’ can bring attention and galvanize action, but can also problematically separate off those practices subsumed under its rubric from other parts of Bales’s ‘mishmash’ that may otherwise have enabled different
conceptual and practical connections. Why *this* approach? Why *this* partition of the world into ‘slavery’ and ‘not slavery’ and not some other, or multiple partitions? Bales’s answer is twofold: that it is necessary for focus and hence effectiveness, and that it reflects reality. This, however, is a circular logic: it performatively reiterates its own presumptions and exclusions as the justification for the necessity of that performance, while obfuscating its contingency and inconsistent application with what Bridget Anderson (2008b, p. 369) calls a “veneer of science”.

**Characterizing slavery**

Bales characterizes slavery as an economically motivated relationship that in its modern form is low cost, low risk, high profit (e.g. 2012, pp. 4, 54, 142; see also Kara, 2009; Skinner, 2008a). His purported basic definition of slavery is consistent throughout his work and has three core elements. It is an economic relationship resting on the use or threat of violence; it is the unpaid expropriation of labour power for economic gain (‘unpaid’ is inclusive of those who are notionally paid but defrauded of their income through debt arrangements); and consists of “the basic fact of one person totally controlling another” (Bales, 2012, p. 12). Any form of sexual or non-sexual labour or exploitation can thus potentially qualify as ‘slavery’.

In emphasising what he considers the “basic fact of one person totally controlling another” (Bales, 2012, pp. 12, my emphasis), Bales makes the *loss* of free will definitional while assuming it is obvious what ‘free will’ is. Characterizing and quoting from Bales (2005), Anderson states “it is part of the definition of slaves that their free will is taken from them and ‘enslavement is a fundamental state of being’.” (2008b, p. 369) In terms of the grammar of the scene we can see that free will appears as something that an ontologically distinct being *possesses* and which can be taken away rather than a contingent result of complex social relations. Bales does recognise that some people ‘choose’ to enter into relations that end up being ‘slavery’, given very limited options in a context of extreme
poverty: “Faced with a crisis, they borrow enough money from a local landowner to meet
the crisis, but having no other possessions, they must use their own lives as collateral.”
(Bales, 2012, p. 16) Bales even recognises that choice can be a slippery concept (Anderson,
2008b, p. 369; Bales, 2005, pp. 53-54), but he does not deal with this problem, instead
holding onto a fudged simplification.

In a scene founded upon a stubborn metaphysical seduction, with corresponding notions
of truth or falsity by correspondence with external reality, it is therefore unsurprising –
even perhaps necessary – that Bales “at times … resorts to false consciousness, for
inevitably those who are engaged in rescue missions will find some people who don’t want
to be rescued” (Anderson, 2008b, p. 369). Pop psychological understandings of the harm
done by slavery through notions such as ‘Stockholm syndrome’ enable us to dismiss the
declared opinions of those we purport to rescue when they do not accord with ours. I do
not doubt such harm occurs, that people can be brutalised into not resisting, and can form
beliefs that align with oppressors. However, recourse to psychotherapeutic understandings
is not innocent or unproblematic. They tap into pre-existing ideas of normative
personhood as it is intelligible for a particular audience. As for ‘false consciousness’, it is a
concept we perhaps cannot escape entirely, but it necessarily implies a true identity, a valid
ideology and set of beliefs against which the ‘falseness’ could be judged. I would prefer to
look at the specific effects of particular understandings than to posit one understanding as
true and another false. Holding tightly to truth as objective positions the theorist or
campaigner in an authoritative position over the (potential, present or former) slave –
defining them and potentially denying their self-definition unless it measures up to our
expectations, or rhetorically downplaying the significance of their life experiences.
Ironically, this is done precisely in the name of saving them from objectification.

The knowing researcher, possessed of the important truth, fits a simplistic *dramatis personae*
where we are assumed to know—and feel—who the heroes are, who are victims and who
are villains. These caricatures stabilize the apparent coherence of definitions such as that above. There must be villains and there must be victims, and we must be able to tell them apart. I would offer a qualified agreement with Anderson (2008b, p. 369) that in Bales’s scene,

*While paying lip service to the importance of economics and to social relations, the problem of slavery is ultimately a problem of evil. This is in the end a relationship between two people, one of whom is acting immorally and who is more concerned with profit than with human rights.*

If not in his definitions or data collection then in his more contextualised analyses of particular forms of slavery, Bales does more than pay lip service to economic and social relations – at least, he is far more careful than many activists using his ideas. He does, however maintain them as analytically distinct, and ultimately secondary to individual morality and criminality. To the extent that social and cultural factors impinge on the people, they do so as distortions or deceptions. Thus Bales can have recourse to cultural ‘norms’ to explain people’s willingness to enter or failure to escape from slavery, without asking difficult ontological and epistemological questions about the productivity of norms or any question of agency with respect to them, or seeing any need to consider cultural norms in explaining our behaviour, the forms that freedom and abolitionism take, or the practices we choose to exclude from ‘slavery’. Norms simply act on (other) people, deceiving them, or making them into dupes for the (oddly acultural, primarily economically motivated) moustache-twirling slaveholder. The slaveholder sits at the apex of a hierarchy of guilt wherein poverty may make enslavement possible, states and businesses may let slavery happen, or irresponsibly fail to prevent or disincentivize it, but villains make it happen.

Against the villains, and to help the victims, the scene needs heroes. Bales is typical in speaking explicitly of abolitionists as heroes. (Bales, 2007a, pp. 26, 32, 58; Bales, 2012, p.
I would not object to this description of many of those to whom it is applied – indeed I would enthusiastically agree – but our recognition of heroism is subjective, and that enthusiasm is political. One person’s hero – rescuing “sex trafficking victims” for example (see Chapter 3) is sometimes another person’s unwelcome busybody or violent threat preventing independent women making a living. The ascription of heroism also acts as powerful validation of particular strategies and people, and there is selectivity in who gets to be a hero. The TIPs explicitly identify heroes each year (see e.g. DOS, 2004, p. 35; DOS, 2005, p. 36; DOS, 2006, pp. 42-44; DOS, 2007, pp. 40-41; DOS, 2008, pp. 40-43; DOS, 2009, pp. 44-46; DOS, 2010, pp. 42-44; DOS, 2011b, pp. 15, 46-49; DOS, 2013, pp. 48-52; DOS, 2014, pp. 46-51; DOS, 2015, pp. 40-43). In wider discourse the role of ‘hero’ is often gendered and raced too, and tied to normative assumptions about labour and sex, such that one person’s bad woman, prostitute, illegal migrant, victim or problem may be another’s hero – or their own. This was eloquently conveyed in a report by Empower, a grassroots campaigning organisation based in Thailand composed largely of self-identified migrant women sex-workers:

_We travel for days up the mountains, across rivers, through dense forest. We follow the paths that others have taken. Small winding paths of dust or mud depending on the season. I carry my bag of clothes and all the hopes of my family on my back. I carry this with pride; it’s a precious bundle not a burden … My step is excited, weary, hopeful, fearful and defiant. Behind me lies the world I know. It’s the world of my grandmothers and their grandmothers. Ahead is the world of my sisters who have gone before me, to build the dreams that keep our families alive. This step is Burma. This step is Thailand. That is the border._

_If this was a story of man setting out on an adventure to find a treasure and slay a dragon to make his family rich and safe, he would be the hero. But I am not a man. I am a woman and so the story changes. I cannot be the family provider. I cannot be setting out on an adventure. I am not brave and daring. I am not resourceful and strong. Instead I am called illegal, disease spreader, prostitute, criminal or trafficking victim._ (Empower, 2012)
The characterizations of the dominant neoabolitionist scene can only see these women as victims or threats, suffering from ‘false consciousness’ and needing ‘our’ help – needing rescue. This is their response to ‘rescues’:

![Figure 1 – Effects of Rescues](image)

**Figure 1 – Effects of Rescues**

Detail of poster by women from Barn Su Funn Brothel, Thailand (source: Agustín, 2011b)

Bales’s ‘new slavery’ does not involve legal ownership, but rather control (Bales, 2012, pp. 24-26), though this does not prevent claims of ownership that Bales terms “legal fictions” operating as a means of control (2012, pp. 26-27). The ‘final authority’ used or threatened is, however, violence (2012, p. 5). Secondly, he emphasizes the extreme profitability of slaveholding with falling costs (Bales, 2012, p. 16) due to population growth and eroded traditional support systems (Bales, 2012, pp. 12-14).

One possible response to this emphasis on control would be to ask questions about slave agency or resistance to control. That Bales does not (though he does applaud the courage of some escapees) is typical of the neoabolitionist literature. The exclusion of attention to agency is epidemic in the scene of rescue, as is the concomitant presumption of rescuers’ freedom.
What slavery isn’t

Bales bolsters his definition of slavery by several explicit and implicit exclusions. As much as what is slavery, it is important to consider what he, as exemplary and influential, argues is not slavery. Some of that which is not slavery is itself often fuzzy. The effect of authoritatively distinguishing slavery/not slavery is simultaneously to attempt to stabilize the coherence of the boundaries of ‘slavery’ at the expense of producing another domain of ‘appropriate’ exploitation (O’Connell Davidson, 2010, p. 249). These other forms are then to be treated as acceptable, or at least less urgently unacceptable. Slavery, in this scene is not many things. First and foremost it is it is not ‘freedom’, and not ‘agency’. It is not many forms of exploitative labour, it is not structural exploitation without individual criminality, it is not crippling unavoidable but formally legitimate debt, it is not the threat of violence where that violence is structural rather than individual, not racial, not in most cases prison labour under threat of violence from the state. These exclusions are not consistently applied even by Bales – who is himself more careful than the habitual assumptions that abound in the wider discourse – and have profoundly political consequences.

Perhaps the most obvious, but at the same time vaguest things ‘slavery’ is not are ‘freedom’ and ‘agency’. As Miers notes, “[n]o definition of slavery can be separated from the definition of its antithesis – freedom” (Miers, 2003, p. 2), yet such a separation is routine and widespread. There is a presumption that we have freedom, that we know we have it, and know what it is. Considered as an attribute predicated to a separate subject it appears as something that slaves would have bad, bad it not been taken away from them. The assumption is that those who would have had freedom had a recognisable future - a presumed potential which has been lost. There is an implicit ontology and temporality here, and a particular grammar of subject and attribute. The good lost by the victim, be it freedom, virtuous womanhood, psychological wholeness, etc., is presumed to refer to whatever freedom actually is, whatever wholeness or womanhood actually is. Rather than considering what
might produce freedom, or different modes of freedom, or what freedom might be, or how our own freedoms may be curtailed or produced, “freedom” is fetishized. In the absence of awareness of historical and cultural specificity, of the arbitrariness of the scene set, ‘we’—that is regulatory norms to which we subject ourselves—remain the model, ‘we’ posit ourselves as that from which the unfortunate deviations are to be understood, and consequently rescue implies returning others to what we recognise as good. At the same time as slavery is defined as not freedom, freedom is re-iteratively constituted as not whatever we see as slavery. There is a circular reinforcement between the notions of the slave as totally controlled (i.e. not agentic), the slaveholder or trafficker as a totally controlling figure of excessive agency, and the potential rescuer somewhere between.

Consistent with the silent universalisation of a particular ‘freedom’, Bales only looks (to the extent that he does) at the history of slavery and not at all at the history of freedom(s). Freedom only figures as that which is achieved in ending slavery – there is no history of freedom interrogated, save the implicit one of the (white, male, middle class Christian) history of emancipations of slaves. The freedom of ‘free’ people (historically or in the present) is not problematized. Bales recognises emancipation was “botched” (Bales, 2012, p. 7), but shows little interest in the contingency or specificity of forms of freedom. To say emancipation was botched is very different from saying it took a specific limited form, or was deliberately sabotaged in ways that formed part of ongoing class and race politics. “Botched” implies we can do it right in future – that we (as modern) know what “right” is. Neoabolitionism thus offers us the promise of redemption, the end of slavery in our lifetimes (Bales, 2007a; Bales and Soodalter, 2009; Bales et al., 2009, p. 145; Batstone, 2015, tweets from 6th and 23rd December 2013; Free2Work et al., 2011; Hunter, 2007, p. 158; Masci, 2004, p. 289; NFS, 2012d, 2013d; NFS, 2014c, Facebook posts from 30th September, 10th and 16th November 2010, 14th September 2011, and 6th February 2012).
To the extent it appears at all in Bales’s work, agency appears as identical with the capacity of a subject to exercise rational choice, a capacity whose exercise is definitionally absent for the enslaved. Agency, conflated with “a grossly simplistic notion of ‘having free will’” (Anderson, 2008b, p. 370), forms the pivot point on which definitional distinctions of slave and free tend to hang. As far as ‘agency’ is treated at all, it tends to be considered in light of whether a coherent story can be told about why and how some action came about – that is, through an injunction to (in Butler’s sense) “give an account of oneself”, to posit oneself as the source of the (in)actions ascribed to oneself (see particularly Butler, 2005).

Neoabolitionists are frequently hostile to any attention to ‘agency’, resistance or choice, and to questions of language, as sometimes are those who could provide an alternative historical view on exploitative forms of labour. Tom Brass, whose work on unfree labour and deproletarianization could provide an important Marxist counterpoint to the dominant neoliberalism in antislavery, restricts agency to agency-as-class-conscious-organised-worker, and appears to equate any attention to acts of resistance as denying the reality of unfreedom: having combined “non-Marxists”, “anti-Marxists”, “postmodernists” (who look at resistance) and “neoclassical economic historians” as much the same, he says,

> For exponents of this view, slaves were attracted to and willingly remained on the antebellum plantation, because in the latter context they enjoyed cultural autonomy, a high standard of living, usufruct rights to land, good incomes, and were not maltreated or overworked, nor were their families split up and sold.\[\] (Brass, 2003, p. 116)

The claim that slaves may resist and exercise choices within whatever constraints are possible is hardly the same as declaring their situation attractive and willed. Similarly, to point out that usufruct land rights—even dependent on the whim of violent slaveholders—could be valued particularly in the absence of other socio-economic and subsistence opportunities is of course no ringing endorsement of the system.
Such straw-man beating is particularly common among prohibitionist neoabolitionists campaigning against all forms of prostitution using the language of sex trafficking (see Chapter 3). The feminist activist Sheila Jeffreys writes:

\[\text{What used to be called prostitution, for example, is now called sex work. Trafficking has become migration for labour. Trafficked women are migrant sex workers, traffickers themselves are agents and brokers or immigration organisers. Debt bondage, long recognised as a modern form of slavery, has become contract work. (Jeffreys, 2005)}\]

There is a similar unwillingness to admit of any subtlety. Anyone suggesting that there may be continuums of exploitation, multiple contested understandings or grey areas is equated with claiming there is no real slavery. The implication is that these straw bogeymen and women deny trafficking exists and paint a rosy picture of autonomy. Language is policed: the objects in the scene must be clearly labelled and their contours tightly maintained. The coherence of rescue seems to depend on it.

Bales defines ‘the New Slavery’ (Bales, 2012, pp. 1-33) primarily by comparison against antebellum transatlantic slavery. He notes differences in the role of race (Bales, 2012, pp. 10-11) which he argues is no longer definitive, except in Mauritania. Puzzlingly he claims that today, race, “caste or religion simply reflects … vulnerability to enslavement; it doesn’t cause it” (Bales, 2012, p. 11, my emphasis), a position that suggests a far more simplistic understanding of vulnerability than Bales evinces in later chapters. Again these seem to be separate and separable phenomena amenable to causal analysis, rather than cross-cutting or co-constitutive, and vulnerability appears as a potentially measurable attribute. As evidence to support his claim he notes for example that in Pakistan many slaveholders are Muslim while many of their slaves are Christian, or that in India slaves and slaveholders may be from different caste but “in Pakistan there are Christians who are not slaves, in India members of the same caste who are free” (Bales, 2012, p. 11). This does not explain how caste is supposed to reflect vulnerability, and the fact that slave and slaveholder may also be
from the same caste does not mean we should expect to find Dalit slaveholders with Brahmin slaves. Nor does the existence of free people of the same group as many slaves by itself constitute a clear difference, even from the limited American model of historical slavery Bales utilises. Clearly, racial distinctions were of paramount importance in transatlantic slavery, law and pervasive racism made crucial distinctions, yet there were still (some) formally free blacks (at least, ‘free’ by virtue of not being ‘slaves’), and there were (some) indentured whites who could have met Bales’s criteria for ‘slavery’. Bales continues:

*Japanese culture strongly distinguishes the Japanese as different from everyone else, and so enslaved prostitutes in Japan are more likely to be Thai, Philippine, or European women—rarely, they may be Japanese. Even here, the key difference is not racial but economic: Japanese women are not nearly so vulnerable and desperate as Thais or Filipinas. (2012, p. 11)*

It is bizarre to claim this as evidence that social group ‘reflects’ vulnerability. It would appear from Bales’s own words in the same sentence that the supposedly primarily economic vulnerability is distributed *almost exclusively* through the effect of practices of racial distinction by those citizens with more power and secure right of presence in the country. Bales’s analysis of the situation of these women (2012, pp. 35-79) in fact shows nuances that do not fit with his summary claim. So why has he tried to make the lack of importance of ‘race’ definitional of ‘the new slavery’? I cannot know his motivation, but I can suggest the scene in which it might make sense and point out some possible effects and presumptions related to this otherwise strange move.

Firstly, the scene reflects Bales’s tendency to take social categories as given, and the concomitant need to delineate ‘scientifically’ the core features of slavery and to securely delineate and distinguish ‘causes’ and ‘effects’: in other words, more evidence of metaphysical seduction. Secondly it can only make (limited) sense in contrast to the selected *American* model of historical slavery. This aspect of Bales’s work has drawn
criticism from Quirk, who argues Bales’s narrow treatment of history (compared with his broad research into the present) leaves him with an untenable typology, assigning too many features to modernity that have a longer and geographically broader history (2006, pp. 579-580).

Bales’s dependence on an *antebellum* model may be accidental – indeed he claims as much in the preface to the 2012 edition of *Disposable People* (Bales, 2012, p. xxvi). However while describing it as a “flawed conceptual tool” and regretting that “like a lot of simple ideas” it “became very popular with journalists” (Bales, 2012, p. xxvi), he seems to see it as an unfortunate oversight that led to others misunderstanding him, rather than as undermining his definitional approach. Only by remaining in a scene whose ontology and epistemology allow metaphysical seduction can it be seen as a mistake. It could instead be seen as systematic and productive, or at least indicative of certain presumptions. It can also be seen as an automatic choice reflecting the identity and history of the author himself. It could suggest Bales’s need to rewrite the meaning of the word slavery because of the identity and history of the presumed audience (reflecting the not implausible assumption that most Western (especially, but not only English-speaking) readers will themselves immediately think of *antebellum* US slavery when seeing the word ‘slavery’). This would be neither surprising nor necessarily to be criticised, were it not couched in a scene claiming a scientific definition of slavery. In short, it suggests that the particular is masquerading as the universal.

Bales—like the TIPs and major neoabolitionist organisations—confidently excludes prison labour from the list of things that necessarily constitute slavery. It might be slavery in some places, but he argues that it is not in the UK and US, for example, since they have legitimate governments (Bales, 2005, p. 58) who thus can confine and take away freedom without it being slavery (they are not ‘evil’ thus are not enslaving). Prisoners in the UK and US are, for Bales, definitionally not political prisoners: a clear and comforting distinction between political action and criminal action is maintained.
Without this comforting distinction regarding US prison labour, the claim that modern slavery is not racial in nature becomes even more problematic, as it does if immigration control is considered. As Julia O’Connell Davidson notes,

"race continues to have powerful significance for restraints on freedom that are not regarded as ‘modern slavery’ by the new abolitionists, for example, those implied by the Prison Industrial Complex in the United States. The idea of race is also central to the history of immigration controls, controls that have been and remain a mechanism through which some groups of human being are rendered marginal, dependent and unequal in terms of freedom, rights and protections. (2015, p. 23)."

She offers a devastating critique of the limitations of Bales’s approach to racial justice and of the prison industrial complex in the USA (O’Connell Davidson, 2015, pp. 95-100). While acknowledging and tracing forms of racial oppression and re-enslavement post-emancipation until the 1970s, after that Bales’s attention seems to tail off:

"Fast forward to the 1970s, and Bales can still see racism in US society, but its links to what he considers to be the ‘obscenity’ of slavery … have now become opaque. And yet it was at precisely at this point that a new carceral turn was being taken in the United States. (O’Connell Davidson, 2015, p. 97)"

That carceral turn—with its draconian sentencing, mandatory prison labour worth billions in output and reduced costs to prisons and soaring prison population in which African Americans are systematically over-represented—is being extended under the guise of anti-trafficking to a crusade against selling or buying sexual services, and to huge numbers of immigration detainees.

The above discussion has focused on what neoabolitionism explicitly or implicitly says slavery is and is not. I called this ‘characterization’ because in addition to constative claims about characteristics of slavery, there is also the performative production of characters – victim, villain, hero – as images through which it is understood. Besides the characterization of slavery, it is also useful to look at how it is habitually introduced, and
how it is spoken and written about. These characters and the wider scene-setting address a certain audience, indeed interpellate and explicitly seek to enlist the audience as a hero in the fight against slavery. The role of the audience, and the situating of that audience may most easily be seen in the practices of introduction, and the types of proposed solution – that is the actions the audience are encouraged to support and the scene in which we are to discover ourselves as new abolitionists. The characteristic move is to position the reader as rescuer, or as supporter of state and expert action to rescue victims.

Introductions

Regardless of their formal definitions, precise empirical focus or proposed solutions, the overwhelming majority of texts begin with a narrow set of rhetorical moves. Indeed their ubiquity is startling: with relatively few exceptions (among critical scholars, sex worker rights activists, and in some articles that are narrowly targeted within pre-existing expert communities at ongoing debates) most works start in much the same way. This is as true of academic law journal articles as it is of FTS campaign leaflets (some of the citations in this section are correspondingly broader). One or more (often all) of three broad rhetorical moves start or feature prominently very early in the introductions to the vast majority of texts: a story about the anachronistic present, a horrific life story, or a profusion of vast numbers. Kevin Bales is again exemplary in his deployment of all three.

Slavery as anachronism

The first typical opening is a temporal and historical positioning that is simultaneously a civilizational value judgement relative to a presumed progressive teleology. This presumes a particular geographical and historical imaginary, and is laden with assumptions about, and constitutive of, the audience. Texts ritualistically begin with, or prominently feature in their introductions, something of the form “You thought slavery was a thing of the past … well it isn’t”, or “Contrary to popular belief, slavery did not end 200 years ago” (examples of such a temporal scene setting abound, e.g. Andrees and Belser, 2009, p. 1; Aronowitz, 2009,
It is presumed (quite possibly correctly) that most readers will believe that slavery ended at some point in the 19th century, but this privileges and leaves unchallenged a particular American and British historical experience of slavery and abolition, in which Wilberforce and Lincoln loom large. It also presumes and situates the reader as modern and free, while arguably subtly insinuating that same American-British history as definitive of modernity and freedom in the present. It proceeds from the (often tacit) presumption that the reader is a being that will rationally act to change the world once this misunderstanding or ignorance is cleared up for them, and/or that the reader is compassionate in a predictable and useful way and will react with horror and sympathy, since no modern reader could be comfortable with a world that includes slavery. We are potential heroes, and the job of the text is to enthuse and incite such heroism, and to provide a kind of how-to manual for it. FTS explicitly tells us “WE CAN ALL BE HEROES.” (O’Connell Davidson, 2015, p. 10)

Slavery is thus from the outset presented as anachronistic and out of place, even when it takes ‘modern’ forms. It is something from which ‘we’ are, or at least should be, entirely divorced. Indeed the very phrasing of “modern slavery” presupposes and constantly
reiterates this sense of anachronism. It is seen as necessarily out of time, either insofar as it is or should be a relic of the past, or insofar as it has no place in our image of the present. In edited volumes such tropes may appear most clearly in the introductions or prefaces, but as such they still set a scene, while in single authored works this is even clearer. This temporal aspect of implied anachronism is often coupled with an imagined geography—slavery as out of place as well as time. It is presumed to seem doubly surprising or horrifying both temporally and spatially that “slavery still exists in America” (FTS and Choi-Fitzpatrick, 2004, p. 2, my emphasis) or in Europe, where it seems “obsolete”, as opposed to in other (presumably backward) places where most people might be less surprised to find it (Mantouvalou, 2006, pp. 395-396). Although the antislavery literature covers the globe, the expectation that readers may think slavery still happens in some faraway places but not ‘here’ suggests a geographical distribution of modernity, (re)iterating a progressivist teleology where the promised telos of freedom is a projection derived mostly from Western Liberal capitalist understandings of freedom and politics. There is a feel good aspect promised by neoabolitionism strengthened by this simultaneous temporal and spatial positioning of slavery and of us, a “sense of solidarity and collective identity for the ‘we’ who come together to fight this appalling anachronism”. (O’Connell Davidson, 2015, p. 9) This recalls the sense of scene as a social scene of shared membership, shared experience and shared belief. The audience/cast of neoabolitionism is superficially diverse in age, political affiliation, faith, wealth and fame from celebrities and billionaires to ‘ordinary’ people. But, as O’Connell Davidson notes (2015, p. 9) it is also overwhelmingly drawn from the affluent Western world, and those things to which attention are drawn are often things that ‘sell’ to a Western audience, something that is explored in Chapter 4.

Bales connects their present lawless and dangerous world with America’s past (carrying a civilizational judgement rendered in terms of our teleology, our modernity) when he characterizes the breakdown of law and order conducive to slavery in various countries as a
‘Wild West Syndrome’ (Bales, 2012, pp. 29-31). While this implied geographical distribution reiterates the privileged referent position of western liberal democracies as definitive of modernity, such statements are also revealing of an anxiety about our identity and our modernity, a lament that it is (and hence perhaps we are) incomplete or not what it should be, and a consequent injunction to the reader to claim back that modern identity by rescuing others. To rescue others, however genuinely, is also therefore to rescue ourselves – our modernity and our identity is at stake: Bales asks,

\[ \text{What good is all our economic and political power if we can't use it to free slaves? If we can't stop slavery, how can we really say we are free?} \] (Bales, 2001, p. 33)

On the face of it, and no doubt in intention, this is intended as a radical call for identification with others. It may (hopefully) operate that way, but it is at least in part (un)done by a separation (re)instated by the scene’s peculiar temporal and geographical imaginary, and its presupposed difference of ‘us’ and ‘them’. It inverts the supposed dependence of the victims upon ‘us’ to rescue them, we instead appear to depend on them. Because, however, ‘we’ remain the referent, because the scenes almost invariably posit a future that looks a lot like how we want to see ourselves and how we are presumed to have seen ourselves now before we found out about slavery’s persistence, the solutions looked for do not acknowledge a radical contingency of the present. Rather it just looks incomplete: the solution is effectively to become more like the model – more like our image of ourselves (or at least the image we had of our collective self before we found out about modern slavery). By not only placing the (implicitly universal) definition of slavery (as well as attempts to abolish or legislate against it) in the context of a particular history masquerading as universal human history, but also defining it in a way that only makes sense with that context, this scene implies a very specific temporality and teleology. Its characters, concepts and readers (us) are placed on a single linear world-historical continuum toward the future. If the linearity of time in this scene seems a strong claim, consider that
elsewhere Bales rhetorically calls forth the whole of recorded history to back up the consistency of a core slavery, providing us with a neat chronology covering 8800 years of a single essential slavery, albeit with dynamic forms (Bales, 2005, pp. 35-47). On this linear continuum, 18th-19th century American slavery serves as a privileged point, and contemporary slavery is related to that specific phenomenon (which is itself presumed to be consistent, knowable and known). On that continuum, between “historical slavery” and the telos promised by the future-without-slavery, sits ‘us’. We (by which I mean mostly western, liberal democratic, capitalist, late twentieth/early twenty-first century, seemingly classless, genderless and race-blind people) are the other defined point through which the line of the continuum goes before it streaks into the promised future. We are the bearers of (the end of) history, and ours is the model of freedom by which the telos is silently defined and the world to be judged. The problem is presented as if we’re on track, but we haven’t got quite as far as we thought, and there are 27 million people who currently are stuck and need rescuing. Although Bales does tell us that slavery never went away, the delineation of ‘new slavery’ – in addition to its intended and valuable function of clarifying that the past remedy of legal abolition is no longer useful or possible (Bales, 2012, p. 32) – perhaps serves to highlight anachronism, to prevent the recognition that slavery is still and newly ‘with us’ from fundamentally destabilizing our understanding of ourselves as modern and free and our history as virtuously progressive. It is worth noting Bales’s history of the abolition movement, criticised as

*a history of middle-class white men who used the power of Christian arguments to shift the view of slavery from economic necessity to moral abomination. No mention of Haitian, of slave rebellions and resistance, no examination of the changing economic requirements of capitalism, but a detailed description of Clarkson, Morel and Anti-Slavery International. (Anderson, 2008b, p. 370)*

As inadvertent as it may be it shows
This lack of reflexivity makes for comfortable reading for white race-blind readers. The history is packaged and ready for the reader’s enjoyment, recuperating a selective vision of ‘our’ past to guide our future and thus reassuring us about ourselves and our present.

**Numbers**

A second common opening is a set of statistics. In the neoabolitionist scene, numbers frequently feature prominently and matter enormously. Statements about huge numbers are ubiquitous: huge numbers of people in slavery, and huge numbers of people being trafficked globally, huge numbers at risk, huge numbers entering specific countries or regions. Numbers presented as fact typically convey credibility, presenting an appearance of science.

Ostensibly cautious methodologies producing what are emphasized as minimum figures can serve to dispel disbelief, whilst enormous figures can be highly emotive. Besides the numbers themselves, both certainty and uncertainty can fulfil powerful political functions (even together).

Both the effects and the specific failings in methodology of many common figures have been thoroughly critiqued and sometimes ridiculed in frustration (see e.g. Abad-Santos, 2014; Agustín, 2011a; Belser and de Cock, 2009; Haynes, 2012; Howard, 2014; Jordan, 2011; Kempadoo, 2015; McNeill, 2014a; Weitzer, 2014, 2015). Here, my main focus is the implications of both the wide/wild variety of figures and the fixation with accuracy (or for some, the highest figures). In short, I am more interested here in what figures *do* than what they *ought* to be. Figures can take on a life of their own, something that is further explored in Chapter 3.

Like Bales, the ILO report emphasizes that this is a *minimum* figure (Lerche, 2007, p. 427). The principal differences between the figures derive from Bales’s higher figure for India,

Two other sets of figures have become prominent in recent years: around 20-21 million and 30-36 million. The first derives from a revised ILO estimate of 20.9 million “victims of forced labour”, “the full realm of human trafficking for labour and sexual exploitation, or what some call “modern-day slavery”” (ILO, 2012, p. 13). The second is from the GSI and represents an update of Bales’s figure.

Bales, the ILO and the GSI all seek to quantify the total global number of slaves. This is particularly powerful in eliciting sympathy and horror at the scale of suffering. In these figures it is not written as an immigration issue of concern to bounded communities, but as a concern for global liberal citizens. At the same time it is usually emphatically combined with the statement that slaves are to be found in every country, making it a concern for everyone. Although the continued existence of slavery may appear as a threat to our modernity, a mistake to be rectified, when it is seen at a global level it demands sympathy and the search for global solutions. These figures are often accompanied by, or sometimes replaced by aggregate estimated annual figures of people “trafficked”, or “entering slavery”. These can also elicit horror and sympathy, but are more prone to association with or distinction from “illegal immigration”, particularly when the language used is that of trafficking, with its connotations of movement and influx. Movement does not preclude sympathy, but it may also constitute a threat, an invasion or a disease, a crisis too close to home – something for which sympathy may need to be rationed.

Figures are also frequently split depending on whether or not they include ‘internal’ or ‘domestic’ trafficking (activities falling under definitions of ‘trafficking’ but not taking place across state borders). For example Holman (2008, p. 102) tells us that the annual number of victims (her choice of word) is either 600,000-800,000 or 2-4 million depending whether
domestic victims are included or not. There are two things to point out here: firstly, while
some, like Holman, are clear about the reason for the different figures and most
acknowledge uncertainty, any such figure has already fully bought into a scenery of nation
states and corresponding international/domestic distinction. This scenery forms the
backdrop against which the phenomena is understood and measured, and tacitly reinforces
the presumption that this is a critical division (rather than some other). Secondly, in many
cases such clarification is absent. Different interpretations, figures and slippages abound, as
may be shown by some example claims from a variety of sources: “2 million to 4 million
persons are trafficked within their home nations” in addition to 600,000-800,000 trafficked
internationally (Hodge and Lietz, 2007, p. 163); “Others estimate between 1,000,000-
2,000,000 annually worldwide” (McGaha and Theiss, 2007, p. 1; Murphy, 2000, p. 12);
“Over one million children every year across the world leave their homes and fall, or are
given or sold, into the hands of traffickers” (Van Reisen and Stefanovic, 2004); “4 million
become victims of trafficking annually” (Beeks and Amir, 2006, p. xi); “over four million”
(Aronowitz, 2001, p. 164, my emphasis); “4 million or at least 600,000-800,000” (Bravo,
2009, p. 547); “four million to 600,000 victims each year” (McCabe, 2008, p. 1); “700,000 to
2 million” (DeStefano, 2007, p. xvii; Drew, 2009, p. vii; McCabe, 2008, p. 3; Wooditch et al.,
2009, p. 236); “between 700,000 and two million women” (Wennerholm, 2002, p. 10, my
emphasis); “700,000 to 4 million new victims annually” (Haynes, 2004, p. 221; Miko, 2003, p.
1; Troshynski and Blank, 2008, p. 31); “800,000-900,000 people” (Hogan, 2008, p. 650;
583; Miko, 2003, p. 3); “800,000 women and children” (Joffres et al., 2008, p. 1). The figure
of “600,000-800,000” trafficked across state borders annually originated in the 2004 TIP
report (DOS, 2004, p. 6) and has been widely reported (Bales and Trodd, 2007, p. 223;
Dimitrova, 2007, p. 1; Friman and Reich, 2007, pp. 1-2; Gekht, 2008, p. 30; Hodge and
Lietz, 2007, p. 163; McDonald and Sauerland, 2007, p. 7; Obokata, 2006, p. 1; Shigekane,
2007, p. 113; Walter, 2005, p. 137), mostly uncritically and often with further slippages and
conflations, for example turning into “[b]etween six to eight hundred thousand persons are sold worldwide on [sic] any given year” (McDonald and Sauerland, 2007). The “800,000-900,000” figure is originally from the 2003 TIP report (DOS, 2003, p. 7).

Often, these aggregate global or annual figures are accompanied by a state-specific total. This may bring things ‘closer to home’ for readers from that state, but also implicitly renders some slavery of more direct concern, again reiterating the scenery that divides the world into states. Given the focus of most of the English language anti-trafficking literature, the commonest figures refer to the USA: 14,500-17,500 individuals per year (Gianciarulo, 2007, p. 827; FTS and Choi-Fitzpatrick, 2004, p. 1; Goździak, 2008, p. 907; McCabe, 2008, p. 4; Shigekane, 2007, p. 113; Skinner, 2008b, p. 65; Walter, 2005, p. 137); “up to 17,500 new slaves continue to enter bondage in the United States every year” (Skinner, 2008b, p. 65); 18,000 (Hogan, 2008, p. 650); 18,000-20,000 (McClain, 2007, p. 583; Wooditch et al., 2009, p. 236; Zhang, 2007, p. xi); 45,000-50,000 (Murphy, 2000, p. 12; Ugarte et al., 2004, p. 149). A further very common figure in the US is some variation on the claim that there are between 100,000 and 300,000 victims of child sex trafficking annually (this is discussed in Chapter 3).

Despite the difficulty of measurement (and incidentally, that due to changes in methodology, figures in many reports have tended to decline then remain steady over the last ten years), we are commonly told that trafficking and slavery are ‘growing’ (Bales, 2012, p. 259; Bales and Soodalter, 2009, p. 7; Bechard, 2006; Cox and Marks, 2006, p. 155; DOS, 2004, p. 6; Finckenauer and Schroek, 2003, p. 31; Goff, 2007, p. 34; Hodge and Lietz, 2007, pp. 163-164, 166, 169; King, 2004, pp. 8, 74; Lalić, 2008, p. 110; Malarek, 2004, p. 90; McDonald and Sauerland, 2007, p. 42; Miko, 2003, p. 1; Shelley, 2005, p. 72; Stoecker and Shelley, 2005, p. 1; Tzvetkova, 2002, p. 60; Wilson et al., 2008, p. 145).
Academic works are more likely than activist works to specify epistemological and methodological commitments. Some of the most influential popular books on modern slavery are very explicit about their approaches (Bales, 2004, 2005, 2007a; Kara, 2009; Skinner, 2008a), but such commitments are no less important when they are implicit.

Figures are often cited together as a range, ostensibly to emphasize the difficulty in counting or defining such practices, to foreground uncertainty and the need for better statistics, but with the simultaneous effect of buffeting the reader with enormous numbers that suggest torrents and crisis. Readers of academic papers and newspapers alike are presented in the opening pages with a bewildering array of often mutually incompatible numbers, often divorced from their original context and methodological limitations. There are serious concerns about the accuracy of these figures: those used in popular campaigning, including by some who claim the mantle of ‘science’, veer into the absurd. Chapter 3 will explore this in the context of campaigns around sex work. Here, it suffices to note that these numbers are gathered, made possible, comprehensible and presented in this particular scene. They depend on the objects constituted within it, the preoccupations of certain actors and sometimes simply their expectations and guesses. Numbers serve particular rhetorical functions and agendas. As seen above, there are various typically seen figures, often appearing together in the same work, calling forth the authoritative implication that the true figure is probably somewhere between one of these and is definitely frighteningly and appallingly huge, no matter how wildly different the figures or their sources may be.

Jahic and Finckenauer provide an admirable analysis and summary (2005, pp. 27-32) of the range of figures in circulation and their origins or lack thereof, noting:

*Among the problems with these vague numbers is that they tend to reinforce themselves. Once the problem has been presented and accepted to be on a certain scale, new information that does not support this notion is dismissed. The estimates have become the “received wisdom,” and the politically correct position on the scope and magnitude of the trafficking problem. But*
what if the law enforcement tactics used do not then result in the numbers of cases and arrests that are proportional to that scale of the problem (which we contend they most certainly will not)? One can envision a scenario in which blame will then be assigned to the law enforcers, rather than lead to a questioning of the numbers. Enforcers will be said to be not finding the cases and not acting aggressively enough. (2005, p. 31)

The litany of complaints about low arrest and conviction rates in the TIP reports and elsewhere suggests this scenario may already be occurring. I do not mean to dispute that there are serious failings in law enforcement and other service provision for vulnerable people, ‘victim’ or otherwise. The point is that only that number is questioned, not the magnitudes against which it is to be judged. Once a certain scene is set, some things count as true or pass without comment while others appear as obviously false or apparently unbelievable. Disbelieving reactions can become automatic, protecting the founding assumptions from criticism and justifying hostile reactions to critics, even the vilification of critics as evil. My point is not to dispute the numbers (either the growth, which is plausible, or any specific figure) but to highlight that the presentation of the ‘fact’ of growth and the presentation of ‘factual’ annual numbers are disconnected from one another as well as from consistent or comparable methodologies. Each has its own effects, and they appear to work together – contradictions become invisible in the scene’s received wisdom. There is a remarkable ability to suture over absurdities and massive contradictions, let alone egregious slippages. To be sure, a number can enable activists to hold a government or business up to higher standards, but it can also be worth millions in funding.

Along with prominent antislavery authors such as Bales (though, as we have seen and will see in Chapter 3, unlike many activists), most academic works acknowledge the variety, unreliability and discrepancy of figures, and the difficulties of definition and data collection which partly explain these differences. Tiefenbrun (2005, p. 318) notes that trafficking statistics are “notoriously unreliable” and Scarpa similarly underlines vagueness and unreliability (2008, p. 9). Both Tiefenbrun and Scarpa are typical in then listing a
bewildering array of figures while noting their general incompatibility, vagueness and variability. Despite starting with disclaimers about unreliability, writers still often place great rhetorical weight on figures. Scarpa typifies this, suggesting firstly

*Even if all the cited estimates cannot completely clarify the picture and have to be considered with caution, they surely clarify the magnitude of the phenomenon” … it is astonishingly clear that the new slave trade seems to be more widespread than the old one.* (2008, p. 12, my emphasis)

Time and again, though not ignored as it is by many campaigners and politicians, uncertainty is either brushed aside or bemoaned as a problem while retaining the conviction that with a good enough definition and good enough data there is a truth, and that whatever the truth is it is enormous, terrible, shocking and frightening. Alternatively, uncertainty is used to call for better data, better research, truer results. The supreme confidence in one’s cause allows a coexistence of the two from academic to activist to image consultant, thus Kevin Bales can bemoan the lack of data, call for more research, offer his own definition “as a jumping-off place, a stalking horse, or even a sacrificial straw man” (2005, p. 108) yet still lament “talented academics devoting their time to arcane discussions of the ways that one might intellectually subdivide information about slavery (if one ever collected it)” (2005, p. 101). Similarly, Maggie Nielson—Ashton Kutcher and Demi Moore’s charity consultant—can say (and crucially, it makes sense to people):

*I don’t frankly care if the number is 200,000, 500,000, or a million, or 100,000—it needs to be addressed. While I absolutely agree there’s a need for better data, the people who want to spend all day bitching about the methodologies used I’m not very interested in.”* (Nielsen, quoted in Cizmar et al., 2011)

So we must do better research while not arguing about the objects or methods of the research, and whatever it finds we already know what we need to do. One can easily agree that whatever the scale of kidnap, rape, coercion and prostitution of children (or adults), “it needs to be addressed” – indeed, who could disagree? It is however a remarkable
rhetorical coup to simultaneously deploy the enormity of the numbers as affective manipulation and say the numbers don’t really matter (or perhaps they only matter when they fit our preconceptions).

Stories

The third typical opening scene is that of a personal story, as with that of Seba in *Disposable People*. Occasionally in academic works a scene is set with a brief mention of a case or general set of cases with which the reader is presumed to have a passing familiarity, such as that of Chinese-US immigration and the *Golden Venture* tragedy (e.g. DeStefano, 2007, p. xi; Kyle and Koslowski, 2001, p. 3; Menefee, 2001, p. 501), the El Monte case in California (Shigekane, 2007, p. 113), or the Morecambe Bay Chinese Cockle Pickers (Aronowitz, 2001, p. 163). Far more commonly though, and near-ubiquitously in the popular abolitionist literature, the reader is presented with a story of an individual, serving to shock, to elicit sympathy and horror, usually with a clear story of an already vulnerable victim subject to clear coercion by an uncomplicated villain figure. The similarities in narrative structure can be seen (and are by most authors) as reflecting core features of the phenomena at hand. However, they also reflect selectivity in attention, often excluding cases that resist such easy moral certainty and apportioning of blame or framing narratives in ways that insist on particular interpretations (see below, on Baldev’s story). Even setting aside the question of the definitional politics involved in isolating a phenomenon, or the selectivity of material, I would suggest that even if this were unproblematic, and even if one could take a life, narrate it and have it serve as an example, its rhetorical effects are no less significant, the repetitions no less ritualistic, and the binaries, temporalities and scenes (re)instated no less powerful and selective in their effects on the audience.

The telling of life stories pervades these literatures, but is almost exclusively done in ways that (re)produce the figure of ‘victim’ upon which the project of rescuing slaves rests. An ambivalence pervades anti-slavery: it is precisely the removal of any degree of agency—the
use of a life as object—that is widely felt to be repugnant, yet the discourse as it stands rests on inattention to, and a policing of intelligible notions of, ‘agency’. The result is frequently to mask, deny or ignore agency in the name of rescuing people from a lack of agency.

These opening vignettes are almost exclusively focused on the victim at first. An interesting exception is Skinner (2008a, pp. 21-33) which invites the reader to imagine a trip to Haiti in some detail, negotiating the purchase of a child slave, before revealing that the story is verbatim from Skinner’s own undercover research, although this is still unsurprisingly peppered with poignant details of victims, real and potential, preceded by temporally-situating references to Wilberforce and accompanied by an imagined geography that invokes shock at how close to America these slaves can be found.

Bales and Soodalter, 2009; Bales and Trodd, 2008; Bales et al., 2009; Batstone, 2007b; Bechard, 2006; Bok, 2003; Bowe, 2007; Brown, 2000; Cadet, 1998; Chalke and Blair, 2009; Cotton, 1998; Cox and Marks, 2006; Flores, 2007, 2010; Gaon and Forbord, 2005; Goff, 2007; Gupta, 2007; Hunter, 2007; Kara, 2009; King, 2004; Kristof and WuDunn, 2010; Le Breton, 2003; Malarek, 2004; Mam, 2007; McDonald and Sauerland, 2007; McGill, 2003; Muhsen and Crofts, 1994; Nazer and Lewis, 2007; Ojeda, 2004; Sage and Kasten, 2006; Sorajjakool, 2003; Thomas, 1990; Waugh, 2007). I do not mean to suggest this is a bad thing – indeed as will hopefully become clear by the end of this thesis exposing ourselves to other lives is crucially important, and life stories may be a means for such connection and exposure if we can learn to listen. The question is what does it do? Biographical narration is a politically and ethically fraught practice that requires complex consideration. The most obvious effect is to elicit a variety of affective responses from the reader, typically outrage, shock, sadness, sympathy, determination. There is however a more subtle distribution of affect here. There is an injunction operating on the object of the story to feel the correct way too (be that victimised, or grateful for rescue, to cooperate willingly with law enforcement). No doubt this is unproblematic in some cases, but two caveats should be noted. Firstly, not all “victims” see themselves as victims. This is particularly controversial in the area of what is variously called prostitution, sex slavery, sex trafficking, sex work: an excellent critical summary of perspectives and controversies in this area is Weitzer and Ditmore (2010). Laura Agustín (2007), while not disputing individual stories or that there is widespread abuse and terrible conditions, argues that many of those considered ‘victims’ display agency, and that obsessive focus on victimhood serves the coherence and finances of what she terms the ‘rescue industry’. The Global Alliance Against Traffic in Women (GAATW) stresses that neither it nor its members see all domestic workers, sex workers etc. as ‘trafficked’, and the lives of trafficked women are not defined by or to be conflated with their trafficking experience (e.g. GAATW, 2002, 2010). The fact that it needs to frequently reiterate such a position to distinguish itself from the wider scene of anti-
trafficking is itself telling. Such distinctions are of crucial importance to those subjected to policies and practices designed to ‘help’ them based on preconceived notions of what they are. The possibility of seeing a ‘character’ of an agentic sex worker, versus seeing all engaged in sex work as fundamentally enslaved leads to diametrically opposed prescriptions as to what constitutes an ethical response to the existence of sex work and advertising, something that will be explored in Chapter 3.

The second caveat is that these affective responses are not to be gifted to all equally, either as a result of the scene setting within the works, or when one takes into account that these scenes interact with others, such as widespread hostility over ‘illegal immigrants’ (see Chapter 5). Skinner for example notes that he encountered people with tragic stories, but who did not meet all of Bales’s criteria, and thus were “not slaves” (Skinner, 2008a, p. 19). The intention here, as is clear in context, is to convince the reader that the 27 million slaves spoken of are real slaves – the point is to dispel disbelief and gain our support. Yet the effect is simultaneously to cast aside other people as having stories less worth focusing on, lives and losses less worthy of grief and sympathy, or at least less urgent. Except autobiographical monographs, nor are neoabolitionist works typically interested in peoples’ self-definition except insofar as it serves as exemplary and supportive of their argument. Since their inclusion in these books is already on the basis of their having been recognized as slaves, we might ask what about other people who may have good reasons to see themselves in those terms but who have been excluded?

Stories function as a marker of truth, fleshing out ‘scientific’ numbers. The constant repetition of stories often devoid of nuance and saturated with common tropes, offering the thrill of an exposé to the reader, produces a simplified moral universe for the audience and tells us how to interpret the stories, what those peoples’ lives mean and how we should feel. Life stories can be central to how we ‘know’ who is a slave/victim and who is not, but when stories are elicited for the purpose of knowing and judging, instead of an exposure
to an encounter with another, stories become both a commodity for us and a site of vulnerability for others (see Chapter 6).

To me, one of Bales’s most interesting works is the co-edited volume, To Plead Our Own Cause (Bales and Trodd, 2008). This collection of modern slave narratives is a moving attempt to give voice to former and current slaves. It still shows some of the problems identified here, albeit more subtly. The introduction suggests greater appreciation of constitutive power, yet Bales’s epistemological and ontological presumptions seem unaffected. Bales and Trodd here deploy the language of subject/object explicitly, noting that “Slavery makes a person “an object,” in Dina’s words” (Bales and Trodd, 2008, p. 4) is a common statement in the narratives. This captures something significant about rendering a person as means rather than end, and about the experience of extreme commodification. It also functions rhetorically and affectively. It speaks to something obscene and undignified, invites anger, or empathy, or overcoming. Reversing that is indeed, potentially liberating:

the modern slave narrative has emancipatory power as a linguistic weapon of the violated …
“a reversal of the master’s attempt to transform a human being into a commodity,” for they give “witness” to “the possession of a humanity shared in common” with nonslaves. (Bales and Trodd, 2008, pp. 3-4, quoting Henry Louis Gates Jr.)

Bales and Trodd are explicit about the shift of position enacted:

[N]ow the narrators make themselves subjects of a story instead of objects for sale and assert their humanity in the wake of being “less than human” (as Jill puts it) or “not a human being” (as William observes). Now, as then, former slaves are engaged in a process of “self-making.” (Bales and Trodd, 2008, p. 4)

All these are welcome recognitions, and the book is indeed a powerful, moving and illuminating collection of testimony and self-making. As laudable as it is, however, narration—even autobiographical narration—is more complex than acknowledged here:
Respecting, then, *how the experience of slavery is narrated, as well as what the experience is*, we are publishing the narratives—both written and oral—as they were told. We have made no additions or rearrangements to create happy endings or dramatic climaxes, no attempts to clean up oddities of phrasing … *Subtle, complex, and creative, these are voices telling “a free story,”* (Bales and Trodd, 2008, pp. 3-4)

This is hugely important, particularly given the exaggeration and fictionalisation that happens elsewhere, and the tendency to speak over and for others. This passage and the notion of a linguistic weapon do reveal certain limitations though. In telling us that this is slaves telling us their stories in their own words, for their own reasons, and emphasizing that the editors have not altered the stories in any way, Bales and Trodd set by different means and for different reasons a scene which ends up quite compatible with a realist or positivist approach – a putative non-scene, denying its sceneness, only more explicitly than is typical. In effect they set a scene that effaces itself, claims that it is simply a place in which the slaves speak, where we can implicitly receive the truth.

Against this I would suggest that speaking of a linguistic weapon as they do suggests that the telling of a life story still seems to be understood as something that is deployed in a linear temporality by an ontologically prior entity distinct from power. Slavery is something about which we will learn, but freedom remains presumed. Narrative appears as a conscious weapon of a subject claiming the place it should rightfully have *possessed* all along. My point is not to suggest that this cannot be the case, nor that attempting to ‘give voice’ is not valuable, but to suggest that there is more going on. Bales and Trodd imply that autobiography is necessarily free (or at least freer) from pitfalls of representation compared to biography, and hence that they have fully successfully given voice to these slaves and former slaves. I applaud the reticence to edit and in a sense ‘police’ the text (something Bales has previously done – see below). The lack of editing for consistency, clarity or ‘dramatic effect’ seems to confer truth, and render the stories ‘owned’ by the original speakers in a relatively unproblematic sense.
Yet the selection of the narratives, their grouping and their (re)presentation is presumed to be transparent or neutral, and there is no consideration here of the terms in which we the reader actually understand the narratives, and of who is intelligible to us and why. We are expected to be able to understand the stories, they are expected to be able to tell us their stories which are presumed to be expressible in words, and the translation from embodied oral testimony to print is presumed to be transparent and complete. Since the editors do not mention language translation anywhere in the book the reader is left to presume either that all the slaves from countless countries in the book speak excellent English (yet still are presumed to be a representative selection), or that translation constitutes a transfer of referential meaning so unproblematic it did not merit comment.

The apparent neutrality of the selection of narratives is circularly self-reinforcing and reproduces a metaphysical seduction: these narratives have been selected (along with whatever other reasons there may be) because they are examples of what Bales has defined as slavery. Their stories then serve to show the truth of the definition, and if the definition is true then we can be reassured that there can have been no problematic exclusions in the editorial selection. They are categorised in the book by types of slavery, types of experience – even if the narratives themselves are unedited they are preceded by authoritative summaries of the categories: “Prison Camp Slavery” (notably not US prison labour), “War Slavery”, “International Sex Trafficking”, “Contract Slavery”, “Debt-Bondage Slavery”, “European Sex Trafficking”, “Trokosi Slavery”, “Child Slavery”, etc. The later chapters, focusing on experiences of rejection of slavery, liberation from slavery, and post liberation life, are unusual and valuable in their focus, though they are similarly categorised and authoritatively contextualised. To be fair to the editors, I am not suggesting necessarily that introductions, context or analysis are not valuable. Were there none the book would probably not have been published, though that itself constitutes a policing of acceptable stories and storytelling and a commodification of the stories to be enjoyed by the reader.
Or, if it had been published, someone would criticise their absence. However, neither they
nor their absence can ever be neutral or negate the scenes of address involved. Similarly,
the positing of a common humanity is a goal I cannot but intuitively support, yet it risks
effacing the power relations that obtain between all parties involved. The categories are not
without effect, and the entire selection remains authorised by a definition purporting to merely reflect
reality and animated by a project whose contours are unquestioned and founded on exclusions. Similarly, the importance of states is reiterated: every ‘case’, every narrative is
preceded by the person’s state (or their home state and the state their enslavement occurred in). Nationality, as part of one’s life, is likely to be relevant, but it is interesting that it is
privileged and appears so necessary to provide, especially in a context where some of those
migrating evidently wished to move. It seems ironic to restate their ‘home’ state’s claim
upon them.

If my concern with definitional politics seems excessive or harsh, or the connection I draw
between ‘our’ identity and the definitions of slavery and approaches to trafficking seem
tenuous, two examples may help flesh out the connection. The first example seems to me
to neatly encapsulate the presumption that freedom is what ‘we’ understand as freedom –
that antislavery, however genuine its liberating intentions and however worthwhile its
achievements says at least as much, probably more, about ‘us’, our freedom and the limits
of change as it does about ‘slavery’. This is the case (and it is as a case/example of a broader
category, not as a singular story that it is presented) of the former slaves of an Indian
village called Asad Nagar, of whom one, Ramphal, features prominently in several of
Bales’s books (Bales, 2007a, pp. 63-70; Bales and Trodd, 2008, pp. 6-7, 10, 13, 16, 46, 220,
228; Bales et al., 2009, pp. 26-27), in documentaries, and in FTS campaigning materials.

It is, without doubt, an inspiring story of liberation and—unusually—of slave agency in
their own rescue: a town of rock-breaking slaves working under violent, seemingly total
control for no pay successfully rose up against their slaveholders. I do not doubt this is a
significant liberation or that people are and feel better off. Ramphal speaks movingly of being his own master: “‘the fact that I can control my own mind, my own thoughts, my own movements’ and have the chance to think ahead, “to not only live as I want to live but hope for a better future.”” (Bales and Trodd, 2008, p. 7) They named their village Asad Nagar, which means “The Land that is Free”. However, they remain poor and do the same work as before, except that now they perform it for a pittance instead of nothing. They do it when they want, but if they do not do they will not earn. They are no longer subject to the whim of masters, but they are still exposed to capricious and impersonal markets. What worries me is that their agency is visible only insofar as they become normative workers that slot comfortably into local, regional and global economic structures. Some have also stood for election and been elected, which again is a remarkable achievement. Yet it is interesting that here the reader is presented with a paradigm of agency, of life-that-is-not-slavery, the occurrence that proves (to us) that, unlike Baldev (below), they are ‘truly free’, appears to be to become an electoral representative in a broadly liberal-democratic polity. It is a liberation, and it provides new possibilities for the people involved. I do not mean to belittle their profound courage or achievement, but I do believe that we should pause and ask about how, when and why we recognise them as free, and what about us and our desire contributes to how inspiring and enjoyable the story is.

The second case I am myself conflicted over, but it raises troubling issues. It is the case of Baldev (see Bales, 2002, p. 68; Bales, 2005, p. 3; Bales, 2007a, pp. 33-34; Bales, 2012, pp. 205-211; Rickert, 2009, p. 33), a halvaha (bonded ploughman) also in India, who was freed from debt bondage by a windfall from a relative:

*After my wife received this money, we paid off our debt and were free to do whatever we wanted. But I was worried all the time—what if one of the children got sick? What if our crop failed? What if the government wanted some money? Since we no longer belonged to the*
landlord, we didn’t get food every day as before. Finally, I went to the landlord and asked him to take me back. I didn’t have to borrow any money, but he agreed to let me be his halvaha again. Now I don’t worry so much; I know what to do. (Bales, 2002, p. 69)

Bales characterizes Baldev’s case thusly: “Lacking any preparation for freedom, Baldev reenrolled in slavery. Without financial or emotional support, his accidental emancipation didn’t last.” (Bales, 2002, p. 69) Later in the same article he adds,

A common question is why these practices should be called slavery rather than just another form of superexploitation. The answer is simple. Throughout history, slavery has meant a loss of free will and choice backed up by violence, sometimes exercised by the slaveholder, sometimes by elements of the state. That is exactly what other researchers and I have observed. (Bales, 2002, p. 72)

My own automatic response to this story is one of sadness. Bales’s response is intuitive, however I recognise that what is intuitive to me is a result of my specific cultural and historical location, and in particular the habitual perception of myself (whatever my philosophical critiques) as someone ‘with’ free will. Furthermore I do not dispute that there is a serious lack of support for countless ‘slaves’ (but is there any more support for those in Baldev’s village who are of his caste, do the same job, but are not bonded?). It is not clear Baldev fits Bales’s definitional criteria. Here, as Anderson points out,

is someone who was not compelled by physical violence and who seems, in some constrained way when faced with extremely poor options, to have ‘chosen’ to ‘belong to the landlord’. He is among those for whom ‘slavery’ is one of an extremely limited set of options including death, not perpetrated by the slave owner, but by poverty.” (Anderson, 2008b, p. 369)

Is this a “loss of free will”? Baldev had grown up always knowing he would be a halvaha. Did he ever have “free will”? How are we to know? This definitional point is less useful for positioning Baldev than it is for effacing that “free will” is to some extent a fiction for all of us (though I do not mean to equate my freedoms with Baldev’s) and is, grammatically speaking, a predicate of an atomistic unitary subject which by now ought to be in ruins in
social theory. Bales is aware of the role of poverty, but ultimately places the blame for slavery on the actions of criminal slaveholders. What interests me most here however is that Bales can only read Baldev’s decision as false consciousness perpetuated by the slaveholder. In this scene it cannot be seen as a rational decision, much less as a reason to question our understanding of rationality and choice. It seems almost impossible for us to read Baldev as anything other than a paradigm of lost agency. Aside from all the choices and self-declarations we don’t get to see (since he can only appear in this narrative as “slave”), the only choice we are shown can appear only as proof of his inability to choose. My point then is not to suggest that we should assume Baldev “has agency”. Rather what is significant is that Bales (and probably most of us) cannot conceive of the possibility, whilst we tend to silently presume our own. What is at stake here in the telling and interpretation of this story is as much our understanding of ourselves, the text’s relationship to Baldev, our relationship to the text, and hence our relationship to Baldev, as it is any external truth.

**Proposed solutions**

We have seen the neoabolitionist scene gains coherence and meaning by making and protecting a foundational separation between slavery and freedom, identified with reference to an often over-simplified notion of agency understood as ‘free will’ possessed by us but not by victims. We free people are trapped by the grammar of our own enquiry – in this scene we must know what slavery is, know who is really a slave and who is a victim, and our solutions are correspondingly constrained. Neoabolitionism’s answer to my research question is therefore that the ethical response to modern slavery is to know it in order to end it. The question of solutions implicitly takes the form “How do we bring the victims into our space of freedom?” The world is seen as broken: everyone should be free, we are free, they aren’t, so how do we free the slaves? This is more-or-less unquestionable in this scene: the more obvious it is to ‘everyone’ that something is wrong, the more disgusted and shocked we are, the more urgent it seems, the harder it is to look beyond the question
of how to accurately define that thing and then make it right, and the less likely one is to ask whom ‘everyone’ is, and how ‘everyone’ came to be thus. It becomes difficult to question who should fix these problems. We are initiated into a problem solving mode, seeking the knowledge that will give us the solutions.

In lieu of a ‘conclusion’, I will outline some of the solution forms that tend to be favoured, calling back as appropriate to the aspects of the scene that animate them. The broad solution tends to take the form of (a fantasy of) control, of agency over the phenomena at hand, of ability to govern, it tends to become a crusade to rescue victims from villains (and hence to identify each) and to know and intervene in the workings of the world (as the scene produces it) in order to ‘fix’ the presumed aberrations that enable slavery. We want to act. We want to help. We want to do something. Neither ‘we’, the self-image and desirability of ‘our’ form of freedom, nor the stuff of the world and its presumed workings are generally in question. So what actions should we take, according to neoabolitionism? What constitutes ‘action’ anyway?

How ‘ending slavery’ is to be achieved is a cumulative effect of many actions and approaches. Some important ones include: individual activism, meaning that awareness raising through facts and stories will play a part; actions by the state in how it treats and identifies victims; how the state and citizens respond to others; and kinder forms of capitalism and consumption. Each of these are explored in the remaining chapters, but a few key points can be noted here.

On the effect of the scene upon notions and types of action, it is worth quoting at length from Bales’s reflections in the second edition preface to Disposable People:

When Disposable People was first published in 1999, many found its story shocking and unbelievable … as the book’s message about slavery began to sink in, it opened up new areas of study and action. As the first work in decades to show the extent of slavery around the
world, Disposable People became a lightning rod, drawing both the energy of activists and the anger of governments trying to conceal slavery within their borders. I was amazed and humbled by the hundreds of people who after reading the book declared themselves new abolitionists and dedicated themselves to work against modern slavery. As the book was translated into more and more languages (nine, so far, in addition to English), the expanding knowledge of new slavery triggered off more and more reactions in individuals, groups, churches, schools, and governments. When I was writing Disposable People I had dreams of how it might stir people to action, but my dreams were too small. The reality has been great and rapid change in the last five years … [u]nderlying this momentous growth is the decision made in thousands of minds that slavery must end. (Bales, 2004, p. viii)

In this small extract, many aspects of the typical antislavery scene can be highlighted. Modern or New Slavery is a thing (differentiated from ‘old slavery’), as such it is amenable to expanding knowledge of its truth. Knowledge appears as awareness of external reality. It figures as something one has more or less of, not something fundamentally implicated in the constitution of the thing one knows, nor in the production of oneself. Its imbrication with power appears limited to the extent that knowledge has/gives the power (as possessable attribute) to stir action of a subject who previously did not have (but is not constituted by) such knowledge and power.

Although not prominent in this particular excerpt, one can still glimpse the dependence on or acceptance of a scenery of states whose borders are taken for granted. We can also see part of Bales’s cast list: governments, individuals, groups, churches, schools: governments can ‘try to conceal slavery within their borders’ or, like (unitary) individuals, groups, churches and schools, can be ‘stirred into action’. We could also speculate on potential heroes that might be waiting in the wings (for example, businesses, NGOs, social entrepreneurs, expert consultants, celebrity spokespeople, many of whom turn up later in this or other works) and others that might be banned from appearing onstage (such as classes and revolutions).
In this extract, things have been set in motion: a momentous growth in abolitionism is occurring, and their motion has an explanation: an aggregation of individual decisions brought about by fact- and story-driven awareness raising. There is the task for the future: “slavery must end” and a promise of that telos. This promises ‘freedom’ for those currently enslaved, while sitting comfortably with the silent presumption that we the reader are (implicitly fully) free. There are further temporal implications gestured towards: the use of the word ‘slavery’ calls forth a history, and a sense of revulsion. The double use of ‘modern’ and ‘new’ reminds us when ‘we’ live, and in combination with ‘slavery’ suggests both an anachronism and that it is something that has returned or which has morphed into specific new forms that we can know and deal with (it being presumed that ‘we’ heirs of Wilberforce already know about ‘old slavery’).

There is, presumed by popular format works like Disposable People, a central role for cumulative individual action by modern liberal global citizens, through petitions, through collectivities such as churches and NGOs, through donations, and through vigilantly looking out for signs of exploitation that might suggest trafficking. Countless organisations produce fact sheets and guides on how to spot a trafficking victim. There is something to be said for being open to encountering suffering others, such “How To” guides and trainings ideally need to be coupled with awareness of complexity and of one’s own desires, something that is not typically (though see Chapter 5 for an exception).

A major part of individual action is to ‘spread the word’ – raising awareness about ‘modern slavery’ in general and in specific communities and pushing for solutions (for example, see the following chapter). Volunteer! Watch films about trafficking! Join campaigns! Donate! Write to your representative! Sign petitions! Pressure businesses! Follow celebrity activists! If the success of Disposable People Bales identifies is the result of thousands of minds making a decision, then the task must first be to reach thousands more minds.
In a scene where the state is an ever present part of the scenery, where we understand ourselves as citizens of states, and where states have been influential in spreading understandings of trafficking, it is unsurprising that states are a focus of proposed solutions. Notably these include new and improved legislation to close loopholes and strengthen prosecutions, protection for victims, immigration relief for victims (though often reluctantly given – see Chapter 5), strengthening of borders and, crucially, gathering data on slavery in their territories. The apex of this would be the US’s *Trafficking in Persons* reports (TIPs), though they have been roundly criticized as severely flawed in methodology and politicised in their rankings (e.g. Agustín, 2009a; Agustín, 2009b). The advantage of involving states includes the resources they can bring to the task, but it would be naïve to assume they will all have the same priorities. Bales fails to consider the state as implicated in producing vulnerability to trafficking and slavery, except as an aberration.

He leaves the west—particularly the US—in a messianic position that is quite compatible with the most conservative agendas on immigration and other restrictions on freedom. The ‘moral assuredness’ and blindness to that which is not seen as part of ‘our’ history is similarly clear in Bales’s analysis of international slavery agreements (Bales, 2005, pp. 40-68). What purports to be a ‘critical’ analysis is limited to their incompleteness, their disagreements. Modernity escapes this chapter with teleological notions of progress alive and well, albeit unevenly realised. The state escapes without consideration of its role in both constraining and incentivizing migration for economic and political purposes. Similarly with his discussions of economic and social arrangements, whilst it would be unfair not to characterise Bales as progressive, there are many questions left unasked in his discussions of law and universal human rights. The problem appears as one of making various rationalistic, essentially unitary, actors comply with existing unproblematically universal(ist) obligations (see especially Bales, 2005, p. 42). Colonialism appears only momentarily as an accidental brake on progress, an explanation of why we haven’t
measured up to our high standards yet, but the interrelationship of that modernity, its standards (and their exclusions) with Colonialism remains unconsidered as does the potential for neo-colonialist overtones in anti-slavery efforts.

The kind of ‘science’ Bales proposes fits all too easily within governmentalities that disregard individual lives for technologized, depoliticized administrative purposes. He says,

*The expanding protoscience … is driven, in large part, by the demands of governments and international agencies who want numbers on which to build policy … This is proper.* (Bales, 2005, p. 109, my emphasis)

Throughout his work criminality, deception, economic rationality, and atomistic individuals come to the fore. He recognises (and studies in some detail) macro scale correlates of slavery, understood as predictors, for example ‘poverty’ and ‘corruption’, and he recognises a certain responsibility of ‘us’ as the beneficiaries of supply chains in which slavery exists. As noted in the Introduction, Bales – and neoabolitionism in general – addresses a reader who is a consumer linked with slavery in the products we buy, but there is a hierarchy of responsibility, or a hierarchy of guilt (Bales and Soodalter, 2009, p. 53) – ultimately his cast boils down to criminal villains actively enslaving innocent victims, needing to be rescued by us (as potential heroes), understood as consumers and campaigners.

Economics appears as another structure in which the problem is delineated but limited to questions of our responsibility as more or less ethical consumers. We are invited to buy freedom in various ways, but not to question the system or our place as consumers (Manokha, 2004). Bales emphasises supply chain monitoring, and pressuring companies through consumer power into taking responsibility for avoiding abuses in their supply chains. This is potentially far preferable to the alternative, but it can also lead to the appearance of doing important and valuable things outweighing long term effects. In assuming companies and the market can be moral and that executives want to do the right
thing – or at least be seen to be doing the right thing – Bales perhaps underestimates systematic tendencies to profit-maximisation and away from concerns about people. Favouring working with businesses to outside regulation, Bales has either been complicit in or—more likely I suspect—predictably let down by businesses in respect of efforts to end child labour in cocoa production in West Africa. Bales and FTS trumpeted the founding of the International Cocoa Initiative (ICI) (of which Bales was a board member) as a breakthrough moment where “an entire industry has collectively taken responsibility for abuses of human rights anywhere along its product chain.” (Bales, 2006a, p. 283) In 2007 Bales highlighted the ICI in his book Ending Slavery, saying it was “successfully freeing abused workers in agriculture” (Bales, 2007a, p. 31) and in 2009 again lauded it as a model approach, emphasizing the money it had brought in from the cocoa industry to antislavery work. (Bales, 2009; Bales and Soodalter, 2009, pp. 152-155; Bales et al., 2009, pp. 50-51, more cautiously) Interviewed in September 2009, Bales said:

*The way that we've discovered that works best is … instead of, say, attacking corporations and boycotting corporations, … bringing them into the mix and getting them to pay for the work on the ground. Now, we've done this with the chocolate industry to what I think is enormous success. About $50 million has been transferred out of chocolate company profits … into work on the ground in West Africa to remove slavery and child labor from cocoa production … money that never would have come … to anti-slavery work, if we hadn’t brought them in at the beginning. (Bales and Goodman, 2009)*

Investigative journalist and academic Christian Parenti responded that Bales was being “either wilfully naïve or simply dishonest” in trumpeting “a toothless, voluntary, self-policing agreement … the industry’s way of avoiding binding legislation” (Parenti). Parenti reports travelling to Côte d’Ivoire in 2008 and finding no evidence of funds reaching those they were meant to help. ICI had only one staff member in the country, who could not identify any on-the-ground initiatives to help children besides a shelter in Abidjan that was “a squalid mess” with “only a few filthy children sleeping on the concrete floors”. The total
supported by ICI had been 8. (Parenti) While the ICI claims substantial progress since 2001 filmmaker Miki Mistrati, who has documented child labour in the industry, describes the ICI and the much trumpeted self-regulatory protocol as “nothing more than a document and politics”, irrelevant besides falling prices paid to middlemen and suppliers despite rising cocoa stock values (Mistrati and Monsy, 2012). It seems that Bales’s efforts here have mainly enabled cocoa companies to avoid regulation and burnish their image, and consumers to put off discomfiting thoughts about the source of our treats. Chapter 4 will look at further efforts to use capitalism and consumption to intervene in slavery, but it seems there are limits to ‘kinder capitalism’.

Further suggestions often made as to what we can do include choosing Fairtrade products, Rugmark, and other products that offer some guarantee of monitored standards. Solving slavery through states and shopping presumes our economic and political power, albeit suffering from iniquities at present, is, firstly, our power, to wield with near-sovereign efficacy as a group of individuals, rather than that we too are implicated in and constrained and produced within specific power relations over which we may have little say. Secondly, this presumes ‘our’ power and economic wealth is not fundamentally, historically or materially dependent on broader structures of exploitation that may be connected with the phenomena we are supposed to use that power to ‘fix’. If anything is seen as consistently wrong with the order of the present, it is usually presented in the context of Globalization as a ‘dark underside’. Such a formulation allows ‘globalization’ and neoliberal anti-regulatory capitalism itself to be saved from ruin – a dark underside might be an accident that can be brought to light and fixed without rocking the boat too much, suggesting consistent inequality need not imply inherently systematic inequality. On the contrary, the use of unfree/slave labour has structural effects of deproletarianization (it weakens the bargaining positions of free labour, alters our likely identity positions and alliances (so much for this being ‘our’ economic power!)) and may be fundamental to the current
political economy of capitalist production (see for example Brass, 1999; Manzo, 2005). Such a position implies the political economic effects of slavery are not a mere matter of dollar costs here and there, however for Bales they can be precisely that since the economy (seen in financial terms and as populated by rational modern individuals) is separated off. This separation allows Bales’s scene to protect the market, which can become moral. Bales calculates ending slavery is a “bargain” – in 2005, he estimated the cost at $945 million (Bales, 2005, p. 17) revised in 2012 to just under $11 billion spent over 25-30 years (Bales, 2012, p. xxix). He reassures us that we do not need a revolution to stop slavery (Bales, 2005, p. 16) – “thank goodness, he might add”, notes Anderson (2008b, p. 371). Even better, all these freed slaves will become consumers like us – “they buy stuff” and “become what a slave can never be: a consumer” (Bales, 2005, p. 18) and contribute to their states’ economies. ‘Freedom’, in this scene, means to become like ‘us’, while we can enjoy and celebrate our consumerism (see Chapter 4) without concerning ourselves about political economy.

Antislavery argues for extending our everyday awareness and responsibility, within certain limits. Recognising a practice as ‘slavery’ (and a person as a victim of such) is a powerful way to increase concern for those who would otherwise figure, if at all, as somebody else’s problem. Recognising ourselves as complicit in or benefitting from such practices, even indirectly and inadvertently via the supply chains that fill our shopping baskets, could render us open to a broader call to responsibility. The areas we are encouraged to look for an ethical response to modern slavery include, as has been shown above, through states and citizenship, through awareness raising and activist campaigning, and through enlightened consumerism. The remaining chapters explore some of the ways neoabolitionism suggests we answer this call to responsibility, starting with efforts to campaign against ‘sex trafficking’.
Chapter 3

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Sex Scenes

Introduction

What constitutes an ethical response to ‘sex trafficking’? On the face of it, sex trafficking would seem to be one thing almost everyone agrees must stop—certainly I have not found anyone arguing otherwise. However, there are extreme and emotionally charged differences of opinion on how to stop it—what would be a responsible response?—on what exactly ‘it’ is that should be stopped, and on what the facts are.

I had not originally intended to write a chapter relating to sex trafficking. I wanted to avoid an already sensationalised and over-emphasized area. Also, a mountain of excellent work critiquing anti-sex trafficking, anti-prostitution and rescue efforts already exists (e.g. Agustín, 2007; Agustín’s blog 2008-present; Anderson and O’Connell Davidson, 2002; Doezema, 2010; GAATW, 2007, 2010; Grant, 2014; Kempadoo; McNeill, 2010-present; Weitzer, 2005, 2010b), not least from sex workers and sex worker rights organisations themselves. In short, these people do not need me to speak for them, and often loudly contest those who continuously do try to speak for—and over—them. Yet wherever you look in anti-trafficking, before long you will encounter presumptions about sex and victimhood held to be ‘true’. ‘Sex trafficking’ keeps coming up as central in setting a wider scene where rescue is necessary and we are called to act. Many of the aspects identified in Chapter 2 as features of the neoabolitionist scene play out here, often at their most extreme: awareness raising, injunctions to be vigilant, huge numbers, shocking life stories, emphasis on total helplessness, dismissal of considerations of agency, the emphasis that “it happens here”, that the audience can be heroes fighting evil, the tendency to prop up our view of self by rescuing others, the promise of an imminent future where we will end this,
and that we can act by pressuring politicians and companies. Probably on no other issue are protestations of complexity against simplistic scene-setting and one-dimensional characters more controversial or met with more hostility.

Rather than attempt a comprehensive overview, this chapter looks at selected examples showing how mutually exclusive scenes are (re)produced and play out in an ongoing furore over internet advertising of commercial sexual or erotic services, particularly with regard to classified sites Craigslist and Backpage.com. While no-one has denied that cases of trafficking have occurred via these media, there is little agreement about the scale or the appropriate response. The campaigns against Craigslist and Backpage reproduce a Manichean scene by ritualistic repetition of often baseless ‘facts’, silencing of sex workers, and aggressive demonization of those who disagree or argue for greater complexity. Such practices are common in wider media coverage and political discourse in the US, so I also look at how figures can take on a life of their own—circulating and functioning as if true—in sometimes interwoven moral panics about trafficking on-line and for sporting events.

First I briefly outline some of the characters and tropes that distinguish the scenes of prohibitionist anti-sex-trafficking and sex worker rights. Second, I explore how prohibitionist neoabolitionism deploys egregious statistics (that 100,000-300,000 children are trafficked in the US annually, that the average age of entry into prostitution is 13, and that huge rises in trafficking are associated with major sporting events). Finally, I look at campaigns against Craigslist and Backpage. Underpinning all of these is an anxious fantasy of control over the meanings and permissibility of sex, operating to secure and comfort would-be rescuers against a finally uncontrollable, traumatically complex reality that exceeds the scene.
Characters and Tactics

Prohibitionist-Neoabolitionists, Sex worker activists, and other non-abolitionists

In this section, I will characterize two broad bundles of presumptions and claims around the exchange of sexual services for money. The first we may call a prohibitionist or neoabolitionist scene – favoured by those who insist that prostitution is inherently or unavoidably degrading and damaging and that the appropriate response to this is to abolish it. The second may be referred to as ‘non-abolitionist’.

Janie Chuang (2010), makes this distinction regarding campaigners, using the terms ‘neo-abolitionist’ and ‘non-abolitionist’, while Ronald Weitzer refers to “oppression writers” and an evidence-based “polymorphous paradigm” respectively (2010a). As Chuang notes, the former grouping is “an unusual alliance of feminists, neoconservatives, and evangelical Christians” (2010, p. 1664), whereas the latter is a somewhat more diverse group that “share disagreement with the neo-abolitionist agenda, whether for political, moral or pragmatic reasons, but who are otherwise difficult to categorize under one label” (2010, p. 1670). Space precludes extensive textual evidence here, so this will be a broad-strokes survey (but see Doezema, 2010; Weitzer, 2010a, 2010c). My interest here is in the characters that populate the two scenes, and the logics that accompany them.

‘Prostituted women’ or ‘Sex workers’?

With the exception of certain parts of Nevada within licensed brothels, ‘prostitution’ generally is illegal across the United States. Its (il)legality is, however, a matter for individual states, being outside the enumerated powers of Congress (Constitution of the United States, Article 1, Section 8), except insofar as it involves interstate commerce under the Mann Act (1910). While prostitution is not directly subject to federal prohibition, trafficking is. Efforts to frame all prostitution as ‘human trafficking’ antedate and influenced federal anti-trafficking law, and prohibitionist neoabolitionists have been largely successful in
setting a moral agenda against commercial sex. Its morality, its forms, and the attitudes
taken toward commercial sex are sources of anxiety and controversy, and often bitter
argument about what ‘prostitution’ is.

Each scene has people in it exchanging erotic and sexual services in return for money. For
many of those people themselves and many who support them, the term ‘sex worker’ is
preferred as enabling sex to be considered a form of work. For the prohibitionists, they
should be called prostituted women, victims, trafficked women (overwhelmingly the focus
is on heterosexual female prostitution) or sometimes slaves. They should not be called ‘sex
workers’ (see e.g. Bindel, 2006b, 2015; Farley, 2004; Farley et al., 2004; Jeffreys, 2005; Lloyd,
2011; Pollitt) as this term is seen as dignifying the sex industry. The distinction between
forced and voluntary prostitution, which is made in law in terms of US trafficking
definitions and by many women engaging in prostitution, is dismissed by prohibitionists as
either meaningless or harmful in the context of patriarchy in which prostitution is seen as
an institution of male violence against women. Those who claim to choose prostitution are
often seen as suffering from false consciousness, whereby the fact that they would choose
it is read as evidence of the harm that is being done, by an audience invited to share in the
unthinkability of choosing sex as work. Emphasis is placed on those survivors of
trafficking who report having previously understood themselves as choosing but who now
no longer do. This allows dismissal of those claiming to be choosing because they can be
expected to change their mind. A further strain of prohibitionist neoabolitionism comes
from conservative evangelicals, objecting on moral grounds to non-traditional non-marital
sex and favouring a patriarchal domestic image of womanhood. More liberal Christians
may not do this, but many retain a conviction as to the indignity of selling sex as a debased
form of womanhood and inappropriate form of (non)labour (see ‘Women, sex and soup’
in Chapter 4).
Those who actively and avowedly claim a position as choosing subjects are either pitied as suffering from false consciousness or, if it is conceded that some prostitution may be more-or-less voluntary, are treated with hostility as an unrepresentative few or deemed less important than the overarching goal of abolition. Non-abolitionists vary in their degree of comfort with the notion of sex work, from those who actively embrace it as potentially liberating to those who recognise it as a difficult, perhaps undesirable choice but a choice nevertheless. (Chuang, 2010, p. 1670)

The neo-abolitionist scene thus has characters of ‘victim who needs to be rescued’ (including ‘victim who needs to be rescued but does not realise it yet due to false consciousness’), ‘survivor’ (who has escaped or been rescued and sees it in those terms), and ‘unrepresentative voluntary prostitute’ who should do some other more appropriate form of work. Sex cannot be work. If these seem crude caricatures, they are. Yet they are remarkably strongly embedded, and policed by similarly crudely stereotyping dissenters as delusional, complicit or outright evil. We are told to “listen to survivors” but only the ones we are presented with by abolitionists, not those who speak out of turn and are deemed ‘unrepresentative’. These moves deny complexity, and act to silence dissenting voices (Phipps, 2015). A more extreme move that is increasingly common is to decry non-abolitionists and sex worker rights activists as “the pimp lobby” – essentially as gender traitors or conspirators in oppression.

‘Pimps’, ‘Johns’ and ‘Traffickers’

The character of the pimp or trafficker is central to neoabolitionism. The narrative of victimisation is strongest when there is an individual victimiser coldly calculating the value of (usually) his victims. The figure of the pimp acts to stabilise the notion that no-one would choose prostitution – the constantly repeated received wisdom is that nearly all prostitutes are forced to work by pimps (despite research suggesting otherwise – see Hinman, 2011; McNeill, 2011c). This discounts the possibility that internet advertising can
enable sex workers to advertise, vet clients and organise their work independently. There are, of course, people who fit the image of the pimp, who control vulnerable people by physical, sexual and psychological violence, or exploit vulnerable children. There are also drivers, and managers, and people who run websites or screen clients, bouncers, co-workers, and other non-client/non-sex workers likely to be labelled as pimps or arrested as such (McNeill, 2011a; SWOP-NYC, 2012a). Regardless of whether pimps/traffickers are everywhere (per neoabolitionists) or are as rare as McNeill claims, the figure of the pimp is actually useful to both sides. Those who want to decriminalize prostitution, or to allow ‘escorting’ can use the pimp to distinguish real trafficking from most prostitution. Both sides of vocal debates between prohibition and decriminalization point out the false dichotomy of purely coerced or purely voluntary when it suits them, but also imply its salience at other times. This plays out in the drama of what to do about Craigslist and Backpage (below).

The figure of the purchaser is similarly scene specific. To sex workers, they are clients or customers, perhaps ‘tricks’, perhaps friends. Some are bad but many are OK, some respect them, some don’t. To prohibitionists they are ‘Johns’ – a sort of morally diseased specimen of failed manhood, as in campaigns saying ‘Real Men Don’t Buy Girls (see Kavner, 2011), or universally violent individuals who do not see prostitutes as human beings but as a piece of meat, as in the writings of neoabolitionists. Notable is that, in terms of rhetoric, neoabolitionism is fixated with the idea that the sale of sex is the sale of the person in a way that other labour is not.

The Promise of ‘End Demand’

The conflation of prostitution and trafficking is increasingly embedded in policy and practice, and recently even law. While the TVPA did not define all prostitution as trafficking, and while the statute books continue to criminalise voluntary prostitution in most states, the 2015 Justice for Victims of Trafficking Act (JVTA) (2015) muddled the
waters by adding “patronizing” and “soliciting” of a victim to the list of activities that may be charged as ‘trafficking’. Someone who sees a prostitute who is deemed to be trafficked, even if this is not known to the client, possibly even if they have made an effort to find out, can be charged as a trafficker. This is only true of trafficking for sex, not for labour. As Kate D’Adamo notes, “End Demand tactics that criminalize buyers are now being institutionalized in federal law, and those who patronize sex workers are now considered on the same level as actual human traffickers who knowingly force women to work without pay under threat of harm.” (D’Adamo, 2015)

‘End Demand’ refers to the simplistic claim that prostitution (or trafficking – they are versions of the same thing in this logic) will not occur when men stop demanding commercial sex, which can be achieved through education and criminalization (for an example see Demand Abolition, 2016). This logic is embedded in US anti-trafficking policy, stated as fact by the State Department:

[T]he fact remains: if there were no demand for commercial sex, trafficking in persons for commercial sexual exploitation would not exist in the form it does today. This reality underscores the need for continued strong efforts to reduce demand for sex trafficking by enacting policies and promoting cultural attitudes that reject the idea of paying for sex. (DOS, 2011a)

This notion ignores the variety of services provided, the multitude of desires and reasons for engaging in purchasing or selling of sexual services, and the livelihoods of those whose clients would disappear (Agustín, 2011c) in favour of a one-size-fits-all model of victims and perpetrators. ‘End Demand’ means that even if one accepts a distinction between ‘trafficking’ and ‘voluntary prostitution’, it is necessary to end both to end the former as the demand is deemed the same.

In this logic, the idea of the victim – the victim as character – is sufficient to produce perpetrators. It legitimises a disturbing trend in convictions for ‘cases’ where there is no
actual victim – so-called ‘John stings’, in which police entrap potential clients by creating fake adverts (see D’Adamo, 2015).

Sex workers have not been quiet in criticising ‘end demand’, or the related ‘Swedish model’ that ostensibly criminalizes the buyers but not sellers of sex (since they are victims) as being actively harmful to sex workers, including those at risk of violence:

As we and many others have noted, “End Demand” … is a misguided and ill-informed effort which increases the vulnerability of an already-marginalized population. “This means that for the next few months, it’s going to be harder to screen [potential clients now fearing arrest]. I can’t stop working – I just have to work under worse conditions.” noted one online-based worker. “I don’t understand why people can’t wrap their heads around that.” (SWOP-NYC, 2013)

The scene in which ‘end demand’ can make sense is structured by the promise of an imminent or achievable future outcome – zero or near-zero prostitution – assumed to be desirable for all if they would just realise it – a promise of purity. That future can justify harmful actions, disregard for sex worker views, and actions directly counterproductive even to law enforcement, because taking action will bring about that future – eventually, somehow (see ‘Whac-a-mole™’, below).

Suspicious Statistics

Chapter 2 noted the repetition of numerical claims in anti-trafficking generally. This is particularly characteristic of prohibitionist neabolitionism. The urgent need for that promised future, and the disregarding of knowledge claims and rights claims by sex workers and their advocates are strengthened by beliefs about what the present reality supposedly is. The scene’s present is embedded in ritualistic repetition of certain statistical ‘facts’ and hyped periods of fervent campaigning and awareness-raising. This section considers three examples of this.
Age

One statistic that persistently and widely circulates is that the average age of entry into prostitution is 11-14, with 13 the most common figure. (Bales and Soodalter, 2009, p. 91; Boyd and Bales, 2016; Carter, 2004, p. 217; 2010, pp. 6,21,113,150; Cullen-DuPont, 2009, p. 320; DOJ, 2004; Duncan, 2010; Farley et al., 2004, p. 35; Flores, 2010, p. 151; Hughes, 2006b, p. 14; Kirk, 2012a; Kutcher et al., 2011; Mam, 2009; NFS, 2013f; Romero; SHI, 2009; Young, 2009). Anyone questioning this, or why it would be a meaningful figure, or why there is such a focus on it, is typically met with a response of the form “whatever the average age is, it must stop”, as if the critic were in favour of child prostitution.

For the sake of argument, leave aside momentarily that “prostitution” or “the sex trade” has here already been flattened into one unitary category. Assuming that the mean age was 13, then one of two things would have to be true: either almost no one ever enters prostitution who isn’t a child at the time—which is not borne out by any research—or for every adult entering ‘the’ sex trade there are one or more drastically younger entrants. Nobody denies the sad reality that there are indeed significant numbers of sometimes very young children sexually exploited, commercially or otherwise – no age is absent from representation in reported child pornography, for example, there are many documented cases of prostitution of young children as well as older teens. However, while very young ages make the headlines, they do not constitute the greater part of the numbers. An average (mean) age of 13 is implausible, let alone 10, 11 or 12. If ‘average’ were instead taken to the modal or median average, this would be less extreme but still subject to the same basic objection.

Many debunk this and other figures repeatedly, but there seems little desire to hear. Like most trafficking statistics, the “average age of 13” number most often appears without any citation, but when it is cited it is most commonly attributed to one or more government agencies, “experts” or the Department of Justice (DOJ). It was listed on the DOJ’s website.
(2004) from September 2004 until March 2012 as the average age of entry into prostitution, citing Estes (2001b, p. 92). Page 92 of Estes and Weiner’s report clearly states that these were averages of the children they interviewed – not of all juvenile prostitutes and certainly not of entry into prostitution generally. McNeill (2011b, 2014a) traces the figure to the same study, but also further back to studies that were exclusively studies of minors, thus excluding everyone over 17. Even then, the averages usually came out at 15-16. She also notes the popularisation of the figure by influential prohibitionist campaigner Melissa Farley, who appears to have in fact taken the figure of average first intercourse, and not for the first time (McNeill, 2012). For McNeill (2012), the figure is

nothing more than a lie created through intentional (and tripled) misquotation of a methodologically-unsound 30-year-old study, perpetrated by a neofeminist working to advance her anti-sex agenda by any means necessary.

It is hard to disagree with this. When it is constantly repeated in spite of corrections it is tempting to call it ‘a lie’, but it is something more than that: the Melissa Farleys of the world are not simply ‘duping’ everyone – it works because others accept it, and in some sense enjoy the horror and shock. In a scene where all sex-based work is inherently slavery, or exploitative, and is of a special evil because it is sex, then age doesn’t matter for the meaning of the activities. It does however offer an emotional impact and a picture of simplicity: all prostitution is slavery, most prostitutes start young, no-one would do this otherwise. Even if valid, the average would tell us nothing of the distribution, of the numbers, of the causes, of the types of exploitation. It would tell us nothing of the intersections between sexual and other forms of exploitation, nothing about duration of exploitation, nothing about the needs of the youngest, or the older, nothing about gender, and nothing about the solutions that might be called for. Such considerations are invariably subordinated to the overarching goal of abolition through prohibition. The image of most prostitutes as having started so young plays into the dismissal of sex workers’ perspectives
as contaminated by their necessarily traumatised childhoods. The word ‘average’ appears to function mainly as a marker of scientific-sounding authority, something with the ring of truth, to set a scene of simultaneous authority and horror that demands equally authoritative and uncompromising solutions.

Sports events

Another claim or concern widely reported worldwide by media, celebrities, governments and NGOs, is that major sporting events see substantial increases in sex trafficking of women and children (Bindel, 2006a; Bindel, 2006b, p. 21; Blackman, 2007; Burnside, 2010; DOS, 2006, p. 124; DOS, 2009, pp. 215, 261-262; DOS, 2010, p. 243; DOS, 2011b, pp. 99, 391; DOS, 2012, p. 266; DOS, 2014, p. 20; Fabricius, 2009; 2010; Hughes, 2006a; Keilholz, 2008; Lagon, 2008a; Laville, 2009; Light, 2010; London Councils, 2011; McVeigh, 2007; NFS, 2014c, Facebook posts 23 December 2013, 12 June 2014; NFS, 2014d; no2010.com, 2008; Orr, 2006; Perrin, 2007; Rose, 2010; Savage, 2010; 2010; Swinford and Waite, 2006; Tacopino, 2010; 2010; Young, 2007). The US, through lobbying and its TIP reports, has used sports events to push its own version of anti-trafficking, lobbying against Germany’s legalization of prostitution, and emphasizing ‘demand reduction’ approaches (DOS, 2006, p. 124; Hennig et al., 2007, p. 20).

A frequent more specific version of the claim is that 40,000 people are expected to be, or were, trafficked for a particular sporting event. Sometimes 40,000 is the number of prostitutes supposedly expected, the two being habitually conflated. Ann Jordan (2011, p. 3) traces this figure via some mutations, slippages and wholesale transplanting to the 2006 World Cup in Germany. The figure appeared in a CATW press release as women “expected to be brought to Germany to meet demand for commercial sex at World Cup games” (Hughes, 2006a). No source or methodology for this figure can be found anywhere, and Hughes is an anti-prostitution researcher whose use of statistics could generously be called ‘creative’. Bindel (2006a) claims it was “based on the number of women needed to fill the additional
brothels being set up”. While this was not claimed to be a figure of trafficked women, the authorship and funding base of the report has a strong prohibitionist, anti-prostitution stance. Conflation of prostitution and trafficking is evident in the following paragraph’s declaration that the statistics presented “reveal that a new era of dark ages is emerging for women”, referencing “Germany’s flagrant state complicity in sex trafficking” (Hughes, 2006a). Jordan suggests it may have come from an earlier estimate of 30,000, itself untraceable. Others continue to defend it: Hughes (2006b) compiled a report consisting of excerpted news reports that repeat the figure, citing unnamed “experts”. Hughes concedes “none of the social organisations consulted knew exactly where the figure of 40,000 foreign prostitutes … came from” but noted “it has been quoted in the media for several weeks, and is thought not to be unrealistic.” In 2010, the 40,000 figure popped up again, seemingly from nowhere, as supposedly on their way to the World Cup in South Africa (Kwinika, 2010; 2010; Tacopino, 2010; 2010).

There is no shortage of commentary pointing out the fallacy of such claims (Agustín, 2010b, 2012; Dolinsek; Ham, 2011; Magnanti, 2012; McNeill, 2014a; O’Neill, 2007; Paterson, 2009) but seemingly every time another event comes around they are resurrected. The IOM found World Cup claims to be “unfounded and unrealistic” (Hennig et al., 2007, p. 5) and German Anti-trafficking NGOs found no, or “hardly any” cases attributable to the event (Jordan, 2011, p. 3). German government sources report 33 trafficking cases investigated during the period, of which 5 (one man, four women, aged 18-21) were believed to be linked to the World Cup (German Delegation, 2007, p. 5). Even when lack of cases is acknowledged, it can still work/be worked to the scene’s presumption about action: the same report concluded that the lack of cases meant the anti-trafficking strategy “proved to be successful.” (German Delegation, 2007, p. 5). Or it can be entirely ignored since the believer already knows ‘the truth’: Bindel stands by the numbers, calling the EU
Those advancing claims around sports events often report a 95% increase in (or “almost doubled”) sex trafficking in Athens due to the Olympics in 2004 (Keilholz, 2008; Laville, 2009; Perrin, 2007, p. 26). This was based on a rise from 93 to 181 individuals, and while any increase in trafficking would be unwelcome, this phrasing is sensationalizing. These figures were actually for all victims of any form of trafficking nationwide for the whole years (Paterson, 2009). An IOM report (Hennig et al., 2007, pp. 12-13) found no reported cases of sex trafficking during or related to the Athens Olympics.

The phenomenon reaches its zenith in the US, with annual hysteria around the Super Bowl, claimed to be a magnet to traffickers and trafficking (DOS, 2014, 2015; Goldberg, 2013; Goldberg, 2011; Jervis, 2011a; Loth, 2011; Montemurri; Shellnutt, 2011; Speier, 2014). Newspapers, media, local politicians and law enforcement in the host city for the Super Bowl each year trot out the same stories, with unsubstantiated claims of up to 100,000 prostitutes, or 100,000 trafficked, including up to 38,000 underage (Kotz, 2011) despite their equally constant debunking (Abad-Santos, 2014; Kotz, 2011, 2012; McNeill, 2014b).

The ‘logic’ behind the claim is that when large numbers of men travel there is an increase in demand for sex because men away from home are more likely to pay for sex. The supposedly testosterone-saturated environment of sports events strengthens this assumption. As GAATW (Ham, 2011, p. 14) point out, this “simplistic equation relies on problematic assumptions about masculinity, business practices within the sex industry, sex workers’ capacity to take action, and the root causes of trafficking.” Against these assumptions, it may be pointed out that many people travel to events as families, and/or seek out other forms of entertainment. As is frequently the case with such statistics, the numbers not only lack evidence (with numbers of arrests quoted usually being of non-
trafficked women, and not identifiably increasing – see Ham, 2011, p. 23) but fail the most
basic sanity checks leading to ridicule among sex workers. McNeill mocks the idea that a
“lost tribe of gypsy harlots wanders about the world from mega-event to mega-event,
unimpeded by the usual logistics of transport and lodging” (McNeill, 2014b). Kotz (2011)
points out that with total attendance estimated to be 150,000-200,000, almost “every man,
woman and child holding a ticket would have their own personal hooker[,]”

100,000-300,000

Perhaps the most commonly repeated, emotive and consequential figure is some variation
on the claim that there are between 100,000-300,000 sex trafficked children in the USA
each year. It has been repeated as fact countless times in media and in governmental circles,
and by activists including Kevin Bales and David Batstone (Bales and Soodalter, 2009, pp.
90, “between 244,000 and 325,000”; Batstone, 2015, 10th and 17th July 2014; Bewley, 2012;
Brown, 2011; Curtis et al., 2008, inflated to “between 100,000 and three million” (which
would represent approximately 4% of all US children); DOJ, 2012, “293,000”; Evans, 2014;
NFS, 2014b, “each year 300,000 US children become CSEC victims.”; NFS, 2014e,
“300,000 children are commercially exploited for sex in the US every year”; Powell, 2013,
“300,000 cases prosecuted per year”, ‘corrected’ from earlier claim of 300,000 prosecuted
in Houston, TX each year; Sherman, 2010; SHI, 2009; Smith, 2005; Wellspring Living,
2012, “well over 100,000”). Sometimes the figure appears with the qualifier ‘at risk’ (see
below) but more often it appears without, often instead gaining the qualifier ‘are sold’, or
similar. The House of Representatives Committee on the Judiciary Hearing on Domestic
Minor Sex Trafficking, in the same week Craigslist capitulated to demands to shut down all
of its “Adult Services” (see below), heard from multiple representatives who all testified
without qualification either that there were “at least 100,000” annual (actual) victims, and up to
“300,000” (again, actual) victims of child sex trafficking, with many mentioning Craigslist in this context (Allen, 2010, pp. 138, 144; Maloney, 2010, pp. 6, 8; Scott, 2010, p. 2; Smith, 2010, pp. 21, 22, 23, 24; Smith and SHI, 2010, pp. 33, 111, 113, 116, 119; Speier, 2010, pp. 9, 10, 12).

Child sexual exploitation is happening, and while it may be impossible to produce an accurate figure, no number of cases would be acceptable. However, this particular statement of figures appears to be not just suspect but wildly inaccurate. Many have repeatedly debunked this figure and its origins (Agustín, 2010a, 2011a; Almodovar; Berlatsky, 2015; Clark-Flory, 2012; Kessler, 2015a, 2015b, 2015c; McNeill, 2014a, no date; Nolan Brown, 2015; Pinto, 2011; Sullum, 2015). Yet, it continues to circulate – often in conjunction with claims about sporting events, average ages, and global magnitudes of slavery – and those questioning its veracity face accusations of complicity in child sex trafficking. My purpose is not to correct the figure; rather what interests me here is the politics and rhetorical effects of arguments over the figure. Why does it circulate so widely and so easily, often unaccompanied by its original units, cautions or context? Perhaps the more interesting point is not what the true figure would be, but in what scene(s) this figure functions as true, and with what effects.

It originated in a 2001 study (Estes and Weiner, 2001a, 2001b). That study was itself harshly criticised (Cizmar et al., 2011) however even it was more circumspect than subsequent reporting of its headline figure. The authors stated (after reviewer pressure) that their numbers did not “reflect the actual number of cases in the United States but, rather, what we estimate to be the number of children ‘at risk’ of commercial sexual exploitation” (Estes and Weiner, 2001a, p. 39). The headline figure also gives no indication of the complexity of risk, of differing degrees of risk, or of risks of different outcomes, thus flattening the total into an undifferentiated mass at risk of an undifferentiated phenomenon.
The criteria used in that study to indicate risk included all runaways annually in the US (60% of the pool according to the authors), the vast majority of whom return home within a short period, transgender youth, female gang members, children living near the USA's external borders, access to a car, and access to the internet. Furthermore, these categories are not mutually exclusive and only some duplication was controlled for, so individuals in the pool fitting multiple categories could be counted multiple times, further inflating the figure. McNeill (2014a) adds that some of the data in their pool included “youth” up to 21 years old, that exploitation was conceived so broadly as to include viewing pornography as being exploited, and that sex trafficking was the least common form of exploitation in the study. The authors did stress that this estimate of “100,000-300,000” was “in addition to the more than 105,000 children that annually are substantiated or indicated to be victims of child sexual abuse” (Estes and Weiner, 2001a, p. 10). These constitute a different and broader category than “commercial sexual exploitation”, and would include a majority taking place within families. Intra-familial abuse and other areas of vulnerability and lack of support identified by the report are no less troubling. However, they suggest very different policy approaches and appropriate forms of analysis than would 100,000 child prostitutes, as would 100,000 at risk, even were the indicators of such risk less tenuous. The executive summary of the report is itself questionable, but once ‘in the wild’ the figure becomes a damaging fiction with a life of its own. Interviewed in 2011, Estes guessed the annual number of US children actually kidnapped and sold into slavery as probably in the hundreds (Cizmar et al., 2011).

This figure thus does not record or reflect actual children – people with individual stories – being exploited, however many there actually are (assuming some neutral definition were possible). Rather, it offers a place for people to understand themselves and others. Some understand themselves as victims of this phenomenon and it is not my intention to deny that – but it also imposes this regulative characterization on those who reject it, and
conjures up for the audience an imaginary group whose actual existence is not required. Repetition of such figures could, perhaps, do something against indifference toward violence against women and children, but at the cost of simplifying the activist’s relation to the world, eliding complexities and defining ‘violence against women and children’ as the rescuers wish, often against the vocal and articulate opposition of those they wish to ‘rescue’.

The affective impact rests on the presumption that it does refer to, or at least substantially indicate, actual people. Indeed, actual people, with complex lives, desires and opinions, are less conducive to such simplistic moral certitude. The presumption of its salience, enhanced by its frightening magnitude, gives it power to affect an audience, and reassures activists of the importance of their campaign and the evil of those who disagree. There is perhaps even a certain affective thrill at the awfulness and urgency and magnitude of people imagined as fitting the archetypal victim image of the helpless brutalised girl.

This figure of 100,000-300,000 as representing actual trafficked children gains its status and believability within a particular scene of broader moral panic about prostitution and about children under threat. To say there is a moral panic, or that this is a scene rather than an external reality does not mean there are no problems, it does not deny the suffering of children, but it suggests there is a certain perverse enjoyment of panicking and feeling that one’s position is under threat from evil opponents. Those who question figures such as this are often vilified – the implication is, at best, that they are irresponsible, hiding away and disconnecting from real suffering, or at worst that they are actively hostile. Meanwhile those who press on with the urgent work of fighting this (image of the) problem are seen (or can see themselves) as those truly taking responsibility, connecting with and reaching out to others. However, rigidly holding to such a ‘fact’ against criticism and critique of its effects produces a separation, a distance from the messiness of whatever reality may be, and supports a denial or attenuation of responsibility for negative or undesired outcomes of
policies informed by the scene-masquerading-as-reality: “doing the right thing” or “steps in the right direction” to a promised end goal can support counterproductive actions and dismissal of negative impacts of ostensibly well-meaning action. This is exactly what I would argue is happening in the example that follows.

These numbers appear to be quintessential simulacra of ‘facts’ – free-floating repetitions of mangled repetitions, whose apparent veracity – and hence the authority of their continuing repetition – rests on nothing but their earlier and ongoing repetitions, and that in the scene they help set, they appear believable to some. They set a standard by which other claims and future iterations of the same claims are judged. Such figures are just that – figures that stand in for, and figure as – and supposedly in the name of and for the benefit of real people who may or may not be well served by the scene thus set. Such facts, in terms of policy legitimation, affective scene setting, authority and urgency – function as real and true, even to the exclusion of individual stories that do not fit. The audience is of course horrified: a certain American subjectivity is simultaneously shaken and reproduced in the fervour to abolish and emancipate, as befits the self-proclaimed land of the free. The audience is inducted into a particular understanding, an urgent tone, and specific responses: How can this happen here? How can it happen now? What can we do about it? Who is responsible? What should they do?

**Website Whac-A-Mole™**

A current dominant answer plays out in an ongoing ‘game’ of Whac-A-Mole between prohibitionist / abolitionist campaigners and various websites on which escort services are advertised. Persistent efforts are made to close down websites involved in so-called ‘adult services’ in the purported belief that this firstly will help to stop or reduce sex trafficking, and secondly that it is feasible at all. The former is dubious, and the latter is highly unlikely given the decentralised nature of the Internet. If you knock down one website, another
pops up. If you knock down all the websites in the US, there is nothing to stop sites based abroad, beyond the reach of US law enforcement, from being used, even before anonymization technologies such as TOR and Bitcoin. In the logic of End Demand, with the promise of a future in which all these actions will eventually bring about sufficient diminution to end ‘trafficking’ (and/or prostitution) knocking down one website appears as a victory. However without that projected future, or from a perspective that pays attention to sex worker agency, these campaigns are hugely damaging. Websites can equally be seen as crucial allies in combatting trafficking through cooperation with law enforcement and providing centralised locations to monitor. Ruvolo (2012) likens responses to Craigslist and Backpage trafficking cases to destroying the Golden Gate bridge because people have used it for suicide. Sullum (2015) derides New York Times columnist Nicholas Kristof’s crusade against Backpage as akin to someone who “upon witnessing plantation slavery, decides that farming must be abolished”. The campaigns reflect both political expediency as public officials with electoral considerations see a popular easy target, and more fundamentally a desire for, and fantasy of, control over a problem that is more multifaceted and complex than campaigners wish it to be.

‘The Problem’

‘The problem’ is, depending on emphasis, either that classified advertising sites are being used for the sex trafficking of children, or that they are being used for ‘prostitution’. It is undisputed and a matter of public record that there are cases of sex trafficking (underage and coerced) where the services of the victims are advertised via so-called ‘adult services’, ‘erotic services’, ‘escorting’ etc., sections of online classifieds websites, such as Craigslist and Backpage.com. However the overwhelming majority of adverts are not of this type.

Lawyers for Craigslist, EFF, the Internet Archive, and later Backpage have consistently argued successfully before various courts that websites are protected by the Communications Decency Act (CDA) 1996 §230, which protects ‘providers’ of interactive
computer services from being treated as ‘publishers’ or ‘speakers’ of user-generated content. In short, responsibility for advert content falls upon the advertiser, not the provider of the venue in which it appears.

What Craigslist and Backpage are doing, whatever its morality, is not illegal, and attempts to change the law have so far been simplistic and over-reaching and have foundered against the Constitution or CDA §230 when challenged (2012; 2012a, 2012b; Bouboushian, 2015a, 2015b; Bouboushian, 2013; Buckmaster, 2009a; Davis, 2013; 2012; Masnick, 2009b; Massey, 2014; McCann, 2012; Meisner, 2015a, 2015b; Nolan Brown, 2014, 2016; Stempel, 2015; Zimmerman, 2009). The campaigns against these groups therefore, while they tend to involve threats of legal action, are essentially about moral, political and economic pressure.

These sections are purportedly for ‘legitimate adult entertainment’, as opposed to ‘prostitution’. Anti-prostitution campaigners suggest that they are merely euphemistic fronts for ‘blatant’ prostitution (Blumenthal et al., 2010; 2010, p. 225). Others point out that there are various ‘grey areas’, such as domination, massages, and ‘escorting’.

Escorting is a somewhat grey area – ostensibly, what is sold is time and companionship – which is legal – rather than ‘sex’, which is merely something that may or may not happen in that time between consenting adults. As such, ‘escorting’ may typically be a euphemism (though not in all cases), but it is one that has often been broadly, if grudgingly, de facto tolerated, and it is no secret that in effect sex work is widespread, though tolerance is uneven, fickle and contested. Similarly, adverts for ‘bodywork’, ‘massage’ or ‘body rubs’ can be for non-sexual services even though they may be euphemistic – there can be no certain way to monitor such adverts with 100% accuracy – the language used develops with time, specifically to evade censorship, even if the ‘acts’ and ‘motivations’ could so easily be defined. Whether or not these are all euphemisms for ‘prostitution’, many would be widely understood as such in context, including by those advertising and purchasing services.
Anti-prostitution critics tend to see such adverts as *nothing but* blatant, thinly veiled ‘prostitution’. From within this position it can only appear as hypocritical or disingenuous to talk of ‘legal adult entertainment’ services, and it becomes easy to conflate prostitution and trafficking. Many sex workers find advertising as independent escorts on sites such as Craigslist a useful alternative to potentially more dangerous situations such as street prostitution (Anonymous, 2015; Boyd, 2011; Grant, 2010; Petro, 2012; SWOP-NYC, 2009, 2010, 2012b, 2012c, 2012d, 2012e, 2012f). In particular, they say that classified advertising improves their safety, supports independence, and reduces the likelihood of exploitation by managers (or ‘pimps’). While the figure of the pimp looms large in stories about prostitution, and especially trafficking cases and in respect of Craigslist and Backpage, the reality is more complex and less easily pigeonholed.

Whereas campaigners see the classifieds sites and their owners as pimps (Village Voice Pimps, 2013), and see pimps behind almost every advert (e.g. Kristof, 2012b, 2015), and there undoubtedly are cases that fit that stereotype, these appear to be a fairly small minority.

Craigslist and Backpage.com have become high visibility targets to politicians and campaigners anxious to do something (or perhaps to be seen to be doing something). These websites have been vilified as promoting child sex trafficking, profiting from slavery, and hence as evildoers or at least irresponsible or misguided. They in turn have argued that they are valuable allies in the fight against trafficking because they proactively monitor and report suspicious activity, and provide electronic trails to offenders. Consistent with the modern slavery literature’s emphasis on individuals being part of the solution to problems of trafficking, raising awareness, making their voices heard and speaking for the presumed voiceless, the issue of sex trafficking in the US, particularly around internet advertising, has seen a growing phenomenon of the public participating in anti-trafficking activism (Latonero et al., 2012, p. 19). Much of this takes the form of social media posts and
sharing (notably on Twitter and Facebook) and online petitions through sites such as Change.org and Causes.com. At time of writing, Change.org had 330 petitions about “human trafficking” and 31 referring to “modern slavery”. In 2011-2012 a petition against Backpage.com gathered 266,799 signatures (Groundswell, 2012). At time of writing, Polaris Project had 39,100 followers on Twitter and over 59,700 page ‘Likes’ on Facebook, FTS had 25,800 followers and over 38,600 Likes, and NFS had 61,400 followers and over 79,000 page ‘Likes’ (FTS, 2016a, 2016b; NFS, 2016a, 2016b; Polaris, 2016a, 2016b). Between individuals, celebrities influencing their followers and political and business interests, enormous pressure can be brought to bear on targeted organisations.

**Craigslist**

The first site widely targeted for its alleged role in child sex trafficking was Craigslist, a classified advertising site founded to serve the San Francisco Bay Area in 1995, which has expanded since 2000 to cover 714 locales in 70 countries (Craigslist, 2016), used by over 60 million people each month in the USA alone (Craigslist, 2013).

After three years of pressure, Craigslist backed down and closed its “Adult services” section in 2010, since when the focus of campaigners has shifted, along with a large portion of adult services advertising to the number 2 classifieds site, Backpage.com. Backpage was then owned by Village Voice Media, though they split in September 2012 (2012c, 2012f) due to pressure on the parent company.

Craigslist's closing of its commercial adult services sections was hailed by campaigners as a victory whereby the company finally “did the right thing” (Fahrenthold, 2010; Neilson, 2011). That ‘victory’ is used to further pressure Backpage to follow suit. This self-reinforcing presumption that it was a ‘success’ is not clearly supported by evidence, which is at best ambiguous. There are good reasons to see that ‘success’ as counterproductive and the push to replicate it with Backpage as similarly misguided. Overall, it appears more
about *doing something* and being seen to do it, than anything else, and is inextricable from the broader anti-sex work discourse. At the time of writing, Backpage.com shows no sign of backing down as Craigslist did, and where – contrary to the accusations levelled against them – Craigslist did not have a financial interest in continuing to accept such advertising (see below), Backpage’s escort advertising is highly profitable.

“Trafficking” serves as a useful signifier deployed by both sides in these struggles. The focus on ‘trafficking’ serves the moral ‘comfort’ of both sides of these arguments (making it easier to find ourselves in a scene that allows us to believe we are acting responsibly). For anti-prostitution campaigners, trafficking justifies a harsh stance and offers a rhetorically stronger position to criticise advertising venues and to gain public sympathy and agreement – it is a matter of manipulating feelings. Using trafficking as a ‘Trojan horse’ (McNeill, 2014a) is sometimes a calculated tactic: *Demand Abolition* commissioned a national action plan that explicitly discusses how the campaign should be “branded” noting,

> Framing the Campaign’s key target as sexual slavery might garner more support and less resistance, while framing the Campaign as combating prostitution may be less likely to mobilize similar levels of support and to stimulate stronger opposition … A sense of urgency must drive the National Campaign[.] (Shively et al., 2010, pp. 13, emphasis original)

For those not directly engaged in sex work but making a profit from escort advertising, such as Backpage.com, ‘trafficking’ provides a clear wrong against which they can distinguish their business model, and may be able to reassure themselves that as long as they are trying to detect *that* then they need not be concerned with their broader income stream. This is not to dispute their commitment to that cause, as many critics would.

Those who are explicitly pro-sex work, even if they see the lines between forms of sex work as more blurred and may question the obsessive focus on sex trafficking as opposed to labour rights, are still likely to be against underage prostitution (and feel a strong
pressure to declare this). Such statements also serve to deflect criticism and carve out a space to make a case for separating legitimate consenting sex work from illegitimate trafficking.

Escort advertising itself is nothing new – there have been escort adverts in alternative weekly newspapers for decades, and escort sections in Yellow pages and similar. One can thus argue that Craigslist is no more (or less) a ‘prostitution’ service than Yellow Pages, Google or Bing (Buckmaster, 2009d, 2010c). Similarly, there are many other classified advertising websites, and many websites specifically for the advertising of sex work. The latter typically operate a business model of charging escorts to post adverts, and/or charging for memberships for those who wish to access escort details and arrange meetings. Many people advertise across multiple sites (Latonero et al., 2012, pp. 22-23). What was arguably new with Craigslist was its widespread availability, the scale of adoption of it, in part because of its non-charging, easy to use approach in which the poster directly created the content. This opened it up to people who could not afford to pay per-post, weekly or monthly fees, enabling advance communication to screen potential customers.

Craigslist first introduced ‘Adult Personals’ in June 2000 (Craigslist, 2000b). Like most of Craigslist, these were free, and since it carries no banner advertising, these did not provide direct income to Craigslist. Advert content was the responsibility of posters, however Craigslist introduced a “Flag for Review” feature for reporting possibly illegal or disallowed posts (Craigslist, 2000a).

Craigslist has a history of supporting free expression, and was reluctant to prevent consenting adults advertising erotic services or to police morality as long as adverts were not clearly illegal. The ‘Erotic Services’ category, for “escort services, sensual massage, adult web cams, phone sex, erotic dancing, adult websites, nude housecleaning, etc.” (Craigslist, 2008) was introduced in October 2002 in response to complaints about such adverts
cluttering other categories (Craigslist, 2002). It remained free, its primary purpose being segregation, not profit.

In 2007 Craigslist came under fire not for ‘trafficking’ but for enabling prostitutes to advertise themselves (Lambert, 2007). Later in 2007, Love146 began a campaign to close ‘erotic services’ due to alleged trafficking (Lex, 2009). Craigslist entered dialogue with Connecticut’s Attorney General (AG) Richard Blumenthal. Throughout 2007 and 2008 Craigslist introduced various technologies and processes to weed out illegal adverts, including introducing phone verification for erotic services adverts, improving compliance with rules and resulting in an 80% drop in listings (Buckmaster, 2008b). In March 2008, AG Blumenthal publicly accused Craigslist of “profiting from prostitution” (Buckmaster, 2008a) to which Buckmaster responded:

Unlike the telephone yellow pages, many newspapers, and countless websites, which for many years have profited from “erotic service” ads, craigslist derives no revenue (let alone profit) from “erotic services”, and in fact we incur significant costs in enforcing our terms of use regarding these ads. (Buckmaster, 2008a)

Buckmaster’s blog posts, Liz McDougall’s congressional testimony (McDougall, 2010b, pp. 2-6), and various writers make a strong case that Craigslist were far more innovative, committed and cooperative with law enforcement on this front than almost anyone else, at the time (or likely since) (see e.g. Bangeman, 2010; Cheng, 2009a; Cheng, 2009b; Grant, 2010; Masnick, 2009a, 2009c, 2009e, 2009f).

In November 2008, Craigslist, NCMEC, and 43 states’ AGs issued a joint statement announcing new measures “to help combat unlawful activity and improve public safety” on Craigslist (Craigslist et al., 2008). The statement acknowledged already existing safeguards of community flagging, automatic screening of keywords and telephone verification, emphasized Craigslist’s continuing cooperation with law enforcement and provision of education materials on Craigslist regarding trafficking, and promised Craigslist “will work
with the Attorneys General to develop more robust screening of language used in Craigslist postings” (Craigslist et al., 2008). This relies on identifying keywords used as euphemisms to evade filters, for example “roses” or “kisses” for dollars, or “greek” for anal sex. This becomes its own mini Whac-a-Mole™ as moderators identify such terms and filter them out, then posters alter or obfuscate them to pass again: “greek” becomes “~G/r/e/e/k~” for example. The idea that systems for monitoring can be flawless in such a scenario is implausible, but the fantasy that it is possible to know – absolutely – whether an advert “really is” prostitution or not remains important. Such a focus helps divert from the contentious political terrain of prohibition and toward technocratic questions of capability. Credit card verification was introduced through fees for new postings to ‘Erotic Services’. In light of later accusations of profiteering it is important to emphasize that this was done at the insistence of the AGs and law enforcement to encourage reduced and “more responsible usage” (Craigslist et al., 2008). Although ‘Erotic Services’ became a source of revenue, Craigslist committed to donate 100% of revenues from it to charities, including those working on anti-trafficking, a commitment it fulfilled.

In May 2009, after further pressure, Craigslist closed ‘Erotic Services’ (Buckmaster, 2009c). Instead, ‘Adult Services’ was introduced “for postings by legal adult service providers” (Buckmaster, 2009c). Each Adult Services posting would be manually reviewed by licensed attorneys prior to its appearance on the site. Buckmaster reiterated the relative safety of Craigslist versus print classifieds, due to their existing blocking, screening, verification, community flagging, safety tips, electronic trails, and “unusually high level of cooperation with law enforcement”, and expressed optimism that this new balance would satisfy users, AGs, law enforcement, legal adult businesses and free speech advocates. Responding to criticisms of Craigslist’s good faith, Buckmaster stated that their intention to contribute all ‘erotic services’ revenues to charity was fulfilled. He made no representation regarding how revenue from the new category would be used. Although figures are unavailable and most
donations are not public, subsequent refusals of donations (Brown, 2010; Hopfensperger, 2010) publicised by critics show Craigslist continued to donate to anti-trafficking charities among others. Having been accused of profiting when it was not, and then having been induced by their accusers to introduce charging, having spurned any profit and made donations without public fanfare or seeking credit, Craigslist was now vilified for donating their dirty money (Brown, 2010; Clark-Flory, 2010).

Through 2009 Craigslist was threatened by grandstanding AGs and embroiled in legal disputes with South Carolina AG Henry McMaster and Illinois Sherriff Tom Dart, which they successfully defeated (Arrington, 2009; Buckmaster, 2009b; Masnick, 2009d; Zimmerman, 2009). In addition to disputing factual errors, Craigslist’s attorneys and the EFF successfully won on the grounds of CDA §230. In May 2010 AG Blumenthal—then running for Senate and, according to Buckmaster, “once again indulging in self-serving publicity at the expense of the truth and his constituents” (Buckmaster, 2010a)—subpoenaed Craigslist, alleging they

\[
\text{may be profiting — in the tens of millions — from prostitution ads, rather than providing the ad proceeds to charity as it publicly promised in 2008.}
\]

and calling Craigslist a booming internet brothel. Under continuing pressure and accusations from AGs that their efforts had been ineffective, Craigslist replaced its ‘adult services’ link with a “Censored” message, removing the section from US lists on 3rd September 2010 (Jerome, 2010), and internationally on 21st December (Singel, 2012).

A Craigslist spokesperson testified at a Congressional hearing that the closing of the site may be a step backward for actually addressing child prostitution. (Jerome, 2010) Craigslist’s attorney Liz McDougall summed up the difference in approach between Craigslist and those human rights organisations criticising them. The latter are “idealistic”, believing “eradicating adult and erotic services will eradicate victims”, whereas Craigslist’s approach
is “practical” emphasizing technological solutions to contain, control, and report illegal activity. (Jerome, 2010; McDougall, 2010a, p. 174)

It seems clear that nothing short of perfectly stopping all prostitution adverts would be sufficient for Craigslist’s critics. Blumenthal’s comments make it clear that this was only about ‘trafficking’ if all sex-for-money is trafficking. Only from a naively neoabolitionist scene, for campaigners righteously convinced of their cause, their accurate knowledge and their ability to speak for everyone concerned, could this seem like a good idea. A letter from September 2010 (FTS et al., 2010) signed by over 100 representatives of anti-trafficking organizations, including Kevin Bales on behalf of FTS, lays bare the priorities of an idealistic crusade. It grudgingly acknowledges “some” positive actions by Craigslist. It acknowledges that there are other sites with such advertising but that they are “working to address those sites as well”, though does not say how they expect to ever finish doing so, or what they will do if sites are hosted outside of US jurisdictions. It acknowledges some law enforcement may find Craigslist useful for stings. It even highlights Buckmaster’s question as to whether it would be a step back to push advertising to other venues that are less cooperative. Yet their only response to this is to

[ask] you to take down all the Adult and Erotic sections worldwide, completely and permanently.

The language used in the letter of pimps, victims and johns ‘buying and selling women and children’, the total absence of consideration of independent sex work, let alone legitimate adult services, further shows the scene that animates this movement, as does the highlighting of nudity in some erotic adverts as a concern. There is an underlying squeamishness about all commercial sex, and a dependence for apparent coherence on archetypal victims, villains and heroes. Complexity and imperfection are not allowed: “these efforts are not enough” (FTS et al., 2010). Craigslist’s submission ironically appears to rhetorically absolve them of responsibility (with the credit going to campaigners) by
abandoning a position from which they actually could and did take some responsibility for victims.

Critics doubt the sincerity of companies claiming to review postings but still letting through postings that are more or less blatantly advertising sex for money. Meanwhile, unlike Craigslist, for a company such as Backpage.com that profits from adverts, giving adverts the linguistic ‘benefit of the doubt’ and turning a blind eye to anything they can is profitable. Besides profit calculations or questions of sincerity, however, there is a fundamental and political disagreement over what is objectionable, coupled with an unwillingness to accept the technological and practical impossibility of perfectly monitoring even an agreed standard. Responding to such problems by ‘whacking down’ a venue that is actively cooperating can only appear as an ethical response with the fantasy of a future in which all the ‘moles’ will have been whacked down or, less generously, if the enjoyment of doing something and feeling responsible, feeling in control and reinforcing ones image of the world outweighs responsibility for negative outcomes, including those directly counter to one’s stated aim.

**Backpage**

The dust had not settled on Craigslist before campaigners moved on to their next target. Backpage.com launched in April 2004 (Backpage, 2004), rapidly expanding thereafter. It now stands as the second most popular internet classifieds site after Craigslist. It has always been for-profit enterprise and has had adult services from the outset. Throughout the time Craigslist was being targeted, Backpage had a more lax advertising regime, with no manual screening. (Buckmaster, 2010d) Each tightening of Craigslist’s regime led to spikes in advertising traffic elsewhere, including to print weeklies and other websites, notably Backpage, exactly as predicted by Buckmaster and various commenters (Beaujon, 2009; Buckmaster, 2010b; Cheng, 2009a; Chiu, 2010; McDougall, 2010a, pp. 175-176; Sullum, 2010; Zetter, 2009).
Space precludes detailing the minutiae of the campaign against Backpage. It has broadly followed the pattern established in the dispute over Craigslist—a sequence of threats, claims and counter-claims about whether or not Backpage does all it can to prevent trafficking or prostitution—except that Backpage has been the subject of, and initiator of, more legal actions. It has so far prevailed in every case. Village Voice Media Holdings (VVM), Backpage’s owner, even hired Liz McDougall—formerly Craigslist’s attorney—as counsel.

Immediately after Craigslist’s ‘Adult Services’ shutdown, 21 AGs (who had previously been conspicuously focused exclusively on Craigslist) now wrote to Backpage, saying

> [b]ecause Backpage cannot, or will not, adequately screen these ads, it should stop accepting them altogether … We cannot allow such websites to be portals for prostitution in our communities. (KDSK, 2010)

‘Our communities’ seemingly have no room for disagreements on the morality of sex work. Again this is an anti-prostitution effort using trafficking as rhetorical ammunition.

Senator John Cornyn bluntly stated:

> The so-called ‘Adult Entertainment’ section is nothing more than a front for pimps and child sex traffickers. This is absolutely sickening, and should be stopped with all the tools available to us[:] (CONGDIP, 2012b)

This scene has no place for any independent sex workers at all, no escorts, no strippers, no masseurs, no domination services. There are, it seems, only victims, pimps and Johns.

Since that time, Backpage and its (now former) parent company VVM have been under a barrage of controversy and criticism from politicians, campaigners and journalists in articles, petitions, online and on TV (e.g. Baxter, 2013; 2012d; 2012a; 2012b; 2012c; Estes, 2011; FAIR Girls, 2011; Fernandez, 2011; Feyerick and Steffen, 2012; Groundswell, 2011;

The states of Washington (SB-6251 2012), New Jersey (P.L. 2013, c.51 §12(b)(1)2013), and Tennessee (TN Code §39-13-315 2014) have passed laws attempting to abrogate CDA §230 immunity indirectly by introducing verification requirements and mechanisms of legal culpability. While motivated by Backpage, these laws have been vague, broad and over-ambitious, and challenged by the EFF. Each has been struck down by higher courts on grounds that they were pre-empted by CDA §230, conflicted with other federal laws or violated the First and/or Fifth Amendments (2012b, 2012c; Bouboushian, 2013; Davis, 2013; McCann, 2012; 2012; Yardley, 2012a).

Financial and reputational pressure has also been brought to bear. One particular moment of controversy featured the “100,000 to 300,000” figure (see above). This figure formed the background magnitude of the sex trafficking problem in arguments over Craigslist, including repeated statement as fact in congressional hearings, and Craigslist never queried that figure. The Village Voice did query it, and tried to reframe the scale, latching on to celebrity repetition of the figure.

On 18th April 2011, actors Ashton Kutcher and Demi Moore appeared on CNN’s Piers Morgan Tonight to talk about sex trafficking, telling 534,000 viewers (Seidman, 2011):

*It's happening in the United States. It's between a hundred and three-hundred thousand child sex slaves in the United States today and so, when... when we go home, we're sitting around the dinner table with our girls and we're thinking thirteen, fourteen ... you know ... ten, eleven, twelve year old girls ... If you don't do something to stop that... that... that's when there is something wrong with you, in my opinion.* (2011)

I do not question Kutcher and Moore’s sincere desire to help. Kutcher and Moore got the figure from their celebrity charity consultant Maggie Nielson of Global Philanthropy
Group. A bitter argument ensued when the Village Voice, then owner of Backpage.com, published an article criticising the figure.

As an alternative, they estimated a figure of approximately 827 children trafficked into prostitution per year averaged over 10 years, using number of related arrests in the 37 largest US cities (Cizmar et al., 2011). It is unlikely that this figure is itself particularly reliable, since the correlation of arrests and crimes is hardly clear, particularly for an area where information is notoriously difficult to obtain. The article noted that the Voice gained a substantial portion of its revenues from ‘Adult services’ advertisements (including Backpage), thus could not claim impartiality, nor did it claim to have the true figure, merely that the 100,000+ was unfeasible and reflected hype and panic rather than fact.

A ‘Twitter war’ followed (Chen, 2011; Estes, 2011; Fernandez, 2011; Ruse, 2011). Kutcher, seen by 7.5 million followers (Twitter’s 9th most popular account, Twitaholic, 2011), pressured major Village Voice advertisers to withdraw their business. He tweeted advertisers asking,

*Are you aware that you are advertising on a site that supports the Sale of Human Beings (slavery)?* (Kutcher, 2011a)

Advertising for Dominos and American Airlines was withdrawn the same day. Pressure on advertisers and investors has been a key tactic for those opposing Backpage.com: Senators Kirk, Blumenthal, Rubio and Cornyn wrote to 40 organizations in April 2012, telling them they were advertising with various publications owned by the owners of Backpage.com “linked to dozens of child sex trafficking cases” (Kirk, 2012a). Journalist, author and campaigner Nicholas Kristof used his platform in the New York Times (NYT) to publicly identify investors in VVM as benefiting from child sex trafficking, including Goldman Sachs who responding by divesting shares. (Kristof, 2012a) Kristof claims to be unconcerned by voluntary prostitution, but still favours shutting down venues because *some*
people use them for criminal purposes. Strangely he does not apply these logics to escort and adult service advertising on sites owned by his employer, The NYT Company. (Pollak, 2012; Sullum, 2012) This illustrates the general point that the targeting of opprobrium is extremely selective and arbitrary.

In a response to Village Voice criticisms, Kutcher scored some rhetorical and factual points, while admitting he did not know “100,000-300,000” was an “at risk” figure until after the broadcast (Kutcher, 2011b). However he then tweeted a selection of emotive but unrelated ‘facts’ about trafficking cases to his followers. Angry repetition of ‘bad things’ serves to render the unrelated and admittedly inaccurate thing ‘true’ enough anyway. The scene of horror and tone of righteous anger is maintained, its priorities and the politics it supports secured against challenge, and the challengers cast as villains.

Kutcher and Moore were not the only celebrities to weigh in on the campaign. Others including actresses Mira Sorvino and Jada Pinkett Smith, and musicians R.E.M., Alicia Keys, The Roots, Pearl Jam, and Daniel Bedingfield also campaigned again Backpage’s ‘Adult Entertainment’ section. Bedingfield told CNN:

> What we’re really trying to do is get all of America, the whole planet really, to just get this adult section of backpage.com shut down. They’re saying they’re doing everything they can to get rid of children being used as sex trafficking on the site. Until they do that, this thing needs shut down.” (Hammer et al., 2012)

While Backpage have been accused of dragging their heels on increased verification stringency, they have tightened up their efforts and they are acknowledged as being cooperative with law enforcement. They may not be quite as proactive and committed to ‘cleaning up’ as Craigslist were – certainly a cursory glance through historical captures of the two sites shows more, and more obvious adverts for sex being tolerated by Backpage. Again here we see the logic whereby only perfection is enough – until they have succeeded,
they have to close down the venue in which any efforts are being made. Again, such traffic will simply migrate elsewhere.

**Conclusion**

_There is no doubt in my mind that this game of Whac-a-Mole™ and villainising one service provider after another is not the right strategy._ (Interview with Liz McDougall, Kirk, 2012b)

Backpage’s attorney Liz McDougall, who is clearly deeply motivated to combat trafficking effectively – to be responsible – has been subject to vilification and abuse (Reisinger, 2012; Zaretsky, 2012) and accused of hypocrisy (McKenna, 2012), of being a “corporate sellout”, a “Village Voice Pimp” and, perhaps most tellingly, a “whore”. (Zaretsky, 2012) It seems her ‘crime’ is not just that she works for VVM, but that she refuses to accept a simplistic narrative and black and white solutions. That critics choose whore as a term of abuse does not say much for their respect for women who engage in prostitution but reject the role of ‘victim’. With such contempt it is unsurprising that the more strident neoabolitionists resolutely ignore the voices of sex workers and constantly express concern for those whose own concerns they dismiss. From the point of view of sex workers, neoabolitionist campaigners do not help them. We might instead say they help themselves at sex workers.

The neoabolitionist/prohibitionist campaigners deny the stubbornly political quality of the dissensus, and even deny who is able to legitimately argue a case. There is, usually, only room for one truth, or at the least, it is prioritised such that the urgency of the situation means it must be that one truth that is acted upon first – others are less important and less urgent. If you question the framing and the figures, you are seen as denying the need to do something about ‘the’ phenomenon, and then, in Ashton Kutcher’s phrase “that’s when there is something wrong with you.” The implication is not only that there are limits to what we can question, but that transgressing such limits indicates personal characteristic moral failing or malice – in short evil.
In the scene favoured by, and giving sense and force to those attacking McDougall, there are no sex workers — there cannot be as sex cannot be work. As a result, the loud and articulate voices of sex workers are a direct threat to the certainty of the people who see themselves as ‘helping’. The two sides do not meaningfully occupy the same world — or, to put it another way, they do not occupy worlds with the same meanings. There is very little common ground, and no willingness to give ground. What little commonality there may be clusters around the partially shared character of the trafficking victim. No-one disputes that there are vulnerable and brutalised people—children and adults—coerced by others for profit, but many neoabolitionists see only victims and pimps everywhere, confirmed by a sort of mantra of ritualistically repeated facts and figures that have profound effects but no basis in evidence. There are drastically different views of ‘responsible’ action, each following from different understanding and selection of ‘the’ problem(s), the characters in the scene (villain-pimps, victims and heroes or sex workers and clients) different pictures of activism, corporate responsibility, and ethical behaviour. I have argued that the ‘End Demand’ logic of neoabolitionism is structured by the fantasy of a future in which control will have been achieved. Yet it is a future that is always deferred: when Craigslist backs down, then we will move on to Backpage. Eventually they will back down. Pimps will move to some other site, but then we’ll go after them too. There is an element of tragic farce to it, a bustling hyperactive grasping at perfectly dependable, simple, comfortable (to them) solutions, resulting in harmful and counterproductive outcomes, which are then seen as successes and repeated.

As seen elsewhere in this thesis, the scene acts to defend against the traumatic complexity of response and the final impossibility of knowing one’s actions to be ethical. The tone in these furores has been one of angry certainty, anguish and bluster. Campaigning offers a sort of package of certainty, of comfort — of knowledge that ‘we’ are doing something but at the cost of a controlling, hostile construction of what constitutes an ethical and
hospitable response to others. In the following chapter I look at Not For Sale, an organisation that offers not only comfort but that makes ‘freeing people’ fun.
Chapter 4
–
(Not) For Sale

This chapter explores the efforts of the Not For Sale Campaign (NFS) to intervene economically to end slavery. Not For Sale is a US 501(c)(3) non-profit launched in 2007 to “end slavery in our lifetime.” (NFS, 2007b)

NFS’s efforts posit, depend upon, and reproduce a scene favouring consumerist solutions and the deployment of capitalism to solve problems of trafficking. In keeping with the liberation theology of its founder, there is an explicit and implicit critique of both capital and consumption leading to an attempt to do something different. However, this is limited, and NFS displays troubling presumptions and tendencies. I argue their approach is deeply ambivalent with regard to its potential to effect change and to who benefits from it.

The Not For Sale Campaign

What does NFS’s scene look like? How is it set? Who is on stage? Who are its audience? What forms does responsibility take? How is desire deployed? What are its effects?

Faith in business

To explore NFS’s scene, I first look at their origins and intellectual background, then offer several vignettes, showing how they present themselves and address their audience.

NFS’s President and co-founder (with Mark Wexler) is David Batstone, a liberation theologian and Professor at University of San Francisco, described as a “leading authorit[y] on ethics in the business world.” (Batstone, 2003a; USF, no date).
Batstone frequently recounts becoming interested in slavery after finding out his local restaurant had been involved in trafficking. Subsequent research travel led him to encounter Thai anti-trafficking activist, Kru Nam. She had begun rescuing young children from bars in Chiang Mai, then moved to northern Thailand, from or through where many of these children had come (NFS, 2007a). With increasing numbers of children, she bought land on which they lived in bamboo huts. The encounter inspired Batstone to write a book to fund building a village for Kru Nam, and to found NFS. NFS has since funded the construction of “four dormitories, a clinic, basketball court and organic farm” to assist over 500 stateless individuals in the region since 2007 (NFS, 2007a, 2009, 2012i, 2012t, 2013b).


NFS’s basic understanding of slavery draws on Kevin Bales, whose figures of 27 or 30 million slaves worldwide appear frequently. Bales is usually uncited, but Batstone calls him “a pioneer in the fight against modern slavery” (Batstone, 2007b, p. 9). NFS’s business approach sits comfortably with Bales’s assurance that ending slavery does not need a revolution against capitalism (Bales, 2005, p. 16). For Bales, rescuing slaves implicitly means rescuing the market too (Anderson, 2008b, pp. 370-371), and as I argued in Chapter 2, ‘freedom’, in his scene, means becoming more like ‘us’: he even says that freed slaves will “become what a slave can never be: a consumer” (Bales, 2005, p. 18). As will be seen below NFS’s business focus tries to innovatively realise and develop Bales’s hope. Their approach, whatever its impact on slavery, contributes toward the rescuing of capitalism and consumption from its own tensions – what Ilan Kapoor calls ‘decaf capitalism’ – “a sort
of humanized capitalism that manages to hold together both enormous wealth accumulation and significant global inequality by attending to the worst manifestations of such inequality through charity.” (2013, p. 2)

Batstone has been an academic, businessman, activist and journalist for many years. His writings suggest a thoughtful, intelligent individual with a sincere social conscience. He is Christian, with a social justice focus consistent with liberation theologies that emphasize Jesus’s commands to help the poor and unfortunate more than personal salvation from sin:

I have a strong Evangelical faith background. Growing up it was a narrow gospel: personal, not social. It was the journey through my 20’s, as I worked with the vulnerable, which helped me to combine social justice with faith. The Gospels grounded me and have been my bedrock. I’m not ideologically driven, or politically driven, so much as driven by compassion. (Austin and Batstone, 2009)

His disavowal of ideological motivation stresses compassion above rigid ideas but perhaps implies an impossible purity of perception – a disavowal of the specificity of one’s position that riskslimiting the possibility of challenging dominant structures. This seems odd, as a 1997 editor’s introduction co-authored by Batstone emphasizes “awareness of one’s locatedness”:

We are situating ourselves and acknowledging the privileges entailed by our global site. Perhaps our vantage point allows us a broader horizon of survey, but it also presupposes that there are perspectives that we are either ignoring or occluding. … Our knowledge is particular, compromised by our site of enunciation, the place from which we survey, oversee, and name social reality. (pp. 2-3)

This is something of a balancing act; the authors acknowledge they do not have a universal viewpoint, yet they still grant themselves a potentially superior vantage point from a broader horizon.
How can one acknowledge partiality and privilege yet proceed as if oddly untroubled by it – indeed as if supremely certain of oneself (see REBBL below)? Perhaps it makes sense if we take into account that an interventionist and personal God is a character in the scene, as is the living Jesus who is using people to do His work. Here is Batstone giving a sermon:

_Wonderful to see young people following Jesus with their hearts, shaping the agenda for a nation and for a world. Think about that. Young people who love Jesus and because they love Jesus they find the poor, and when they find the poor they ask that God makes it on Earth as it is in Heaven, and it shapes a national agenda, it shapes a global agenda …_

… take one time during the day and you say “God, teach me, over the next forty days, how you will use me during 2012”. I mean, imagine every year we did that as a discipline – we said “teach me this year how you want to use me” “where are my weaknesses?” “Where are my strengths?” “Where do I need forgiveness and grace?” “and where do I need boldness?” “What are the gifts you’ve given me, what have you called me to?” (Batstone, 2012a)

There is thus an expression of humility, but only before God. God here is understood as an external force with His own plans and authority, rather than as a product of religion (and hence culturally specific, related to our self-image and unconscious desires). The belief that one is called is a powerful motive force, but also goes some way to explaining the hyper-certainty and self-congratulatory tone of much NFS material. To paraphrase Foucault: like ‘power’, it is not that zeal is bad, but it is dangerous.

However genuine the compassion, the framing of one’s life as a mission of ‘finding the poor’, commodifies ‘the poor’ as a spiritual resource for us. While ‘the poor’ is a term used for simplicity, it easily slips into a homogenous category that supports rescue fantasies. The poor become a receptacle for our desire, offering the thrill of doing good and knowing you are doing God’s work. Enjoying such a mission is, in a perverse sense, ‘enjoying’ the suffering of others that gives the mission meaning. Kapoor says celebrity humanitarians perhaps “derive obscene satisfaction and fascination from the global system of inequality that places them as the dominant,” and that “the suffering Third World functions as a fetish”
(Kapoor, 2013, p. 34). Perhaps a similar obscene satisfaction subtends fixation on ‘the poor’ in such ways that our own position is not only not challenged but is rendered central to their economic—and our spiritual—salvation.

Batstone’s sermon consistently emphasizes Jesus’s teaching, “Woe to you who are rich, for you have already received your comfort” (Luke 6:24 New International Version), as a warning and injunction to be generous to those in need. This calls the already-rich to lead, to ‘make a difference’ but does not fundamentally alter their position, or broader political and economic inequality.

He went on to speak of his message to 130 influential Korean CEOs:

\[
\text{Luke doesn’t get us off the hook that way, he recounts the teaching of Jesus, well woe to you who are rich, blessed are you who are poor …}
\]

\[
\text{My message to the CEOs yesterday, the executives of Korea is that it’s a time for them to lead, to have vision and to begin to act in the benefit of the world’s poor … for leaders in the business community… for those who are wealthy, those who are rich to use their influence, to use their skills, their resources and their networks to make a difference. (Batstone, 2012a)}
\]

This reading of biblical social justice of the rich giving to the poor remains a matter of conscience and choice, something one can and should do, for them but also for yourself (to avoid woe). This is an easy-to-swallow picture where the poverty of the poor is unrelated to the wealth of the rich: capitalists can solve these problems, we need their leadership. There is no emphasis on ‘the poor’ as a class; no fundamental political antagonism; no rage or envy; no political or economic responsibility for the condition of the poor, only human responsibility to them in their depoliticized need.

One might be sceptical about capitalism’s recent record on ‘helping the poor’, but ‘capitalism’ is not in this scene. There is no sign here of systematic tendencies or incentives
to pursue profit through exploitation, to undermine state governance, or to depress wages that might have a reality beyond the whims of employers.

‘Business’ appears in this scene – individual businesses, ‘entrepreneurs’, ‘leaders’, not capital or capitalism. There are good businesses content to make ‘enough’ profit and keen to give something back; and there are bad, greedy businesses for whom there is never enough profit. Businesses themselves can be redeemed and saved. Indeed the whole framework serves to legitimise capitalism in general. There are implicitly acceptable levels of ‘fair’ exploitation (thus constructed as not exploitative because the work is deemed dignified and is not slavery), and profit can continue to be glorified, just not ‘too much’. Batstone’s earlier book, tellingly entitled Saving the Corporate Soul—& (Who Knows?)—Maybe Your Own (Batstone, 2003c) featured in his sermon (Batstone, 2012a):

I knew I had to write a book about saving the corporate soul, because woe to you who are rich. Woe to you who forget your roots. Woe to you who lose sight of the humanity in any economy. But those that love Jesus, they are drawn to the poor, they see the humanity in a business.

He continued with a story from the book, about Tom Higa, a San Francisco leaseholder of a Chevron gas station (Batstone, 2003c, p. 6; Batstone, 2012a). Higa comes across as the hero of a modest American dream downtrodden by the greedy villain:

Tom’s family came out of Mexico and struggled and eked to make a living in America. He got a job at a gas station … He saved every penny he could and after 8 years he was able to buy the gas station … The next 19 years Tom Higa ran the Chevron gas station.

In 1989 Chevron refused to renew Higa’s lease as the land could be more profitably used.

Tom comes out of very humble roots in Mexico – first generation American – didn’t fight it. Said, “You know what. Can’t fight the power” but he began to put up signs to tell his customers that he wouldn’t be in business in another couple of months. And the people in the community loved Tom Higa, they loved the station, they loved the service they got, they loved
the family owned nature – his kids worked there, they knew the family and so, they weren’t gonna take it laying down.

Local campaigning built momentum, and the Mayor, who “was moved by the story of this great American family” (Batstone, 2012a) asked Chevron to reconsider. The response was predictably inflexible. The Mayor’s office then employed Environmental Impact legislation as a threat, resulting in Chevron backing down.

The Mayor received a frosty reception from CEOs of major corporations headquartered in the city and responded with a question to them:

“So let me ask you something: How much is enough?”

…The bank executive came back with emotion: “Arthur, the very fact that you can ask that question terrifies me.”

Agnos let another agonizing half-minute pass, then drove home his point: “So, guys … I guess the answer is, there’s never enough no matter what the cost.” (Batstone, 2003b)

Here, then, is bad business – bad not only because they tried to trample on “this great American family” but also, Batstone argues, bad for Chevron’s own employee morale, reputation and franchise relations. Good business is epitomised by Higa’s decent humble hardworking American. But for Batstone, it can be achieved by big corporations too, if they change their culture. Business just needs to learn how to be good and to want to. Batstone’s book tries to persuade business to change, but NFS’s Free2Work programme (see below) tries to incentivise change.

**Feeling the brand**

NFS has faith-based initiatives, including Freedom Sunday, Freedom Shabbat (NFS, 2012c, 2014a) and the Underground Church Network (NFS, 2013e) encouraging members to “be a light to the world — showing a different way to live by emulating Christ’s actions” and to
“curb the demand that drives sex trafficking in your backyard”. (NFS, 2013f) Despite the influence of such beliefs, NFS itself is formally secular:

We self-consciously made NFS a non-religious movement … Many of us are deeply committed Christians. We just didn’t want any exclusion. (Austin and Batstone, 2009)

While non-religious, NFS still has the flavour of a charismatic and evangelising movement, its members are encouraged to feel special. There is ritualistic attention to and ubiquitous presence of their brand that invites an enjoyment of certainty more typical of religious faith. As such, what NFS say and do needs to be understood in conjunction with how they say and do it – with how we are meant to feel it. There is a relentless brand push, sense of specialness and emphasis on the movement as momentous. This is something evident throughout their activities, but I experienced it particularly strongly for myself at NFS’s “6th Birthday Bash”.

On the evening of 12th February 2013, I walked into the main gallery space of San Francisco’s SOMArts Cultural Center. Fumbling with the selection of glossy flyers stuffed into my hands at the door, I took in my surroundings. Besides the floor and cavernous ceiling, everywhere seemed NFS’s brand orange. One wall was adorned with orange coloured posters declaring in their corporate font “WE ARE NOT FOR SALE” and lauding NFS Amsterdam’s anti-trafficking project, NFS Soup (see below). The opposite wall bore an array of orange T-shirts declaring “NOT FOR SALE”. Racks of similarly stencilled leather jackets and other merchandise vied for space with a bustling NFS Store stand, offering free samples and flyers about REBBL tea. A hundred or so people mingled, chatting animatedly, enjoying refreshments, displaying orange lapel stickers, admiring the artwork, shaking hands and peering at one another’s hand-written name badges (“Andrew IS NOT FOR SALE”), awaiting the arrival on stage of David Batstone. I was unsure what to expect from this event, billed as a ‘birthday party’ but described to me by a contact as a ‘brand re-launch’ for the
organisation. As the latter it offered a microcosm of NFS’s self-perception, self-presentation and audience experience.

Batstone arrived to whistles and applause. He led the audience through NFS’s history, characteristically mixing complete conviction and disarming humour, the audience’s rapt attention punctuated with bursts of laughter.

He offered a “walk down memory lane” describing NFS’s growing up from infancy to maturity, befitting a birthday celebration. This was both a speech to the faithful and a call for donations, telling the audience of NFS’s achievements and unveiling a slick visual rebranding for the future.

This speech was a particularly strong example of NFS’s scene setting about what and who they are, and what world they exist in. Batstone’s tale was of initially unsophisticated efforts.
growing into more sophisticated approaches reflected in more sophisticated presentation. Screenshots of the earliest bare and uncompelling versions of NFS’s website gave way to successive versions, suggesting a growing ability to tell the story of who “we” (NFS) are, growing ever smarter and more innovative.

Beside presenting facts or advising courses of action, NFS are trying to move people, to conjure a movement understanding itself as pivotal. To whoops of approval, Batstone told the crowd:

>We’ve been helping individuals around the world who formerly had no future… now they have a destiny … It's fabulous, they’re free! They’re free and they would not be without you.

In what scene does this statement make sense? What does ‘freedom’ look like? The claim that NFS’s beneficiaries had no future, but now have a destiny, implies a regulatory norm of what that future should be. Whatever future they may have had before and without us is dismissed. All the varieties of victimhood, exploitation, complexities of agency, choice, and personal endeavour are thus bracketed out. Rhetorically, this is a significantly different and stronger statement than suggesting ‘they’ had a difficult future, even an appalling and uncertain one. ‘Their’ future was defined only as a lack – one ‘we’ presumably do not share – and were able to fill. Not only did we donate – we gave them freedom and gave them a destiny!

“They’re free and they would not be without you.” (my emphasis) We are offered a sense of hyper-potency and impact.

‘Destiny’ has even stronger positive connotations than ‘future’. Destiny could also be seen to imply fate, which would suggest something other than ‘freedom’. ‘Freedom’ is imagined to naturally follow a particular direction, implying a recognisable life trajectory – a telos specific to the scene but whose specificity is occluded. This is not to suggest the people in question may not be freer or better off in important senses. There is an ironic contradiction here: the ‘freed’ and the ‘to-be-freed’ have their defined part to perform in this scene –
their destiny. Without them, our own part and place of agentic freedom cannot make sense. Freeing people seemingly implies them becoming like we want to see ourselves. Certainly, the crowd seemed to be enjoying the story, enjoying their hyperbolic agency.

Batstone now introduced a video launching their new visual rebrand:

[T]he brand we had, even the website we had, the way to tell the story that we were doing was not enough…. so we decided to create a new brand and a new website… and tonight for our sixth birthday we’re really proud to be able to include our family - the people who walked with us - in this new story …

I would like to convey something of the effect—the experience—of being there. The scene here is not just about belief in facts – it is about identification and desire, and excitement and fervour, about feeling special and even having fun. Music is frequently important in NFS presentation and activism, playing a crucial part in constituting an affective impact – implying motion and conjuring emotion. The video (NFS, 2013c) is largely textual but quotes alone cannot convey the occasion. The content, music, form and reception are inseparable.

It was a multi-layered scene-setting, placing its audience in a moment in time, laying out the background, introducing the heroes, and inciting audience to feel, to enjoy. The birthday bash audience, “our family – the people who walked with us” are specially invited to see themselves as prominent players in an exciting new chapter…
Lights dim. Silence falls. The video begins:

Anticipation; a soft swirling dreamy soundscape fades in above atmospheric hiss and crackle. On-screen: THERE ARE MORE SLAVES TODAY THAN AT ANY POINT IN HISTORY. Restless motion, still quiet: the soft ping of synth guitars echoes first one, then two, then three layers of repeating sounds.

The hiss clears. Clear purposeful piano enters. The left hand seesaws a grounding melodic rhythm. The right chimes a relentless One-Two-Three-Four-Five-Six, bright and unwavering. FREEDOM IS NOT FOR SALE appears on-screen as excitement in the audience builds. Deep conga drums sneak in, syncopating beneath the melodies; hi-hats whisper in reply. HUMAN TRAFFICKING IS THE 2ND LARGEST CRIMINAL INDUSTRY. The pitch rises, mournful yet urgent. HUMAN DIGNITY IS NOT FOR SALE … MORE THAN 30 MILLION PEOPLE ARE EXPLOITED EVERY DAY.

The scene is set, now for the star turn:

WE ARE …

Bass guitar and tom-toms kick in, still quietly. The piano moves up a gear.

… NOT FOR SALE

The insistent rhythm builds in a slow crescendo. WE TRANSFORM … The snare pulses; the piano chime doubles … EXPLOITED … and swells. On screen, the text transforms to EMPOWERED.

Drums and piano beat louder. NOT FOR SALE … Now as the music keeps building, the text is joined by images. First a stop sign – a barred circle. An S is added to the bar – No Slavery … STOPS HUMAN TRAFFICKING.
The S closes on itself, becoming a chain link. It breaks and spins … BREAKS THE CYCLE OF EXPLOITATION.

The broken chains change … EMPOWERS THE MOST VULNERABLE … into a wrench – a tool symbolising empowerment.

The music enters a new phase: soft distorted guitars soar with long delay; the percussion lets rip as the complete result appears:

Cymbals crash: more layers of trance cacophony build to a new cadence, promising to keep on building. Then, suddenly, it is gone. A final chord, rhythm fades to silence. The audience breathes out. Only the logo lingers.
Mark Wexler appeared to loud applause. He sounded nervous, incredulous:

_So you can imagine… this is our baby. Not For Sale’s our baby… and [audience whoops]… we’re gonna hand our brand over to someone who’s outside of our family… and have them … recreate it!?_

… you can see we’ve grown from that grassroots into a global organization with global impact… and we wanna be able to feel proud about that.

_A Alison Trowbridge [NFS Vice-President of Partnerships & Brand] said, “Hey! I met two folks who I think would be perfect for this rebrand … the last thing they did was uh … DC Comics”. I was like “Woah!!! David might be Batman, does that make me … Robin?” [audience laughs]_

I kid you not… these two incredible people came into our office… after just a few hours together, just… moving beyond the what, the nuts and bolts of what we do, you could tell instantly that they understood the bow and the why … they moved beyond the brain – they understood the heart and … you knew instantly that this was what they were meant to do.

As the designers, Tosh Hall and Jessica Minn, received an award to rapturous applause, Batstone interrupted:

_I gotta say, if you’ve never done branding it’s not just like drawing a picture… it’s really getting to the heart and soul of an organisation._

Here, _brand_ is something to be _felt_ – something inseparable from but more important than the details of what the organisation does. There is an ever-present sense, reiterated often, that NFS is something very special, a crusade of the heart and soul that its brand should embody, loved and spreading love. Membership is family; activism is vocation; and the people involved are lauded as exceptional: not only talented, they understand the _soul_ of this organisation. This lends an emotive force to action, papering over any logical cracks or doubts.

Wexler’s self-deprecating joke about Batman and Robin conceals a truth – not that he and Batstone see themselves as superheroes (though others I spoke to seemed to) – but a faith
and confidence that NFS, *their baby*, is a uniquely special vocation. A corresponding excitement hung in the atmosphere.

**Seductive orange stickers**

Batstone ended his speech asking for donations:

> I'm asking you tonight when you walk out of here, to become a member of our cause …

> You sign up we're gonna give you an orange sticker! Oh my gosh there's an orange sticker, where else you gonna get an orange sticker?! [laughter] We're gonna give you an orange sticker … but the biggest prize that we can give you is the satisfaction that you are freeing women … in Amsterdam, children in Thailand, men, women and children in India, Romania, Hungary … all over the world - you're a part of that. Because I think after 6 years … if you believe our story … then you wanna walk with us.

As sceptical as I was about some aspects of the speech, Batstone's engaging style, the slick graphics, music and crowd were infectious. Afterwards, I made a donation, which I had not intended. I am prone to wanting to ‘help’ so perhaps it is unsurprising, and one could also say that as a researcher I had a vested interest in ingratiating myself, but there was no need. I *desired* to give the money: I bought into at least *enough* of the scene to want to play my part, to feel temporarily right doing so. Rationally, I did not agree with the framing of NFS's soup project (below), and instinctively I was uncomfortable with it. I was not *persuaded* but in the moment I felt a certain peer-pressure, and I was *seduced*. In Kapoor's terms, I ‘outsourced’ my belief, materialised it in my actions, and let NFS believe for me.

I was struck by the effect of the orange sticker promised to those who donated. Notwithstanding the tongue-in-cheek tone of the offer, to be without a sticker was to mark yourself out as someone who had not donated, someone not visibly ‘in’ the movement, or perhaps someone who’d not made it to the donations table yet and to whom it should be pointed out. Similarly, to be without a drink was to invite frequent entreaties not to miss out on trying REBBL, as if I might have missed out on crucial enjoyment.
The orange sticker was a token of membership and satisfaction, standing in for “the biggest prize … the satisfaction that you are freeing women”. It can be seen as almost a form of communion: that is to say a communally experienced and mutually displayed practice (re)confirming a commitment to “walk” with NFS—a spiritual journey—signifying and constituting membership in a chosen group and affirming one’s belief.

Strangely, I wanted the sticker, but I instinctively recoiled at the idea of “having the satisfaction that [I was] freeing women”. Aside from the paternalistic overtones, not feeling that “women” are something to be freed or I someone qualified to judge their freedom, I find something faintly obscene in the notion that satisfaction is necessary or justified. Partly, this relates to a sense of revulsion at the vicarious pleasure that I’m being invited to experience, potentially a pleasure in their suffering, and depending on their objectification. In wanting to reject such ‘satisfaction’, and criticising the obscene underside of seemingly well-meaning charity, am I simply seeking to be even purer, to recoup an altruism that is fatally compromised? Worse still, am I just kidding myself that my revulsion has meaning, enjoying that, when I did donate? Did I just want to have my rescue cake and eat it?

Even (especially?) with my orange sticker, I felt an imposter for not fully joining in, worse since everyone was friendly. I was there to get a feel for their ideas, not to expound mine. I wished to be honest but not to offend, even had I been better able to articulate my unease. The experience was surreal.

All speech is preceded and exceeded by its situation, but in this case I felt the scene intruded particularly strongly, constraining and producing the possible trajectory of each conversation I had to a faintly comical degree.

The mood of thrilled confidence in NFS was such that, as I circulated round the room speaking to activists and supporters, I became acutely aware not only was a certain performance expected of me but it was difficult to avoid. In a sense the scene had arrived
before me – before all of us – and seemed to put words in my mouth. To each person I
met I would have to introduce myself, but we were all in a sense already introduced by our
very presence at this event: only certain actual introductions could make sense.

Even had I wished to avoid introductions, my obviously British accent marked me as
someone from elsewhere, to be welcomed and enquired of. I had to say something, and the
meaning of whatever I said seemed to flee away from my intent under the force of
presumptions in this scene:

“I’m in San Francisco for my PhD. I’m looking at anti-trafficking,” I might begin, to be
immediately met with expressions of serious concern at the problem, or glowing
assessments of NFS, and a glad presumption that I was also trying to ‘end slavery in our
lifetime’.

I could not honestly join in this litany, but neither do I dismiss the caring impulse behind it
or think I have the answers, so at times I bit my tongue. At others I ventured some concern
as to what else might be needed besides, for example, changing consumer habits, or to
whether we could make sweeping assumptions about the situation of women in
Amsterdam.

However, any discussion of complexity seemed immediately to be limited to data
collection. To query the politics of the term ‘slavery’ was only to invite consternation at
people not realising its full extent and horror. My stumbling questions about attention to
choices women in Amsterdam might make (see below) similarly ‘bounced off’ the
presumptions already made. NFS’s brilliance, the positions of us/them, the externality of
truth, the dichotomies of dignified/undignified work or free/trafficked, and the desirability
of ‘doing something’ were all overwhelming presumptions.
**Going upstream**

Underlying all of it seemed to be a faith in the pivotal role of business so total as to be largely unspoken. Amongst the audience we were seemingly all too busy *enjoying* ourselves to even notice the presumption. Instead we were trying the REBBL tea, buying the T-shirts, buying the jackets, the shoes, the coffee, the shopping bags and other items, or buying our orange stickers: enjoying *buying* and buying our *enjoyment*, all of which would be empty (emptier still?) without the aura given to the items by the movement, without *jouissance* deriving ultimately from those it aims to help.

Business and consumption are often more explicitly emphasized in NFS’s webpages, videos, and speeches. Consumer purchasing from business is, perhaps more than anything else, *the* key scenery for NFS’s scene. As such it is where they tend to look for their ‘wrenches’ – tools to change the world.

The rationale for using business is tied to particular epistemological presumptions and understandings of what constitutes *effective action* in the world. While Batstone may formally acknowledge privileged and partial viewpoints, NFS’s understanding of action suggests Archimedean separation from, and thus clear perception of, an external world. Though epistemologically separate, we are understood as profoundly morally implicated in and tied to that world.

How NFS understands what constitutes effective knowledge and action is clearest in a frequently repeated formulation: the metaphor of “going upstream” (Batstone, 2012b; Boles, 2012b). This is often highlighted as the innovation that sets NFS apart from and superior to others described as ‘old charity’ (described by Wexler as “dead” (NFS, 2012s)) – there is a direct link between the understanding of knowledge, of action and of responsibility.

In his speech, Batstone explained it thus:
We really believe … old charity … that simply keeps going back to you, asking for more funds … if we didn’t have a more sophisticated model, that we really were not solving the problem.

In fact we felt almost like we were at the end of a river, pulling out bodies that were drowning and flailing, and that’s compassion – that’s mercy – and we have to do that - it’s a human response. But we also need to walk upstream and find out why so many bodies? Why so many children? So many women and men in the world today are falling in the river and drowning? That’s justice.

This metaphorical vignette gives hints as to the scene’s character, causality and production of responsibility. (Naturally) concerned humans respond to the need of other humans. These other humans, “drowning and flailing” do not suggest themselves as being agential subjects, rather they are flailing bodies to be pulled out of currents they have no control over. ‘We’, on the other hand, appear ultimately to be unencumbered by the river (whatever currents in the world are causing the suffering) and hence able to walk upstream with the promise of being able to intervene. The metaphor of a flowing stream, up which is where to look for explanations and ultimately gain control over phenomena, suggests a simplification of social causality as unidirectional action upon objects, enabling a privileged understanding of phenomena. This accompanies an equally specific understanding of what it means to take responsibility and to act effectively: while we are motivated by compassion, mercy or love, our responsibility is to seek “justice”.

The value given to compassion is clear when Batstone speaks of Kru Nam’s “righteous anger” and “irresistible love”, which he says sent him on his “search for justice.” (NFS, 2013b) “Love,” he adds, “moves us to transcend what we calculate as reasonable” – it is a powerful motive force behind compassion and action, but it is not synonymous with “justice”. The desire of the audience to respond is assumed and valorised as “a human response” but is not enough.
NFS’s injunctions to ‘go upstream’ (e.g. Batstone, 2012b; Boles, 2012b; NFS, 2012u) are calls to take a profounder responsibility than simply helping *ad hoc* whoever happens to float past. This responsibility requires a certain talent for agency over the world. “Justice” is mentioned frequently without definition, but Batstone has defined it as “a rational pursuit, a calculated decision to balance the scales and ensure that all individuals are treated with dignity[,]” adding “[j]ustice moves me to search for answers; truthfully, that’s my natural inclination.” (NFS, 2013b, my emphasis)

By going upstream we can observe whatever processes or conditions are causing people to ‘fall in’, or perhaps find the tributaries. This then offers the possibility for intervention through ostensibly neutral, technocratically sound understanding and smart innovations. To keep with the metaphor, this only works if we are not unconsciously ‘going with the flow’ of the stream, while convincing ourselves we control it.

In NFS’s scene, when we go upstream, we always find the causal stream is economic in nature. Vulnerability to slavery is principally reduced to a lack of ‘economic opportunity’, understood as the opportunity to work for wages from a decent employer in a money economy, in order to then consume. The valorisation of capitalist enterprise and employment can be seen in the NFS Soup and the REBBL tea projects. The question of how to ensure decent employment is relevant to both these projects, but is most directly addressed through a project called Free2Work. All three are discussed below.

**Women, sex and soup**

Featuring prominently on posters and in Batstone’s speech, NFS Soup illuminates gendered assumptions about ‘agency’ or freedom, the dignity of ‘work’ and consumption. To clarify, my criticism here is of the broader framing and assumptions of the project, not its outcomes for individual women in it.
The project was developed at the 2011 Amsterdam meeting of a forum, Montara Circle, run jointly by NFS and Batstone’s social investment fund ‘Just Business’. These forums are described as bringing together “leaders from business, government, civil society, sports, fashion, entertainment, and design to develop real solutions to protect vulnerable communities from exploitive practices, prevent abusive practices, and create better futures for survivors through employment and enterprise” (NFS, 2011b).

NFS members talking to sex workers in Amsterdam had found many women said they rarely had time for lunch, and were charged extortionate fees for delivery (NFS, 2012g). A pilot project, ‘HOME Soup’ was started in 2011.

Batstone outlined this, presenting the business approach as superior to ‘old charity’:

*I was just in Amsterdam this last week … where we have this remarkable project where we started delivering soup for sale … to women who were selling their bodies behind the windows of Amsterdam’s Red Light District. See, we could’ve given it away. But it doesn’t give them the imagination of what it might be… to be a part of a job, and an enterprise… that had value.*

*…*

*So… this last week, about 11 o’clock at night I’m walking around the Red Light District with Toos - she’s our Director in the Netherlands - and she said David, you see those windows there that the girls are … in the brothel… we can buy that place… and turn it into a soup company [audience laughs]… can you imagine? one place that was exploiting women… now offering the tools for… their liberation… we need your help to do that.*

Batstone’s authority is implied by his having been there (in Amsterdam). The audience is invited to join his knowing gaze upon ‘Amsterdam’s Red Light District’, a geographical imaginary that seems to need no further characterization. Such vicarious voyeurism constitutes the audience member as both knowledgeable and called upon. We ‘see’ the women “selling their bodies behind the windows” and know they need our help. While an objection to objectification underpins the whole anti-trafficking enterprise, the women here
are oddly objectified and homogenised as objects of our fascination. The story and the project for their liberation is a source of enjoyment for the audience.

In this scene the women cannot be seen as selling labour or services (as might anyone else whose labour is physical but deemed non-sexual). Sex cannot appear as ‘work’ or as an agential choice, however compromised; rather it is spoken of as the sale of bodies. With the occasional exception of the most egregiously abusive forms of trafficked labour, non-sexual work is rarely spoken of as sale. Other activities recognized as work are generally presumed to be inherently worthwhile as long as the employer treats employees decently. People are not to be for sale, but the epitome of freedom is to be selling one’s (non-sexual) labour, for money to a decent employer, to then spend on consumption.

The complex variety of sex-work vanishes, the whole instead collapsed into symbolic “women behind windows”, while everyone else involved with brothels is deemed necessarily exploitative. Sex work cannot appear as a potentially valid labour transaction or as entrepreneurship, but only as an inherently undignified alienation. The constitution of valuable work here cannot recognise or allow even the possibility of informed choice or risk-taking if sex is involved, even as elsewhere an entrepreneurial spirit is valorised.

There is a startlingly patronising paternalistic overtone in Batstone’s dismissal of giving the soup away. The women are apparently presumed to be suffering from a lack of imagination – of the right kind of subjectivity, that of an employee chef or caterer. For Batstone and, perhaps more importantly for NFS’s audience, if NFS gave the soup away gratis that wouldn’t give the women the imagination of having a job that is an ‘enterprise’ – that ‘has value’. What ‘value’ is, what labour has it, and who is privileged to judge this are implicit.

A literal gift (of soup) could not give the greater gift (of imagination and ultimately freedom). The point is to change the women more than to feed them. In fact, about 20% of the soup was given away, though this was itself a marketing strategy as well as one intended
to initiate conversation with the women NFS Amsterdam wanted to reach (NFS, 2012a). It
seems it is important to emphasize this greater gift of ‘imagination’ for the audience.

In this scene’s logic, paying for the soup is good for the women: making money for others
will set them free! Purchasing it is part of their liberation: as they experience daily this
valuable enterprise (of exchanging money for soup) they practise being (or doing) the kind
of (gendered) normative subject that is deemed more acceptable, that is more recognisably
free. The audience is celebrating the consumerisation of these women, previously
understood as without agency but now granted a visible form of agency as consumers.
Consumption, which may be fraught with guilt (see Free2Work below) is also the model of
agency.

After we started serving the soup to the women behind the windows, … they would start
ordering on their cell phones the soup of the day between the jobs they were seeing [audience
laughs] … then the local police of Amsterdam heard that we were serving soup, and they
said “Could you cater to the police department?” [audience laughs] Some other companies in
the area asked if we could start to bring soup at lunchtime so we had a business… we went
back to the women behind the windows and said “How would you like to be a chef?” “How
would you like to be a caterer?”

So we started to scale that business so that we have training every month now with more
women who are having jobs. Then … a company called HEMA – they came to us and said
“We wanna commercialise your soup” so April 15th, we are serving 112 stores Not For
Sale Soup [audience claps and whoops].

This story conveys organically growing and wide demand for the soup, authentically local:
coming to NFS. HOME Soup appears as responding to demand, rather than as creating and
exploiting a market niche or pursuing profit. Whatever local interest there was, HEMA was
in fact a participant and sponsor of the 2011 Amsterdam Montara Circle, involved in the
original idea which was intended from the outset to be commercialised after a pilot stage
(Boles, 2012a; NFS, 2011a, 2012a). Similarly, the ‘other companies’ who ‘came to us’ at least
began with Juniper Networks, a global technology company with pre-existing links to NFS. Rather than them asking NFS, Juniper's Amsterdam office staff were approached by Toos Heemskerk (NFS, 2012e). This information is available in NFS's news archive, however Batstone’s version was more enjoyable for the clapping, whooping, audience. The specificity of the brand of liberation on offer is occluded and profit is simultaneously de-emphasized and naturalized.

In this scene, sex work is inherently exploitative, and no-one would ever choose it. An NFS Amsterdam blog post reflects this:

“There are more than 25,000 girls in the Netherlands who work in prostitution. Even if they originally enter by their own free will (which is rare), chances are they will get caught up in exploitation”. (Boles, 2012c)

My point is not to deny or discount concerns about violence, psychological abuse, coercion and troubled background circumstances. The statement that entering of their own free will is ‘rare’ only makes sense with a selectively absolutist definition of ‘free will’ or with wilful inattention to the complexities of individual lives and the complex choices of migrating women. Speaking of “girls” is presumably intended to draw attention to the young age of some of those working but again homogenises them to strengthen the image of victimhood, need for rescue, and position of the rescuer-audience.

States do not feature prominently in NFS’s scene by comparison with individuals and businesses, however they remain a feature of the scenery reiterated through the tacit presumption that bodies properly belong to one geographically defined state. NFS Soup’s “ultimate aim is to assist women to return to their country of origin with job skills that empower, prevent, and protect them and their families from further exploitation.” (Boles, 2012a) According to NFS’s own (unreferenced) figures 7,500 of these women already are in their home country (Boles, 2012a). Notwithstanding the laudable goals of training,
empowerment and protection, it is perhaps telling that “return to their country of origin” is desired for these women. We can assume their priorities for them. Even if every single one were undeniably coerced and trapped it is unlikely that none has any interest in travel or wider work abroad or alternative plans. It is important to pay attention to vulnerability, but here it is fetishized to the exclusion of everything else. The emphasis on economic vulnerability and vulnerability-as-women is at the expense of attention to intersectionality and other sources of vulnerability such as the very framework of territorialized citizenship that migration, including that for or facilitated by sex work, may contest. This reflects and reiterates wider presumptions that migration is an aberration and tendencies to see (particularly poorer) women traveling as either victims or economic threats rather than as complex choosing subjects (see Agustín, 2007).

**Consumer discipline**

NFS’s Free2Work project was set up in 2009. Free2Work ‘grades’ companies and brands from A to F on their efforts to combat trafficking, looking at their policies, the transparency and traceability of supply chains, monitoring processes and training of staff to recognise trafficking-related risks, and worker rights including allowing collective bargaining (NFS, 2012b, 2013a). This information is then made publicly available. Shoppers can install the app, launched in November 2010, and use their smartphone to scan the barcodes of items they buy when shopping, to make choices that do not support slavery.

The principal characters here again are businesses and consumers, with a third group— workers in these industries— as foundational to the scene (for it is their working conditions we are meant to enhance) but not on stage speaking.

Free2Work’s website laid out the form of our responsibility:
Numerous industries are at risk for forced, trafficked and child labor. As consumers we are connected to these types of abuses and we need to know how our products are made. (NFS, 2010a)

This is almost a kind of secularized consumerist ‘original sin’ – a guilt that attends us in our daily lives as a predicament that is ours as consumers at the end of supply chains, a common emphasis in the neoabolitionist literature explored in Chapter 2.

Free2work offers a path out of this consumer guilt through knowledge and choice. Will we be smart, good, responsible consumers or dumb, bad ones?

Batstone spoke about Free2Work as part of CNN’s ‘Freedom Project’:

Richard Quest: … we’ve got a very good idea of the issues … but David - it’s doing something about it that I need you to talk to me about…

Batstone chuckles: You know that’s exactly our mission, Richard, to mobilize smart activists. There’s a lot of dumb activism out there frankly, and what can I really do that makes an impact? What can I do that makes a change? and so, we use technology and business to bring about solutions.

… when your listeners shop … they are able to take their smartphone, through Free2Work, our app, and they are able to look at the products. What’s the story behind those products? How were they made? Where were they made? How were people treated? Were they actually free to work?

You see none of us wanna wear people’s tragedy. We don’t want to consume their suffering when we have coffee with sugar poured in it. We wanna make sure that people’s lives are enhanced. This tool enables you to buy in such a way that you know you’re enhancing the lives of the people who made those products. (CNN Freedom Project et al., 2011; Quest and Batstone, 2011)

Quest’s introduction repeats the widespread desire to “do something about it”. Batstone’s response reiterates the belief in NFS as ‘smart’ differentiating it from “dumb activism out there” and promises to meet that desire, letting people really “make an impact”.
Free2Work is an attempt to get us to go beyond knowing *in general* that our consumer goods are tainted by labour abuses and slavery, to using *specific* knowledge to actually *do* different – not just to believe differently in our heads, but to materialise that belief. Consumers can change the world with their shopping choices.

Batstone: … I’d say first off, we need… 1 out of 5 people who are watching the show to download the app. You know, the other four can be losers Richard, really, we just need 1 out of 5 to say “I care about the way that the products that I use are made” … to mobilize that very active minority … that makes a difference to a company …

There is a distinction then between the ‘smart’ who care, and the ‘losers’. Slavery can be ended, capitalism redeemed and consumerism enjoyed, all without the 4 in 5 ‘dumb losers’.

In using the app to discipline companies, smartphone-toting consumers simultaneously distinguish and discipline themselves as caring smart subjects who can avoid guilt for the iniquities of capitalism. They save others (and thus are themselves saved).

Questioned as to the cost, Batstone assures us it won’t be too onerous. It will only cost a small amount, which can be added onto the price rather than necessarily reducing profitability:

Batstone: … it’s about 10 to 20 to 30 cents on a product, and I think all of us are willing to pay that, just so that we can live in a world of dignity. I think that’s a… not enough for us to try to… ignore the fact that we are linked to people around the world through consumer products. (*Quest and Batstone, 2011*)

The fantasy and promise of Free2Work (that it is a fantasy structure is separate from questions of its accuracy) is that businesses will be disciplined through increased supply chain visibility, punished or rewarded financially by informed consumers. Companies are to freely alter their own behaviour, rather than being subject to public regulation. Meanwhile those graded poorly, or about whom information is not forthcoming are to be less desirable. The consumer, meanwhile, is encouraged to practice their own freedom in the
form of making choices with the promise of feeling good. Technology is to make this easy and fast. Furthermore consumers are to enjoy and share their activism:

*Scanning products allows users to view company ratings, browse industry-specific news articles, and receive fun factoids about that industry … a new share component within the app gives consumers the ability to share all this information with their social networks on Facebook and Twitter. Social media posts are linked via hashtags to the specific company's profile page, empowering consumers to directly voice their concerns about the company's production practices.”* (Free2Work et al., 2011)

The app thus packages and ‘sells’ a product: comfort and enjoyment, relief from guilt, changing the world, and fun.

The reports Free2Work have produced on particular industries (apparel, coffee, electronics) are useful summaries, packaging significant quantities of research into conveniently accessible forms. Grading companies against one another may adjust some purchasing choices, but it seems unlikely to offset, for example, peer pressure to have the latest gadget. Specific reports on particular companies concerned with their public reputation can provide invaluable material to pressure and embarrass them into changes of approach. However, companies can also ‘greenwash’, trading on claimed or real-but-minimal improvements, or falsifying information and misleading investigators (Chamberlain, 2013).

The accuracy of the information used, and the focus placed on it can be in question. Industry specific information (for example that cotton supplied from Uzbekistan is statistically very likely to have involved child labour) can be researched independently, but company-specific reports and grading are reliant on companies self-reporting accurately (NFS, 2012h). Again, this is all voluntary and private, rather than regulatory, mandated or public.

The risk is that if there is a wide perception that “something is being done” (something ‘smart’ with ‘real impact’, no less), there is less likely to be pressure for regulation, and the
inviolable independence of capital is further naturalized. As we barcode-scan our way round the shops, enjoying our goodness and sharing it, tweeting at companies we are concerned about and signing petitions, we may indeed have an impact, but our participation is limited and our impact non-binding. Kapoor calls this activism without action ‘pseudo-participation’, causing us to become invested in the existing regime “even if we are mostly bystanders” (Kapoor, 2013, p. 104).

Such activism engages us – connects us to ‘others’ – but only in a very limited and specific way that does not actually change very much, except perhaps our comfort levels. The limited aspirations for change are in plain sight when we are reassured that we don’t need a revolution; that it will only be 10¢ on our bill or above all that we can keep enjoying shopping (indeed we must!). ‘Unburdening ourselves’ (Kapoor, 2013, p. 105) by delegating our activism to the experts at Free2Work, is a source of satisfaction for us. Kapoor also notes the troubling aspect of voyeurism as we are made aware of distant troubles, perhaps empathise, but are glad it’s not us (Kapoor, 2013, p. 105).

These concerns are relevant even if Free2Work lives up to its hype and 1 in 5 people choose to not to be ‘losers’. This does not appear to have been the case, however. While the reports are useful, the uptake of the apps appears to have been minimal. Reviews of them are mediocre (AppCrawler, 2014), referring to crashes and slow downs, and suggesting consumer desire not to ‘wear people’s tragedy’ only waits so long. Perhaps most disconcerting is that both Google and Apple removed the Free2Work app from their app stores ten months ago at time of writing, and besides one blog post (Free2Work, 2014) there has been no comment from Free2Work and no sign of anyone missing the apps. Free2Work’s website does not appear to have been updated since April 2014, and their Twitter feed and Facebook pages have had only one update since June 2014. This suggests the app, and the idea behind it was – or at least became – a theatrical parody of activism and self-publicity, even though the database built up for it has potential.
Conforming with REBBL

Consumers today increasingly want their purchases and their product experiences to deliver more than just kind of… refreshment or kind of a physical benefit. People want to feel… a sense of meaning through every act that they take in their lives. (Jana Branch, Vice President of Communication, Headwaters Natural Products, NFS, 2012f)

In addition to disciplining existing businesses, NFS also sets up its own businesses including a beverage company called REBBL.

REBBL epitomises the ‘auratic’ cultural capitalism criticised by Kapoor. It may well be of some benefit to those it purports to help, but it uses the aura of that charity goodness to enhance a substantial and unaccountable profit while glorifying consumption and commodifying both the labour and the exotic mystique of foreign peoples for our benefit. This is neither the rapacious and brutal colonialism of earlier times nor the worst of exploitative capitalism – it is ‘decaf capitalism’ par excellence.

In 2012, NFS solicited donations to fund infrastructure, ongoing development efforts, and start a for-profit company via Just Business (Batstone and Wexler’s for-profit social enterprise investment fund). Initially ‘Headwaters Natural Products’, it later rebranded as REBBL. The business model is a philanthrocapitalist one, claimed to be both socially responsible and profitable at the same time, and claimed to be sustainable. REBBL donates a percentage of its profits back to NFS, providing them with a more reliable (and hopefully larger) source of income than donations alone.

The obvious question is “How much?” Unfortunately the answer is less obvious. NFS’s original webpage for the project stated that “5% of Headwaters’ net profits” (NFS, 2012k, my emphasis) would be donated to NFS. Headwaters’ LinkedIn.com page stated “5% of our gross sales” (LinkedIn, 2014). REBBL’s website says “2.5% of net revenue” (REBBL, 2013). Just Business’s website says “5% distribution back to Not For Sale on all gross revenue and 5% ownership equity granted to Not For Sale.” (Just Business, 2014).
Because REBBL is a private company, there is no publicly available information on their revenues to resolve these discrepancies or to assess its contribution. However, a USA Today feature suggested “sales of REBBL could pump close to $50,000 into NFS in its first year, and more than $775,000 annually later.” (Swartz, 2013)

The IRS only requires annual total donations to be submitted by non-profits, so there is nothing to distinguish REBBL income from other donations unless NFS choose to advertise it: there is no independent confirmation of these figures. Assuming they are correct, they represent significant income for NFS, yet they also suggest vastly greater private profits being made. For donations of $50,000 per year as 5% of net profits, REBBL would keep $950,000. Based on 2.5% of net revenue, profit cannot be assessed without knowing costs, but net revenue would be $2,000,000. If donations totalled $775,000 these figures would be $14,725,000 and $31,000,000 respectively.

REBBL’s promotional materials feature authoritative statements on trafficking and its solution, self-congratulatory claims of innovation and grandiloquent claims of near-magical but largely unspecified tonic benefits.

Between June and September 2012, NFS posted a series of eight promotional videos on Vimeo and YouTube called “The Road to REBBL”. The first (NFS, 2012s) was a trailer for the next four (NFS, 2012o, 2012p, 2012q, 2012r), and the final three were updates on progress with launching the drink (NFS, 2012l, 2012m, 2012n). They are simultaneously a funding drive, product advertising and entertainment. As always, they are slickly produced with a professional soundtrack designed to entertain and move the audience. The tagline with the videos refers to REBBL as a “game-changing” tactic – “smarter, more creative and outright radical.” (NFS, 2012r)
The format is cinematic, the trailer builds anticipation and sets the scene telling us “There are 30 million slaves in the world” and emphasizing that slave traders prey on the most vulnerable (NFS, 2012s).

Samuel Baker, NFS Director of Business Development, appears on screen, brow furrowed, nodding emphatically and succinctly sums up NFS’s approach:

*Modern day slavery’s a business… and we’re gonna fight it with business.*

Mark Wexler speaks:

*Charity is Dead. And the mentality of a hand-out … isn’t gonna work.*

We are then teased with the promise to launch a “revolutionary business that fights the root causes of slavery.” (NFS, 2012s)

In Episode 1, Wexler emphasizes the disjunction between the ecological wealth of the Peruvian Amazon and the poverty of its people. Baker stresses the isolation of these communities, seven hours from the nearest city by a boat they can’t afford. The problem is
argued to be lack of access to a marketplace and to local ‘healthy’ jobs, “so... traffickers come in”. (NFS, 2012o)

The problem thus outlined, Batstone adds:

_When we looked at the Amazon region we saw rich resources..._

We see a shot of an exotic flower, then the screen cuts to shots of unnamed locals speaking animatedly presumably to off-camera NFS personnel, then a school room...

_We saw people who desperately wanted to work and build a new future. We knew there had to be a solution to the problem._

The video shifts gear as we anticipate the solution. We see Wexler and Batstone conversing intently as their boat speeds up the river, then a brief shot of the interior of the boat lined with life-jacketed people – exclusively white apart from the local skipper. Throughout there is movement, restless motion, purpose. Inspiring music accompanies Batstone surrounded by grinning locals, an elderly woman smiling up at him, then him bending down to warmly hug another young woman.

_Wexler: Part of the solution ... was to provide the villagers a boat ... but what happens when the boat wears out? How do we create not a charity based model but a sustainable model?_

_Baker: It's creating jobs. Unfortunately... to create jobs is a pretty complex process... you need to engage the communities themselves._

Accelerating cuts: first Batstone talking to a meeting of locals.

_Baker: You need to engage local businesses that are creating products,

Shots of locals talking then a local man surrounded by women inspecting their beadwork and wickerwork.
You need to engage international retailers like supermarkets, you also need to engage consumers to understand why it’s important, why they should be buying these kinds of products…

Dynamic shots from a shopper’s point of view of a supermarket aisle then products on shelves, as the music builds, a quiet beat begins.

*And what we came up with was an incredible idea that would link all of those actors together…*

Rapid cuts between shots of NFS staff, Montara circle meetings…

*And what we came up with… was REBBL.*

Melody and beat build to a pulsing crescendo. A pipette dropping dark potent liquid into a wineglass of water, Batstone laughing with supporters, a smiling child, purposeful smiling locals speeding up river; then the final screen:

![Image of the final screen](image)

NFS people are identified with overlaid text on screen each time. The locals aren’t. Not until the seventh video is the local spokesman (who has appeared throughout) finally identified as Martin Huaypuma, President of Madre de Dios Indigenous Forestry
Association. Even then he seems to have been brought on primarily to tell us how special NFS are. He tells the camera that NFS are providing direct, practical and useful services – that they are offering things the community actually wants and that this is different from other projects they have had (NFS, 2012m). This is good news, to be sure, as are a focus on basic needs, healthcare, legal services, and education (NFS, 2012l).

There is something ironic in NFS staff setting up and running that company, running trainings with local youth on “how to run small businesses, what it means to get a fair price for your brazil nut or your cat’s claw” (NFS, 2012l). While that is perhaps useful information, it is unclear how ‘fair’ the price can be given the possible profit calculations above. Nor would it be much help if prices are driven down by the market forces to which the locals are increasingly subjecting themselves. The phrasing seems to suggest people are exploited because they don’t know better: to an extent this may be true, but knowing better does not transcend other exigencies or alter that those ‘teaching’ them have a vested interest in not raising their expectations too high (otherwise where would all that sustainability-guaranteeing profit come from?).

On-camera, there is no attention to what local people themselves might think about or be doing about their situation, no suggestion of state responsibility, no suggestion of labour self-organisation as a possible response to traffickers (or any other possible response), no mention of global inequality, no mention of profits and no question of the naturalness of an American company exploiting the resources and peoples of the region (however relatively kindly). These are not considerations that would ‘sell’ to NFS’s audience. Because vulnerability to trafficking has been reduced to a lack of access to economic opportunity understood in capitalist terms, the solution obviously becomes drawing people into a global capitalist economy.
Kapoor criticises celebrity humanitarianism as being for the system whose iniquities it responds to, doing just enough to cover its contradictions and bandage the worst wounds. Here REBBL, the kind face of capital, is acting for capital, opening up a region with infrastructure that may enable other companies to access it and opening it up for capital as an investment opportunity. When Batstone says “When we looked at the region we saw rich resources…” we are meant to hear this as a ‘smart’ discovery, a promising source of solutions. But it is also a starkly honest statement – in plain view – of desire for those resources – of an agent of capital seeing an opportunity to do well at the same time as doing good.

The videos themselves display troubling orientalist and colonialist undertones. Whatever the intent and irrespective of the ‘on-the-ground’ reality, the videos the audience are invited to enjoy show self-congratulatory white people penetrating the distant isolated jungle to bring civilisation to needy and grateful brown people by bringing them into the global economy, while gushing about their ancient medicinal wisdoms. They say more about the fantasy invested in the project and in those people than they do about the local people. The videos present the Amazon as an exotic, available space to enact and enjoy our agency vicariously through buying REBBL, and encourage us to see ourselves as ‘rebelling’ while we conform to exactly the kind of consumer identity cultural capitalism needs.

While the product gains its initial aura from benefiting others, overall it is clear that this is for the consumer. What is being offered is an experience of agency, and of freedom (understood as a pleasingly easy set of choices) – we can be special, be heroes! You personally can fight slavery in the Amazon. We are told that the more we buy it the more jobs NFS can create (NFS, 2012q), and promised that this can spread around the world based on ingredients from South East Asia and Eastern Europe, and “it’s limitless beyond that.” (NFS, 2012q)
Jessica Henry, NFS Director of Communications, fixes her gaze on the viewer walking toward camera in another always-in-motion video, with ever increasing enthusiasm on her face:

_In order for this to work, we need your help. I’m not talking about you in general – I’m talking about You the person right now watching this video. You and I can fight slavery in the Peruvian Amazon. And here’s how we’re gonna do it!…_

The viewer is asked to share the video widely on social media and to donate $35 toward a $150,000 start-up fund, for which they will receive as a thank you four of the first bottles.

_You can even tell your grandkids you were one of the first to taste REBBL … We’ve made REBBL a drink, now it’s Your Turn… to make it a movement. (NFS, 2012r)_

The pantomimic excess of heroism and dynamism throughout these videos is perhaps exceeded only by the descriptions of the drink itself. REBBL’s website proclaims it as “a true, adaptogenic herbal tonic for the courageous and uncompromising” (REBBL, 2013, my emphasis) made with “the world’s most beneficial herbs”; “life-changing herbs”; “therapeutic strength”; “amazing health benefits”. (REBBL, 2013) For the first time, a drink ‘honors’ traditional knowledges, and is “your source of a lifetime of true vitality”; “higher herbal intelligence” (REBBL, 2013).

In the final video, REBBL’s CEO Palo Hawken explains he only agreed to the project to “create a beverage like no other … something that I could say with pride was the greatest,” (NFS, 2012n, my emphases). Batstone calls it “a work of genius … a product like no other” and Hawken describes the ingredients of the drink as “heroic” and the drink as an “expression of the deepest passion … for life, for health, for humanity”. (NFS, 2012n)

If you believe NFS, this is not a _drink_ – it is a movement, it is magical, it is ‘sustainability’ and it is ‘dignity’. Otherwise, it’s a beverage with some ingredients that may or may not do anything for you, but overall it tastes nice, and it can be sold to Californians at $39.90 a
dozen - with some significant benefit to some people in the Amazon who may or may not have anything to do with ‘trafficking’ – and a lot of monetary benefit to someone somewhere in the USA. I don’t doubt drinking REBBL probably has a better social impact than drinking, say, Coke – but it is not enough. It is quite tasty though.

**Conclusion**

I have been very critical of NFS, but I am conflicted. I am uncomfortable: the scene they offer us is far too simple, far too certain, and far too self-fascinated; their solutions are too often ‘decaffeinated’ – doing *just enough* or at least doing as much or more for ‘us’ as for ‘them’ while presenting it as radical.

Yet, aren’t they ‘the good guys’? Aren’t they ‘doing something’?

In many ways I think they are ‘good guys’. Despite my concerns, they are well-meaning and sincere, with measurable positive impacts on the lives of many people, but the claims they make for systemic change and grand innovation are deeply problematic, as are their presumptions around gender and appropriate work. NFS wants to respond to the excluded or dispossessed, yet they do not confront the antagonisms between those ‘excluded’ and the ‘included’ (i.e. us, businesses, states) who are to respond. They confront the distance between them with a view to shrinking it, but *not too much*. They include the excluded in a way that doesn’t fundamentally alter their own position.

But perhaps the more important question is why I keep coming back to that question – why do I (we?) need or want to know who are the good guys and who has the answers? Some part of me would like to find the good guys – would like to buy into NFS wholesale – be involved, make a difference. That desire is the very same desire for agency, for simplicity, for redemption that I have criticised NFS for promising to sate. I fail to enjoy what I’m supposed to enjoy (freeing people; being the good consumer); then, in some
sense I enjoy the fact I don't enjoy, then I enjoy the frustrating awareness of this bottomless spiral.

I have therefore tried to try to ask different questions. Instead of “is this organization ‘good?’” I have tried to ask what world they live in, how they produce a particular scene, who populates it, and so on.

For NFS, the scene itself includes and celebrates that desire to do good, to help people, so the question becomes relevant in the terms the scene sets. Their particular understanding of causality implies it is possible to manipulate the world to ‘end slavery in our lifetime’, and hence that we should do that. They then purport to supply ‘smart’ methods for doing so, with some success at helping others but more success at helping us and legitimising profit.

Having explored NFS’s scene and characters, I have noted the absence of ‘capitalism’ as an avowed feature of this scene, yet an anxiety about capitalism and our investment in it surely drives the consistent efforts to find a way to do better and kinder business and consumption. There may be something to be said for living with that anxiety, accepting our discomfort, if only to broaden our horizons beyond passively accepting that 2.5% of the proceeds is somehow calculable as ‘justice’, and being lost in the fantasy that shopping will set us all free.

The heroes of NFS’s scene are consumers and NFS themselves, which as seen above leads to a preoccupation with brand, with who they are. This is reflected in their approach to publicity, which is sought out wherever possible. The next chapter extrapolates scenes for two other organisations in San Francisco. These organisations have a very different feel: different – more complex – characters appear and very different forms of action are called for. Unlike NFS they are not selling a package of comfort or promising enjoyment. Rather,
their scene is messier, they work relatively quietly and with far less certainty. They don’t promise to change the world, but for their clients they might come closer to doing so.
Chapter 5

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Time for a ‘victim-centred’ approach

Introduction

Given the pitfalls identified in the earlier chapters, can we be more open to complexity and discomfort? Are there ways of ‘helping’ that are less self-reassuring, more other-regarding, and perhaps less depoliticizing?

This chapter suggests a cautiously affirmative answer to this question through considering the efforts of the San Francisco-based Anti-Trafficking Collaborative of the Bay Area (ATCBA). ATCBA describes itself as “striv[ing] to provide culturally appropriate and comprehensive services to survivors of human trafficking, and enable and empower trafficked persons to transition from victim to survivor of violence in a safe and nurturing environment.” (ATCBA, 2014)

I focus here on two ATCBA members: Asian Women’s Shelter (AWS) and Asia-Pacific Islander Legal Outreach (APILO). How AWS and APILO think, speak and act reveals and produces a scene that constitutes a place for the other as inherently valuable. This is referred to in their conversations as a ‘victim-centred’ or ‘survivor-centred’ approach. It is an effort (however impossible) to attenuate our own presence in order to give place to the other. It is a praxis that critiques and resists narcissistic and depoliticising tendencies that otherwise undermine hospitality and responsibility toward others, and enacts a critical relation to an often hostile anti-immigration environment.
This is grounded in a strong focus on the individual *whomever or whatever they may be* and whatever that particular person requires: what is *that person's experience*? What do they want? What possibilities are there in the legal system, practical assistance and benefit entitlements that can help meet their changing needs? How can that system best be navigated, and its possibilities pushed to the limit *for them*? There is considerable openness to the complexity and messiness of individual lives and circumstances. This focus on the other *as client* is accompanied by wariness of the hubris of ‘rescuing’ others, of seeing oneself as superior, or of feel-good helping. This is actualised day-to-day in respect for clients as complex individuals affected by—but not fully defined by—their trafficking experience, seen as *agents* rather than passive objects. Injunctions to carefully check one’s presumptions and particular strategies for interacting with clients attempt to further embed this habitual stance as an organisational culture.

Staff from both organisations emphasized that their approach was ‘victim-centred’, and detailed how they strove to achieve this. I will look at their expressed tactics, and at how ‘Hypotheticals’—case studies—are used in APILO training sessions and at the stories AWS told of their clients and cases. These uses are quite distinct from the typical use of slavery narratives to elicit shock, sympathy and encourage us to “do something!” typical to neoabolitionism.

The victim-centred approach involves a particular understanding of ‘victim’. I explore this through ATCBA’s web presence, my attendance of training sessions, and discussions with staff from AWS and APILO. This will be considered in conjunction with their approach to defining ‘trafficking’. As with ‘victim’ and ‘survivor’ this is contextual and tactical. It also cannot be separated from ATCBA’s critical approach to anti-immigration sentiment and to policy founded on a distinction between victims and ‘illegal migrants’. The ‘migrants’ and ‘victims’ in this scene are quite different from those seen in earlier chapters.
Inextricable from the understandings of ‘victim’, ‘trafficking’ and ‘migrant’ is the approach of ‘victim-centred approach’. I will explore how staff approach ‘being with’ their clients. This involves a certain gift of time in stark contrast to the administrative time of state interactions with survivors.

The hypotheticals illustrate the practicalities of navigating local, state and federal political, economic and legal systems to address survivors’ needs. ‘Navigation’ is a useful term for ATCBA’s approach to the complexities of their clients’ situations and the administrative landscapes that impact upon, enable and constrain certain forms of help.

In conclusion, I emphasize the characteristic importance of time in their approach, and the specific temporality of their scene and its characters. Taken together, the salient features of their approach constitute at least a partial subversion of and reiterative deployment of the machinery of state, of borders and boundaries of concern, and constitute a profoundly different scene than any other effort looked at so far.

**ATCBA**

Before going into the detail, it is necessary first to introduce the organisations. ATCBA formed in 2001 as Asian Anti-Trafficking Collaborative (AATC) from four self-described “community-based anti-violence agencies” (AATC, 2007): APILO, AWS, Cameron House, and Narika. Its name changed in October 2012 with two new members joining - SAGE and Mujeres Unidas y Activas (MUA). In early 2013, most documents still showed ‘AATC’ rather than ‘ATCBA’.

AWS formed in 1988 to address “the absence of accessible services for limited and non-English speaking immigrant survivors of domestic violence in the San Francisco Bay Area.” (AWS, 2010a) Like APILO, their remit is broader than their anti-trafficking programme. AWS provides direct services, “including assistance with visas, shelter, case management, interpretation, advocacy and independent living skills” (AWS, 2014b). They
offer a 24-hour crisis line, safe and confidential housing, emergency and general health services, emergency food and clothing, coordination of social services and benefit provision, including training and employment, counselling, legal advocacy (through APILO), and follow-up services such as assistance with establishing transitional and permanent housing (AWS, 2014a, 2015).


AWS’s shelter programme operates from an anonymous location, directly offering beds to 15-18 people at once. Duration of stay is assessed individually, but averages three months (AWS, 2015). Most shelter programme clients are housed outside the shelter through various personal and community links. Similarly, from a clients’ point of view APILO is amorphous. APILO employs approximately 20 staff in its Bay Area offices but relies on pro bono work to represent many clients. What matters, and is presented to clients, is not individual member organizations, but the comprehensive scope and seamlessness of services that the Collaborative and its network of contacts strive to provide.

Potential pro bono advocates can attend APILO training sessions, some of which formed part of ATCBA’s second Annual Human Trafficking Brown Bag Series.
I met AWS and APILO staff through these explicitly didactic seminars. *How to Identify Labor Trafficking and Survivor Resources* and the two *Pro Bono Legal Services for Human Trafficking Survivors* events were run by Cindy C. Liou, Khanh T. Nguyen, and Leeja Patel of APILO. *Access to Benefits for Immigrant Survivors* was co-presented with Tanya Broder of National Immigration Law Centre (NILC). *Working with Survivors of Trafficking* was co-presented by Hediana Utarti of AWS and Hyun-Mi Kim of APILO. The seminars offered clear examples of both deliberate and habitual scene setting. Their introductions, their presumptions, cautions and concerns here and in private discussions showed rich depth to their victim-centred approach, to which we can now turn…
ATCBA’s ‘Victim-centred’ approach

‘Victims’

The victim-centred approach does not start with a predefined notion of victimhood so much as a set of counter arguments against typical understandings – what victims are not.

Staff criticised the excessive focus on sex trafficking, and the presumption that victims are passive, female rescue objects, objections that mirror Jayashri Srikantiah’s diagnosis that both the TVPA and law enforcement practice envision a prototypical victim from whom the mass of ‘illegal aliens’ are distinguished (Srikantiah, 2007, pp. 190-192). This ‘iconic victim’ is a woman or girl, is trafficked for sex, and is passively rescued by appropriate authorities to whom she proves herself a good and cooperative prosecutorial witness (Srikantiah, 2007, p. 187).

To go beyond such an image, APILO’s website (APILO, 2014b) offers four anonymized survivor narratives detailing coercion, threats, abuse and violence against victims and their families. These are moving, yet not sensationalist. Only the last refers to sexual trafficking, the others being forced drug smuggling, domestic work and caregiving. The examples cover a range of citizenship and immigration statuses: two are unspecified; one was present without status and another was on a legitimate work visa. None mentions or demands rescue, and the position of state authorities is at best ambivalent: the first story notes “The police in the United States told me they would help me but prosecuted me instead.” (APILO, 2014b) The page also highlights APILO’s advocacy for “comprehensive immigration reform”, reflecting a critical stance toward the state and its role in victims’ lives. While common anti-trafficking tropes appear here—reminding readers that slavery is not a thing of the past; noting several million are trafficked annually; that slavery happens close to home in the United States; deception and coercion—they are relatively muted. They segue not to the usual calls for rescue or opportunities to feel good, aggrieved or
righteous, but instead to challenging our presumptions about victimhood and agency. Deception and vulnerability are presented with a distinct emphasis – as signs of survivors who are and were already agents:

Rather than treating human trafficking survivors as helpless victims, AATC recognizes that it is their courage and pioneering spirit that made them vulnerable to deception and false promises by traffickers. (APILO, 2014b)

Victims are not the sum of their trafficking experience: they are complex individuals with whole life stories and varied needs. Both AWS and APILO stressed that their clients’ backgrounds and experiences were varied. Their clients are not exclusively trafficked – that someone doesn’t meet a definition of trafficking does not mean they cannot get help, only that it will change the legal avenues available. There was an effort to counter iconic stereotypes of victims as ‘helpless women and children’ and an awareness that the prevalence of such stereotypes relates to our desire to think of trafficking in such terms. As such, the training audiences were challenged to consider broader client demographics:

A quick snapshot of our clients… this is just to give you a profile … they’re male, female and transgendered - people forget about the variety of gender issues because they like to depict or people think of trafficking against a violence against women and children only issue. The age range is 7 to 75. Yes there’s children, but there’s also people who are elderly - this is very important. It is domestic and international … it is not about movement … It is about the violation of a human right so it doesn’t matter what nationality you are, or where you’re trafficked… the question is whether or not you have bad your will subjugated and you’ve been forced to do some kind of work. (Cindy Liou, original emphasis)

Speaking of ‘subjugation of will’ perhaps better captures the subtler forms of coercion at work in trafficking than does speaking of lost free will or one’s future being taken away. The latter language tends to leave our own position secure as bearers of ‘free will’ and normative futures, in a position to rescue.
In this scene, ‘freedom’ is not something that would have been there had it not been removed, nor something that can be given by us to them. Nor is unfreedom something that can be discounted simply because someone appeared to consent to something. Rather its realities are more economically and socially contingent and complex. This phrasing seems to me perhaps better suited for speaking in a way that does not distinguish the ‘slave’/‘trafficked’/‘victim’ as without agency, but instead suggests a common human vulnerability and potential agency. ‘Subjugation of will’ suggests a set of decisions, and thus an active and capable decision maker, even if there was no realistic alternative to the choices made, and even if those available choices may have been terrible. It asks us to consider the how of this subjugation in an individual case – what mattered to that client, how were they arguably manipulated in the context of their own life.

‘Trafficking’ and ‘migration’

Though ‘victim’ is here a flexible, contextualised category, the context requires we ask what are they victims of? Like ATCBA’s website, the event aimed primarily at a lay audience Human Trafficking: What Can You Do? did not define ‘victim’ or ‘trafficking’ except through examples that emphasized that ‘trafficking’ exceeded stereotypes about sex-trafficked girls. Despite the title, the emphasis was on responsive service provision rather than offering attendees the thrill of helping. The other seminars did explicitly define their terms from relevant statute, principally the TVPA. Under the TVPA, ‘trafficking’ is split into criteria relating to process, means and goal, each being required for unambiguous qualification as a victim of a “severe form of trafficking”.
The definition is expansive – recruitment or harbouring or moving or obtaining, by means of any one of force, fraud or coercion, for the purposes of a broad set of terms implying enslaved work. Nothing in the definition requires any relation to migration, migrants or cross-border smuggling. However, both the anti-trafficking legislation, many failures of implementation, and the positive distinctiveness of ATCBA’s approach must be understood in relation to a wider scene of anti-immigrant sentiment, of territorial control, and restriction of responsibility and hospitality to a limited subset of deserving victims (good immigrants) in comparison with hostility and denial of responsibility toward the (bad) rest.

APILO trainings stressed that ‘smuggling’ is legally distinct from ‘trafficking’: smuggling is a border violation – a crime against the territorial authority of the state; trafficking is a human rights violation – a crime against the person. One may thus be both smuggled and
trafficked, may be trafficked with or without being smuggled; or one may consent to being smuggled but through force, fraud or coercion this may retrospectively come to have been trafficking.

Here I briefly outline some of the key aspects of the immigration and trafficking response in the US, its broad anti-immigration sentiment and the visas that have been introduced to provide immigration relief and potential legitimate status for trafficking victims.

**The US, Immigration, and the TVPA**

Though the US is a nation of immigrants, immigration is a controversial topic. Jayashri Srikantiah (2007, pp. 188, 190-191) notes that US immigration discourse produces and depends upon a Manichean distinction between ‘good aliens’ and ‘bad aliens’. Since the introduction of immigration quotas in the 1920s when the figure of the “illegal alien” first appeared (Srikantiah, 2007, p. 188) the character of the bad alien has been central, and appears in this scene as the majority and the default. The ‘smuggled’ migrant appears as an ‘illegal alien’ *intentionally and culpably* violating the law in order to work and is thus undesirable from the outset. The construct is gendered and raced – a “Mexican who has snuck into the United States in the dark of night … a poor, brown, unskilled, young male[,]” (Johnson, 1995, p. 1545; Srikantiah, 2007, p. 189) – an “economic migrant who takes jobs from U.S. residents, and drains welfare and other social services”. (Srikantiah, 2007, p. 190) The full range and ferocious hostility of US anti-immigration sentiment and laws, often directed particularly at Mexicans, is beyond the scope of this thesis, but the trend has been toward increasing criminalization of immigration violations, increasingly harsh penalties for these crimes, and efforts to withdraw public financial assistance and other benefits from the undocumented.
The TVPA (2000) potentially alters this environment for some by distinguishing trafficking victims from smuggled persons. It introduced ‘U’ and ‘T’ visas for victims of violent crime and trafficking victims respectively. These allow victims, and potentially dependants and loved ones, to remain legally in the United States temporarily, and with the possibility of transition to stay permanently. The availability of visas is a federal matter, and the TVPA implements various federal measures to combat trafficking and support victims. It also should be noted however that individual US states have their own anti-trafficking laws, and states and smaller municipalities have different laws and practices around how they treat people without immigration status. These range across the gamut from providing sanctuary and public benefits, through arbitrary stop-and-search and deportation, to shooting people crossing the border, though all should supposedly be checking for trafficking indicators.

At its best, the category of ‘trafficking victim’ adds a new set of ways to qualify among the good aliens to be welcomed, but as such must be tightly controlled if the stability (and inadmissibility) of the broader unwelcome category is to be maintained. USCIS, the DHS and its predecessor INS have emphasized choice as implying culpability when interpreting the TVPA. These agencies have been “pre-occupied with avoiding claims from undocumented migrants falsely claiming to be trafficking victims”, as were TVPA drafters, leading to the inclusion in the TVPA of annual caps on visas for trafficking victims “to prevent this form of relief from being abused.” (Srikantiah, 2007, p. 191 note 194)

The very legislation intended to help victims is underpinned by, and its practical implementation undermined by, a fear of unruly agency. The notion that it will be abused suggests a US under threat, fearful of offering hospitality because it will be swamped by ‘bad aliens’.

This fear is dealt with in part in practice by restricting recognition of victims according to simplistic characterization, usually as a sex trafficking victim or an economic migrant:
The iconic victim crosses the border solely because of force, fraud, or coercion by the trafficker, and not because of the typical push factors propelling undocumented economic migration ...completely under the trafficker's control, she is easily distinguishable from the smuggled alien. (Srikantiah, 2007, p. 194)

Such a fantasy of easily distinguishing ‘victims’ from (villain) ‘migrants’ underpins an avoidance of decision and provides a template for unthinking response – a fig leaf of hospitality to a few, covering naked hostility to most. The scene produced by US immigration control and anti-immigration sentiment makes a distinction between the characters of victims or threatening ‘economic’ migrants. Srikantiah quotes a DOJ factsheet stating that persons who are “smuggled are violating the law. They are not victims.” (2007, pp. 192, my emphasis) Such a statement not only determines that this ‘factually’ is the case, but also performatively calls forth an affective valuation based on the distinction, and enacts a wilful determination that it should be the case, producing those deemed ‘consenting’ as culpable and thus necessarily ‘not victims’, conflating ‘victimhood’ with innocence before an unquestioned law of territorial sovereignty. As the definitions on the slides above demonstrate, this determination while performatively significant is legally incorrect. Even if any ‘movement’ were unproblematically consensual at the time, if the prior recruitment involved fraud or coercion, or if there is subsequent ‘harboring’ (for example keeping someone locked up, or subject to systematic control) or ‘obtaining’ (for example if a person or their labour is sold on), the trafficking definition can still be met. Furthermore, ‘coercion’ is expansively defined (see above slide). It can include absolute indicators (documented or enacted threats of serious harm or physical restraint) but also includes definitions more amenable to the making of an argument specific to an individual’s history and circumstances if one takes the time to discover context, as in some training examples below. While ‘smuggling’ appeared of little concern to ATCBA except if it involved exploitation of clients, it did appear as a category that enabled state border agents to discount clients’ needs. Attorneys expressed frustration that cases were often
dismissed as “just smuggling” by border agents unwilling or unable to assess complex situations that would fit ‘trafficking’ definitions they spent the time and effort to ask the right questions in the right ways.

The DOJ guidance referenced above hinges on a simplistic notion that migrants either do or do not have “free will” and if they are acting out of free will then they are “not victims”. It rests similarly on an equally contestable presumption that there is a more-or-less simple truth of the matter in any given case. Neither is actually justified by the language and definitions in the TVPA and related legislation, and neither is accepted by ATCBA staff. While APILO do operate from the same legislation therefore, they constantly push to interpret it much more broadly – or accurately – so, to the extent they succeed they create a different environment for their clients, demanding that agents of the state take into account the context of their clients’ lives.

ATCBA’s scene is thus not populated with the same characters as the anti-immigration background or many anti-trafficking efforts focus upon: ‘victims’, ‘survivors’, ‘smuggled people’ and ‘migrants’ generally appear quite differently. ‘Victims’ are not helpless and simplistically lacking in free will – ‘victimhood’ and culpability are not dichotomous, nor can their truth simply be observed. Crucially, ‘migrant’ is neither pejorative nor framed as an exception to a norm of stationary citizenship.

Migrants have desires and agency that are not pathologized, dismissed, or rendered any less significant because they are migrants; nor are their desires and agency ignored when they have been trafficked. While there is a tactical use of ‘trafficking’ categories (see ‘Navigating’ below) to support migrants, at no point was there any apparent presumption that any other (i.e. non-trafficked) migrant shouldn’t be considered worthy of concern or welcome and of whatever degree and form of integration, if any, they desire. There was no conflation of citizenship or legality with moral right of residence – no sense ‘they’ (migrants, regardless
of legality) are normatively distinct from, or have any less right to be ‘here’ than ‘us’. Many ATCBA staff are women who have migrated, travelled and/or are from ethnic minority or immigrant communities; this may contribute to their broad assumption of equality, and disavowal of authoritative or rescuer subjectivities.

I discussed with Hediana Utarti and Hyun-Mi Kim the possibility that creating categories of deserving victims may strengthen depoliticized anti-migration norms. This was immediately understood and warmly received as a shared concern. In discussions with certain visiting people, the converse was raised – that there might be subversive potential – that such categories may enable ‘sneaking in’ not only more people but also whether they might – if pushed to be as accommodating in practice as possible – constitute a weakening of anti-immigrant sentiment and its whole associated framework of mobility restriction. One visitor from another organization, giving a pantomimic surreptitious wink, put a finger to their lips, whispering “Shhhhh!!” I found no such avowed subversive intent from any ATCBA staff, but there was clearly no liking for restricted mobility. APILO avowedly support immigrant rights and state they “will continue to work with and on behalf of the community to counter anti-immigrant legislation and policies” (APILO, 2003). ATCBA and NILC staff spoke approvingly of San Francisco’s status as a ‘sanctuary city’ - the ‘Sanctuary Ordinance’ (1989) prohibits City employees assisting ICE with immigration requests unless other criminal activity, state law or federal warrant requires it. AWS staff explicitly disavowed policing peoples’ right of presence as not only unjustified but as counter-productive if you want to actually help people. As a non-profit they were protected from having to check peoples’ status, which was seen as essential to being able to provide a safe, welcoming, trust-building space for clients.

ATCBA’s critical understanding of migration and their expansive concept of victim work against the tendency of state practice and anti-immigrant sentiment to create a hostile environment for survivors. This underpins the possibility of encountering victims on their
own terms, or on terms relatively welcoming to them, and against those imposed on them by those who would deny hospitality.

**Approach**

We may now turn to the *approach* of ‘victim-centred approach’. The *approach* to the survivor as person matters greatly in the possible relationships one can have, the forms of assistance that can be given, and the available subject positions of both survivor and would-be helper. An approach takes the form of a movement-towards, an offer of encounter but not the imposition of one’s goals: it is, or at least here it tends toward, an invitation to the other/survivor to form a partnership that places their needs at the centre, in part by a conscious self-de-centring of the advocate. To *approach* is not to arrive at a certainty or final position but is a more open-ended, on-going process. To have a characteristic approach is to make a commitment to endeavour to be a certain way in a relationship, and as will become clear it is only by building a long-term relationship of trust and understanding that the advocate and client together can adequately navigate the legal, immigration and benefit systems.

Firstly I will outline ATCBA’s respect for their clients, then look at how some ways APILO systematically inculcate a culture and practice that realizes ‘victim-centeredness’ through practices of intake, interviewing techniques and injunctions to check one’s self. I will then look at how they navigate complex cases, including some examples drawn from their trainings.

A simple summation offered of how to take a ‘victim centred approach’ was that advocates should treat the people they work with as *clients*, not as beneficiaries. The corollary to this (expressly noted) was that there is no cause for the advocate or helper to see themselves in a heroic light.

Cindy Liou introduced APILO’s mission as,
to provide victim-centred comprehensive and seamless services to trafficking survivors. It’s to empower and enable transition from victim to survivor of violence… and to offer linguistic and culturally appropriate services. Oftentimes we think, well if I just show up and tell people “I wanna help you, you look like you’re in trouble”, they will come to you, they will accept your services.

She, and some in the audience, chuckled knowingly at this imagined inner monologue. This seemed to me to be a sympathetic caution about the possible hubris of rescue: wanting things to be simple, wanting ‘victims’ to play their part.

All ATCBA trainings advocated significant conscious efforts to approach clients on their own terms. This was contrasted with a self-regarding approach that might fetishize the horror of what that person has endured and support a notion of rescue or saving. All APILO and AWS speakers referred to different ‘lenses’ for avoiding such pitfalls and for approaching people non-judgementally on their own terms. How advocates see themselves and what they themselves desire in doing such work were understood as inextricable from how they were able to treat their clients. The rescuer position appeared to be seen as inherently incompatible with a client-centred focus understood as a practice of respect:

Khanh Nguyen, speaking at APILO, introduced their approach thus:

*When we work with a survivor we approach it with a victim-centred approach. What does that mean? It means … from … a civil standpoint, the victim is your client. You treat them like your client … they control the process, they make the decisions. You wanna figure out what exactly their goals are, what it is that they want, as opposed to coming into it with an idea that, you know, this person survived this crazy thing and you’re trying to rescue or save them. That’s not what we’re looking for here. We’re gonna treat this person with respect, at the same level as you would any other client, in any of your other practices. (Khanh Nguyen)*

As seen above, these are not helpless victims awaiting our heroic rescue. Nor are they bodies onto which to project our own desires and rescue fantasies. They are already active, capable decision makers, with both the capabilities and vulnerabilities of any human being:
they are simply people in difficult situations to whom advice and support may be offered, but who will make their own choices. I encountered no sense of a hierarchy of perspective – no sense of superiority. Rather than prescriptive saving, the emphasis was on responsive services:

*We are not about saving people. You wanna help? You provide services.* (Hyun-Mi Kim)

*What we’re interested in is empowerment, not saving.* (Hediana Utarti)

Similar cautions were frequently reiterated, as well as being implicit throughout. The (usually unspoken) implication is that this approach, this awareness and emphasis are distinct from certain other groups and may be distinct from audience expectations. There was also the sense that this was necessarily an open-ended, long-term process where legal and administrative events are not to be conflated with liberating moments in the clients’ life:

*it has to be victim-centred. We have to ask what the individual wants and we have to be able to think about the solution in a more long term basis. How do we do that transition from victim to survivor? That is a complicated question that … we don’t always think about in the law… in the law we just think about “If I just get a restraining order… if I just get a green card … if I just get a judgement that will solve everything” and that is not actually always the case.* (Cindy Liou, original spoken emphasis)

In addition to the caution about conflating legal actions with ‘finishing the job’, the standout point is “*we have to ask what the individual wants*” – the question of how they might get it is a complex one, discussed below.

The implicit temporal trajectory implied in “*transition from victim to survivor*” should not be understood as a hard teleology. Given the emphasis on understanding victims as agents, even pioneers, the ‘victims’ of ATCBA’s scene seem to always already be survivors: the sequential grammar of the phrase is in tension with the both the respect granted to them and the emphasis on understanding their life in context (see below). Such respect appeared
to be habitual – so deeply embedded as to be prior to conscious interactions – but in training new potential advocates there was an attempt to inculcate practices that would embed and communicate a respectful culture.

This was situated in an awareness of advocates’ own desires, which may not accord with those of the client, and of advocates’ and clients’ respective positioning and life experiences:

*A lot of our survivors ... it's very important to have an understanding of where they're coming from: they're not operating on the same cultural lenses that we do. Their decisions are very very different and so we need to immediately kind of check ourselves and see where we're coming from and try to understand where our victims are coming from so that we can better serve them. They may not always have the same goals that we have and it's often a challenge trying to get them to that same place. (Khanh Nguyen)*

Although APILO’s lawyers have far more knowledge and experience of the relevant criminal and civil legal avenues in US and Californian contexts than at least the majority of those they assist, there is a strong and substantive emphasis on the client’s wishes and broader goals as primary. Expression of frustration with this was restricted to the caution that it can make life difficult for the advocate. There does seem to be some ambivalence or tension – there is seemingly a desire on the part of advocates to nudge clients into a position where they can cooperate with the needs of the legal work and not cause problems for the advocate. The emphasis on checking ones presumptions and not thinking you can just swoop in and rescue people, however, sets a context in which it is more likely one would spot that such a desire was one’s own desire. It is also a tension that appears to be something to be lived with and worked with, not overcome. The recognition that clients’ ‘cultural lenses’ may be very different from ours is not seen as a difference to be erased – rather, it is cause to “check ourselves” and our own presumptions. The “challenge trying to get them to that same place” can be read as revealing such a desire to overcome difference but, taken in context, this remains far removed from the practices of organisations that
authoritatively impose solutions or make strong presumptions about what is right for all clients. Focusing on what lets them best serve the client helps reduce such tendencies, as does ‘checking’ their own presumptions. This phrase “to check ourselves” came up again and again, and is interesting for its dual implication of checking presumptions and understandings – i.e. testing communication – and of “to check” as in to stop, to hold or pause rather than rushing ahead with certainty. There is not the presumption of a possible trouble-free communication or a promise that the advocate can at some point know they ‘got it right’. Rather it is an ethos incorporated into practice: the checking is contingent and ongoing – what seems valuable is the willingness to pause and find oneself uncertain. It is an injunction to spend time, and effort, listening, thinking, communicating and physically being with the client – whether within a shelter, in extended interviews and consultations with attorneys, and/or representing and supporting them in dealings with the state. Much of the ‘how’ is habitual, coming out of and reinforcing the tone of respect, but there are also specific tips, techniques, cautions and reminders spelled out in training sessions as trainers encourage trainees to adopt this culture. Here are some presentation slides from APILO training handouts:

<table>
<thead>
<tr>
<th>Victim-Centered Approach</th>
<th>Intake</th>
<th>Behavioral Ramifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Listen to the survivor and what the survivor wants</td>
<td>Follow the narrative:</td>
<td></td>
</tr>
<tr>
<td>Don’t dismiss or downgrade what a survivor wants just because the survivor is a minor</td>
<td>Clients may have experienced more than one instance of trauma/experiences in their life</td>
<td></td>
</tr>
<tr>
<td>Always think about empowering the survivor, not “rescuing” or “saving”</td>
<td>Consider WHERE and WHAT laws the persecution and/or criminal activity is taking place</td>
<td></td>
</tr>
<tr>
<td>Anticipate changing survivor focus and needs</td>
<td>Compare legal remedies</td>
<td></td>
</tr>
</tbody>
</table>

Figure 9 – Selected presentation slides from APILO training sessions

To listen to survivors, to what they want without downgrading or dismissing it again cautions against centring oneself in a position of superiority. To anticipate changing needs and desires is to some extent to recognize and accept the advocate is not in control.
“Follow the narrative” encourages advocates to learn not only what has happened to the client, but also more about personal context and detailed life history – ultimately about who they are and what their experiences have been. The details and chronology of events are crucial in building legal cases, but it is the depth of the narrative – of the experience with its attached emotions and perceptions – that will, interpreted in context of that client’s own life, enable convincing arguments to be made to relevant authorities. The “Behavioural Ramifications” slide was used to draw attention to possible ramifications of various traumas that might need to be accommodated by advocates, in the manner of a warning that client relationships could be difficult, not to de-emphasize the clients’ perspective. Such difficulties were to be lived with, though there were tips on communicating across divides of language, of different perceptions of victimhood.
Factors to Consider in Interview

- Trauma
- Mental illness
- Developmental disabilities
- Age
- Gender and sexual orientation
- Culture & language
- Previous trauma
- Always consider the individual’s personal history

Interviewing Tips

- Always use a third-party, disinterested interpreter
  - E.g. not family members, boyfriends/girlfriends, Good Samaritans, neighbors
- Have the interpreter repeat verbatim
  - Do not have them summarize or paraphrase, as critical information could be lost

Interviewing Tips

- Remind your clients to speak in short phrases
  - Ask interpreter to put their hand up to remind the client to stop when a break is needed
- Speak directly to the client in the second person, not in the third person
  - 2nd Person: “How old are you?”
  - 3rd Person: “Ask her how old she is.”

Interviewing Tips

- Avoid engaging in English conversations in front of the client
  - If clarification is necessary, summarize the conversation for client
- Talk to interpreter about cultural awareness and potential use for different words even if interpreter and client technically speak the same language
  - E.g. Spanish-speaker from Puerto Rico, Nicaragua, and Peru might use different words and expressions

Interviewing Tips

- Use open-ended questions in the beginning
  - Be aware that your body language and your behavior may project judgment, and that this can harm your relationship with your client
- Take detailed notes
  - Be compassionate while maintaining professional boundaries

Interviewing Tips

- Sometimes ask Resource questions to orient survivor to aspects of experience not as traumatic and remind them of their ability to manage in the face of challenges
  - “Tell me about the moment when you knew you had survived/were going to be okay”
  - “Tell me when you knew it was over”
  - “Tell me when help arrived”
  - “Tell me what is helping you to get through this now”
- Sometimes begin and end conversations with normal topics

Figure 10 – Further selected presentation slides from APILO training sessions
Extensive interview tips were discussed, some of which appear on the above slides. These are an interestingly synergistic mix of practical considerations for the attorney and practices of care and hospitality toward the client. Thus, seating arrangements, body language, facial expressions and the advocate’s behaviour are all to be considered for the client so, for example, kind words will not be undermined by distanced body posture that may be seen as conveying judgement and harming the client. Things as simple as sitting on the edge of a desk or on level with the client without a desk in between, or as making tea and offering some to the client were considered important – simple subtleties of interpersonal interaction or small moments of hospitality that contribute to a hospitable environment. At the same time, this is important for the advocate to achieve their goals of being able to get information and have a positive relationship with the client.

That tends to help a lot asking if they want water, if they want tea… for some reason especially tea!… I’ve noticed with a lot of clients … offering them tea makes them feel really welcome. It’s just like a small gesture or sign of hospitality. (Cindy Liou)

Many of the bullet points are practical considerations for dealing with interpreted interviews. Some, such as discussing cultural awareness with the translator or emphasizing the need for verbatim translation, are designed to smooth communication but also spring from advocates’ prior experiences of significant misunderstandings taking place. Some may be regarded as basic courtesy: trying to ensure the client can halt when they want to, addressing the client directly in the second person, not holding English conversations in front of non-English speaking clients. The point here is the degree of care and effort that has gone into trying to embed these as teachable practices, and that they are again understood as centrally important to enacting the ‘victim-centred approach’ as a respectful client-advocate relationship.

There was awareness of the difficulty for clients giving accounts of their experiences, of the politics of giving an account in a form acceptable to the legal system, and of the power
relations involved in eliciting an account for initial legal intake or further case history information. Care thus goes into minimizing the traumatic potential of such interviews, attempting to mitigate it by drawing survivors’ attention to their ability to cope, their achievement in doing so and to more positive moments, or by discussing everyday things. This recognizes too that the survivor is not just a survivor, but a person with ordinary interests living a daily life. Such practices subtly call forth, in low key repetitious ways, a position of *survivor* rather than *victim* and an experience of some kind of normality not as a promised future but as something already happening. Similar care is taken with regard to terminology, seen both as a potential barrier to communicating necessary information but also as something to which clients may have differing relationships.

There is a recognised need for constant efforts to check one’s own presumptions about what one does or does not understand, and not to assume understanding in either direction. For example with regard to discussing ‘rape’, while there is a legal definition of rape, and a culturally specific understanding the attorney will have of what ‘rape’ means, they need to find alternative framings. The point of finding alternative ways to discuss is not then to give that language to the survivor, nor to overcome their non-identification, rather to obtain information that can be used in legal processes while allowing survivors their own language:

> *I like to just tell the client they can interrupt me at any point and ask what I’m saying … this I think is really important … in cases I’ve had of women whose husbands were traffickers - they don’t think of what happened to them as ‘rape’ so, it’s easier to ask in more of a distanced form, like “did you ever have sex with your husband?”, “did you always want to?” … that seems to be a better way to get answers as opposed to using terms like ‘rape’ or ‘battered’ or ‘survivor of domestic violence’ which not every culture either uses in their language or some survivors just don’t identify that way.”* (Leeja Patel)

Such considered reticence to impose terminology can be seen as a kind of linguistic hospitality, resisting the desire to demand an account in the questioner’s language. This is in
context of an awareness that state agencies do demand a certain recognisable account, and in particular that anti-trafficking law and support is set up around a clear identification as a victim or not. Tactics like these represent an attempt to gain for clients the benefits of identification without imposing self-identification in the same terms, and a strategy for dealing with a state that both requires clear identification but distrusts too clear identification. Cindy Liou specifically cautioned against modifying the client’s language:

You wanna be careful about adding too much legal jargon to your client’s language, especially if they are about to go into a law enforcement interview or … they’re gonna be appearing in court because if that wasn’t in their original language … a lot of people find that to be disingenuous …

It’s not a bad thing … to keep your client in their own language – in their own lay terms – rather than teaching them these big words and big languages and your declaration should also reflect your client’s story. Of course your clients are going to vary in their education level and you should just track what they say but, unfortunately, law enforcement and the system tends… legal processes tend to like perfect victims, and that’s just the unfortunate truth and a factor. (Cindy Liou)

This recognizes performative aspects of victimhood including the necessity of one’s account not appearing to be performed. Clients may not be taken seriously by law enforcement or judicial officials unless they conform to a regulatory norm of the ‘perfect victim’, but also if they appear to be too perfect.

APILO argues the US legal system has systematically failed their communities, denying Asian and Pacific Islanders equal access to justice (APILO, 2015). The extraordinary range of languages in which ATCBA offers services has a practical implication in terms of hospitality by greatly extending the number of people to whom the services are accessible, who might otherwise find it prohibitively difficult encountering legal, judicial and benefit systems and staff not equipped linguistically or culturally to address the needs of minority language communities.
While in general there was a marked reluctance to assume the ‘host’ or gatekeeper position, in AWS’s shelter there is the possibility of tensions between residents. AWS as host, offering hospitality in the form of living space, support and services to shelter residents, sets strict rules to which residents must agree regarding religious tolerance, non-sexism, non-homophobia, and non-transphobia in order to ensure a safe environment for all. Some potential residents cannot or will not agree to these rules, but are no less in need of help themselves. AWS’s approach does not bend these rules, but instead negotiates such difficulties through links with other shelters, community groups, individuals, mosques, churches etc. to find housing outside the shelter building suitable for particular clients.

Another aspect of AWS’s approach to their clients is to be found in their approach to the wider public. They do ask for donations, and hold annual fundraising galas, but generally avoid or carefully distance the public and media in order to maintain the day-to-day anonymity and privacy of the shelter and their clients. The shelter’s location and clientele are kept secret. For most purposes many of the kinds of interest and help offered were profoundly unhelpful, although thought to mainly come “from a good place”. In response to law enforcement, excepting appropriate warrants, and to media or public inquirers, AWS will not discuss who they are helping or whether they are involved in any particular case. They noted that trafficking cases, because they frequently make the news, often came with problematic publicity: well-meaning journalists would contact them wanting the story, while people with more nefarious interest in cases sometimes try to trace victims through them. There was also a legal threat to client confidentiality, particularly as ‘trafficking’ cases afforded less legal protection from subpoena than cases legally constituted as ‘domestic violence’, hence it was preferred that no-one knew there might be anything to subpoena.

For reasons of control and maintaining anonymity, funding was also resisted from certain sources, large and small, that might impose conditions or require branding or publicity. One example was of an organisation wanting to support AWS by taking the women in the
shelter out for a meal, whose members wanted to eat together with the women, and have publicity pictures taken together. Again this was thought to “come from a good place” – the sentiment was appreciated – but the idea was rejected with a quietly horrified bemusement at how misguided it was. To keep clients from small community groups safe from identification there was often a need to minimize contact with certain communities, with different clients being potentially unsafe in different places. Going out for a meal anywhere was likely to attract attention, not least when some of their clients had been trafficked within the local restaurant trade. They drew a link with people who would get in touch having seen a documentary on slavery, saying “I want to save someone”. This shows a sympathetic desire for connection and to help, but betrays a glaring lack of self-awareness and unavoidably commodifies victimhood, since the victims’ desirability depends on their status as victim. Such acts, ostensibly and however sincerely intended for the victim’s benefit, are paradoxically self-centring, underpinned by and serving the would-be-rescuer’s desire. This was seen as wholly incompatible with a victim-centred approach that was always much more low-key. AWS staff were careful to note that theirs was not the only philosophy of helping people, but they were clearly aghast at some of the others, even as they appreciated “it comes from a good place”.

Navigation

[T]he comprehensive case service is … is to provide legal representation in hand in hand with social services. Again, when you provide direct services to people it is not just about finishing the legal work, starting it and completing it… it has to be done hand-in-hand with social services. (Cindy Liou)

We have seen some of the depth of ATCBA’s victim-centred approach in terms of their critical approach to ‘victims’ as survivors and clients, their ethos and their practical efforts to inculcate a culture of respect, and the ways they attempt to negotiate their interactions with clients, differences and tensions with (and between) clients, and the desires of would-
be rescuers. Much of this has been shown to depend on an effort to meet the client on their own terms and to decentralize the advocate/helper's presumptions and desires. This involves a certain patient gift of time – time to let complex stories unfold, time to build trust and lines of communication and understanding – that is crucial to enacting this culture as an open-ended approach rather than a technocratic set of management tactics with a hard timetabled telos.

Nevertheless there are administrative timetables that impinge on clients’ time and affect their status as they try to stabilize and move on with their lives – benefits to be claimed by certain deadlines, law enforcement to respond to, immigration restrictions to overcome, countless forms to fill in and often the need to repeat the same traumatic story to many different entities. AWS noted that a key function as caseworkers was often to serve as a point person shielding clients as much as possible from the urgency and trauma of such demands of administrative apparatuses. Clients were often overwhelmed by the amount of contact and legwork involved, suffering already from anxiety and stress, hence it was helpful to be able to deal with one person on their side who could act as an intermediary, and in the long term help them to network to be better equipped to help themselves, access help, gain community contacts and know what is available and where to go. It was stressed that the system is so baroque and complex that anyone would likely be overwhelmed by its complexity and demands. We might contrast the administrative time of the state—with its arbitrary cut-offs, categorised prioritizations, application deadlines and bars, restricted benefit periods—with the time given by advocates and support workers who work with the client sometimes for years, and with the time demanded for a less selfish, more other-regarding response.

ATCBA’s approach is thus not only about how they interact with survivors but the means of interaction they facilitate between survivors and other organisations, notably state and federal bodies. Absolutely central is the task of helping clients navigate the wider world of
immigration statuses, concrete needs and problems, benefits and solutions. This can be seen as trying to get the state to behave in a more victim-centred way, partly by holding the state to its highest standards, partly by trying to present survivors in terms the state will understand in the most favourable light, and partly by making informed choices about the best tactics for a particular client. The constant risk is that state authorities take short-cuts of understanding, with administrative distinctions and processes easily categorizing people as illegal immigrants undeserving of hospitality and hence ‘not our responsibility’ if not an actual threat, rather than providing much-needed services.

Clients escaping traumatic situations have immediate needs for safety and security, housing, food, urgent legal intervention, emergency or immediate medical care, and often language interpretation. They may need mental health assistance such as trauma counselling in addition to longer term mental and physical medical needs common to anyone or resulting from injuries. They may need to access benefits, including immediate and temporary cash benefits, living assistance programmes, education, job training and placement. California, and in particular San Francisco, is relatively well-supplied with benefits programmes and private organisations providing assistance, but discovering and accessing support remains complex. Finally, many ATCBA clients need long term legal representation regarding immigration status and in prosecution or civil suits against traffickers.

At the moment of intake considerations therefore include judgements about the most appropriate visa that might be available, what benefits this client can receive, and what local services are available. Again what matters most is that the client is seen as an active subject: the ‘victim-centred approach’ asks what does the client want? What do they want to achieve? What is their situation? Are they looking for employment? Are they seeking education? Do they want to stay or go home?
These may not always be the first priorities clients themselves express: APILO’s Leeja Patel noted that trafficking survivors were often “not as concerned sometimes with their legal status - they want to know about their public benefits”. At a more personal and immediate level, an illustration of client-centeredness came with the story told by AWS of two men trafficked for labour who had immediately asked “Can we get a haircut?” After momentary bemusement at the seeming mundaneness of the request—the caseworker had been expecting to discuss safety and housing—they did take that request seriously and promptly arranged haircuts. Those men later told the caseworker that this had been important to them after having been unable to manage their own time, kept at work for months, as they felt more normal and smarter. This was symbolic: feeling human and taking control through self-care marked a clean start.

I attempted to systematically diagram the more common routes and related considerations open to clients for gaining immigration relief, regularized status and various benefits. These proved far too complicated to distil succinctly for at least two reasons: firstly, the system itself is complex, baroque and multi-layered; secondly, clients’ lives and needs can be equally complex. Excluding practical impediments, restricting ourselves solely to what is established in law let alone what (in)flexibility there may be in practice, the environment in California is bewildering. It is a chimerical construct born of layers of historical federal and state legislative intents, court interpretations often counteracting or supplementing one another, plus countless exemption criteria – some strict, some discretionary, some federal, some state, some local, potentially interfering with one another. There is no off-the-shelf solution any more than there is one kind of survivor. Training materials included tables of legal instruments with lists of bars, time limits, restrictions. Separate materials addressed access to benefits. These were themselves only summaries – more extensive publications (for example NILC, 2002) run to hundreds of pages of exegesis on thousands of pages of
law but still cannot comprehensively cover the interactions between county, city, state and federal programmes.

Some legal context is necessary for what follows: several federal statutes offer immigration relief possibilities for those without formal status. Federally recognized statuses form a background to other possibilities for assistance, being principal means of having one's hitherto illegal, irregular or tenuous presence in the US become to some extent allowed or upgraded to Lawful Permanent Residency (LPR, or “green card”), hence reducing or eliminating vulnerability to deportation and giving documentation to live and work legitimately. These include Deferred Action (DA), Continued Presence (CP), asylum, T and U visas, Special Immigrant Juvenile Status (SIJS) and ‘VAWA’ petitions.

DA is a discretionary DHS/ICE suspension of removal, not a legal status, though it affords some benefit eligibility. CP, introduced by the TVPA 2000/2005, legalizes presence, employment and benefit eligibility for one year, renewable, of recognized trafficking victims whose testimony may be required (ICE, 2010). CP may only be requested by federal officials and prosecutors and granted by ICE.

Asylum may be available (subject to exclusions – see USCIS, 2011), to those persecuted in their home country on certain grounds that may have contributed to trafficking vulnerability. Unsuccessful applicants can be removed.

T1 and U1 visas were created by TVPA (2000) for victims of trafficking and of violent crimes respectively. They last up to 4 years, extensible if law enforcement needs ongoing cooperation, and offer transition to LPR subject to cooperation with law enforcement and demonstrating “extreme hardship involving unusual and severe harm upon removal” (USCIS, 2012). There are derivative visas T2-T5 and U2-U5 for family members.
The Violence Against Women Acts (VAWA) of 1994/2000/2005/2013 provide gender-non-specific (Barron, 2010) pathways to immigration for non-citizens subjected to physical abuse or ‘extreme cruelty’ by a spouse, partner or child who is a US citizens or LPR. VAWA applicants can self-petition without law enforcement certification. Eligibility confers entitlement to some public benefits and eventual adjustment to LPR. SIJS offers a green card route for unmarried foreign children present in the US, found by a state court to be abandoned.

Benefit eligibility and timing varies with the immigration relief applied for or obtained, thus specific needs may affect application choices. T visa applicants may be granted benefits during the application process; U applicants cannot (ATCBA et al., 2011; California DSS, 2007).

State laws interact with federal law affecting eligibility. Permanent Residence Under Colour of Law (PRUCOL) was an Appeals Court determination in Holley v. Lavine that irregular migrants were eligible for federal benefits if not being actively removed (see Field Costich, 2001, p. 1046; OpenJurist.org). The Personal Responsibility and Work Opportunity Act (PRWORA) (1996) countermanded this introducing “Qualified” and “Unqualified” immigrant categories, greatly restricting entitlements for the latter. These replaced PRUCOL except where contradicted by state law. PRUCOL remains in California law, and permits certain state benefits including cash and non-cash assistance programmes and full-scope medical assistance (Medi-Cal). Under California law SB1569 (2006) survivors of crimes including trafficking can receive state and local benefits for one year, extensible if applying to remain legally.

To get the best out of this complexity is a difficult, time consuming task. This is an area where ATCBA's experience can be invaluable to clients in navigating the system. ‘Navigation’ seems an appropriate term for their approach to the complexity of the terrain.
in question and strategic and tactical decision making involved in finding the best route for a particular client to reach a particular outcome. Navigation takes knowledge – a map of the formal legal and administrative terrain – but also familiarity and experience, skill and tactical intuition to get clients the services they need within not only that formal terrain but also a scene that constitutes victims in particular ways with concrete consequences, demanding a certain degree of reflexive and creative choreography of movement through administrative hurdles and timetables. APILO training used ‘hypotheticals’ based on real ATCBA cases. What was interesting to me was how these were used – neither to elicit sympathy nor to back up the need to ‘do something’, but to highlight complexity. Attention was drawn to the variety of cases and forms of trafficking and to the audience’s own presumptions, the gaps in knowledge about cases, and the need to take time to understand particular events in the context of clients’ experiences.
Guadalupe’s Story
Growing up, Juan always felt that he had been born incorrectly into the body of a man. Changing his name to Guadalupe, Juan began dressing as a woman. Guadalupe’s father, furious, beat her up and locked her out of the house. On the streets, Guadalupe would be constantly harassed and hurt. She finally decided to come to the United States. Esce vez, she was kidnapped by the coyotes. They made her clean the house and prostitute herself. Finally, they strapped a bag of cocaine on her and made her cross the border. She was caught and identified as a trafficking victim. Now Guadalupe tells you she is having problems at the shelter and wants to change her identity and name in her immigration documents.

Manny’s Story:
I am a man from Cambodia. I worked as a sex worker through employment agencies to help my family survive. Through an agency and my contacts, I was offered a two-year contract to work as a sex worker in the United States. I was to work in Denver, Colorado, in ‘Sawtooth’ and in ‘Sawtooth’ for one year. In the middle of the night, Sawtooth transferred me to work on the border town. I worked from 9pm to 9am, and all of the time was paid. I was paid less than half of what I was promised in the contract. I signed it. I was forced to go home and keep the contract until I could earn $25,000 for all of the expenses. It took me two years to get enough money to return home. I was told that if I left, I would be thrown in jail and deported.

Hypothetical
Johnny is only 14 years old from a rural part of El Salvador. He is trying to run away because gang members are threatening to kill him if he doesn’t join their gang. He is separated from his family members as he tries to cross the border. He is told he owes $3000 to the coyote who is guiding him. He is brought to work on a farm to cut broccoli. He is threatened by the coyote to work at the farm and pay the coyote the smuggling fee or be whisked away by the coyote to another farm to work.

Hypothetical
Sam was 9 years old when he was smuggled into the U.S. from Guatemala. He was reunited with his father who was living with his new girlfriend, Gladys. While Sam’s father was working long hours as a construction worker, Gladys began to keep Sam from school and instead, made him work for her cleaning homes and offices, forcing him to clean toilets with bare hands. She restricted his food if he “acted up.” One day, Gladys left Sam alone while she went out with her friends. A neighbor heard crying and called the police and they found Sam huddled to the back porch, eating food out of a dirty bucket.

Hypothetical
Benedita is from the Philippines and was recruited on a H2B visa to work in hotels. Once he arrived in the United States, there was not enough work. He is not making enough money to cover his recruitment debt and returns to California, where he starts working as a caregiver for a family friend from his hometown in the Philippines. He is not trained on how to work with patients, underpaid, and has to sleep on a clinical bed in the medical exam room or empty patient rooms. He injuries his back lifting a patient but is not allowed to rest for more than a day. He is punched in the face by a patient who has been diagnosed with schizophrenia but is not allowed to go to the doctor. He is threatened by the family with “consequences” if he complaints.

Hypothetical
I am from Mexico. I came to the U.S. because I wanted to make money to support my family. I knew a woman in the market who could help me to get to the U.S. and I asked her to make some arrangements. She said I would have to pay $5,000 to get to the U.S. and we borrowed $5,000 and obtained a passport. A relative in the U.S. was to pay the other $3,000 when I reached the U.S. I crossed into the U.S. with a group of other people and was placed in a house. We slept on the floor and it was very crowded. The neighbors in the house raped some of the women. I was not allowed to leave the house and was told that my relative would have to pay an additional $5,000 to release me. My relative were not able to pay me quickly and I think the coyote has other plans of what to do to me. I was kept in the house almost two months until ICE and the local police came to the house.

Hypothetical
I am a 22 year old Muslim woman from Sri Lanka. I was sent to Saudi Arabia to work for the al Zahrani family with their other four servants. The head of the house, Mohammed, worked for the Saudi Arabian King. Sanna, Mohammed’s wife, sometimes said I was dirty or was performing witchcraft against the family. Later, I was sent to San Francisco with Mohammed and Sanna to take care of the children. They arranged for my immigration papers and warned me about running away like other Filipina servants. In the United States, I had to take care of the children, cook, and clean by myself. One day, I came back to my room and found that my belongings had been searched. I tried to run away, but I didn’t know where to go. I was afraid of calling 911 because I heard that people do not like Muslims in the US because of the 9/11 terrorist attacks.

Meena married Tomas when she was only 15 years old because he got her pregnant. Tomas was part of the local drug gang and started coming to the U.S. more and more to do his deals. Eventually he told Meena she had to pack her bags with their 4-year old and cross the border into the United States. Upon arrival, Tomas started setting up jobs for Meena to do, ranging from babysitting to restaurant work. The money was also paid directly to Tomas, and he would pick her up and drop her off at work everyday. While at work, Meena’s 4-year old son would have to stay by himself in a dark closet where they slept at Tomas’ brother’s house. Tomas also began to sell Meena to his friends and other men to make money.

Figure 11 – Stories used in APILO training sessions
They also illustrate some of distinct issues to be navigated and the creative use that advocates made of a broad array of law. In Munny’s case, attorneys had first to convince law enforcement they had jurisdiction over foreign nationals on a foreign-flagged ship, under maritime law pertaining to the port of San Francisco. In cases such as Juana’s (immediately beneath Sam’s, above) where law enforcement in border states may dismiss a case as “just smuggling” and hence to refuse to certify for T/U visas, APILO have been successful in obtaining certification for the extorted relative in San Francisco as a victim of crime, then adding the smuggled/trafficked individual on via a derivative visa for relatives of victims of crime.

Sam’s, Johnny’s, and Meena’s cases all involve child protection issues. None is a stereotypical case of child sex slavery. No-one denied the existence of such cases but this exclusion was probably deliberate: the point here was not to elicit outrage with emotive images of prototypical victimhood, but to expand our openness to considering exploitation in many forms. Advocates expressed frustration with an overemphasis on sex cases to the detriment of the ‘unsexy’ labour trafficking cases or cases of more complex exploitation and abuse. Had any case involved such sexual exploitation of a minor, this would have automatically qualified it as “a severe form of trafficking” and rendered any questions of consent or culpability of the survivor legally irrelevant.

We do not know from this brief hypothetical what Meena wants or what her situation is, things that would be urgently addressed in any intake at the shelter or with an attorney. Her personal situation must be considered in order to know what legal options she has if wishes to stay in the US but it may be that her child has rights and benefits available that add to her own.

In Sam’s case the advocate and case manager would need to consider not only what Sam wants but also what his father knew about the abuse—and if he didn’t know then how he
could have been unaware. If it is not possible to reunite them, at least immediately, an advocate may ask a judge to declare Sam ‘abandoned’ to gain SIJS, which might be desirable as it offers one of the quickest routes to LPR. Sam’s case elicits sympathy easily, and there is no doubt that this was extreme cruelty, but it may also be argued to be ‘trafficking’ because Gladys made him work for her, in which case a T visa may be an option.

Johnny’s case offers a good example of someone far less likely to be easily considered a victim and more likely to appear as the male, brown skinned, ‘illegal alien’ here to work illegally and undeserving of sympathy. Because he is trafficked for labour, the standard for convincing authorities to treat it as “a severe form of trafficking” – hence to obtain CP or a T visa – is higher than if it were for sex. If his family can be traced, a T or U visa may be desirable due to the possibility of adding them as derivatives. As a 14-year-old he would at least be eligible for various benefits, including federal foster care, immigration relief and a path to a green card under SIJS if he is not currently able to be reunited with his family, education and medical care. Were he 18, his situation would be even more complicated as the 18th birthday represents an administrative cut-off, arbitrary from the point of view of the client:

*It’s very much a problem because now they’re adults the rules are not the same even though developmentally or in terms of needs, it’s not that different. So it’s very frustrating, especially because when they’re youth and we get them on time we can help qualify them for programmes … once they turn 18 it’s just a whole other ball game – essentially they have to be homeless sometimes unless we can find the right shelters for them, so it’s very very stressful.*

*Especially with a lot of the young men coming over especially from Central America—we see a lot of those cases—they’re escaping a lot of gang activity, recruitment into it, or extreme violence in the border … they’re not seen with a lot of sympathy because of general racist views, or just because of age, or also because of what they’re being trafficked to do. It’s a population we don’t think about when we think about trafficking. We just tend to think*
“they’re criminals anyways”, and so we kind of set them up for failure. Maybe you can detect a little bitterness in my voice! (Cindy Liou)

The bottom left hypothetical was a client of Cindy Liou’s, and illustrates the need to understand the client’s history, their perceptions and their experience by spending extended time with them. On the face of the information we are presented, while her employers are clearly mistreating her, this may be rejected as insufficient coercion to qualify as trafficking. Only as she spent more time with the client did Liou come to fully understand the depth of the psychological control and threat. The client kept saying “One day after I took a shower I came back to my room and found that my belongings had been searched … that’s when I knew… I had to leave, or I would die”, as well as that the employers had accused her of being ‘dirty’ and performing witchcraft.

It took me time to ask her what does “being dirty” mean? Does that mean like you were “d-i-r-t-y”, like covered-with-dirt dirty? “No, she would say that I would walk around and show my ankles … that I was a promiscuous woman.”

…performing witchcraft … it took me some time to figure out the significance … I was able to pull up an entire Human Rights Watch report about how many domestic servants had been beaten to death in Saudi Arabia, simply by being accused of performing witchcraft against the family. (Cindy Liou)

These were stories the client had heard, hence these seemingly simple if slightly strange accusations were in context effectively death threats. The final straw of finding her belongings searched took on new significance in the context of Saudi sharia punishments: the client explained,

“you know, there’s a plaza near where I lived. In that plaza were a lot of other former domestic servants who had either run away or their employers were unhappy with them, so they would just accuse them of stealing, and so some of them were missing limbs or they’d been beaten really badly.”
That was something very terrifying for her that struck a very visual image. But that wasn’t apparent, because she just kept saying “They searched my stuff and so I knew I had to run away” and it took me quite a few steps to get to that point. So even though she wasn’t being beaten here in San Francisco or anything of the sort, there was a lot of fear, she was totally under their control. (Cindy Lion)

All of these people need to be supported or to support themselves, immediately or upon reaching adulthood. As such, employment of some form is a consideration in their long term planning and perhaps immediately. In several cases need or desire for employment, to travel, to escape poor circumstances back home, to send money back to family, etc. was part of their trafficking experience. Whatever situations led them into vulnerability previously may still apply. There is thus a need for safe employment with adequate protection from abuses. Aside from possible skill and linguistic barriers, few of these individuals are initially entitled to work legally in the US, greatly limiting their ability to apply for jobs, to support themselves, and to find employment that is safe, leaving them without effective labour rights or protection. There is therefore a need for consideration of how best – that is, with the greatest likelihood of success and/or as quickly as possible in the way the client wishes to proceed – to rectify that situation.

AWS noted that they walk something of a tightrope regarding helping people support themselves. If/when they can work with APILO and the client to arrange regularised immigration status, this eventually gains the client formal labour rights and employability with legitimate employers. However this isn’t always possible and clients can’t always wait, and people still need jobs. AWS find themselves in the position of having clients they know are trying to find work. AWS cannot legally be involved in employing people without status, but to effectively support clients they need people to avoid the most exploitative jobs. In practice they encouraged cultivation of word-of-mouth knowledge within communities, and worked with clients to develop skills and awareness of handling less-than-ideal employers. Such grey areas abound for people on the margins of legal status, and illustrate
how a client-centred approach is not always helped by the state. The administrative time of
the state cannot be avoided, but for a client-centred approach the time that matters is that
of the client’s life: the client’s life does not stop while they wait for a green card,
employment card or social security number, and nor can ATCBA’s efforts.

In addition to immigration relief applications and possible criminal prosecution of the
traffickers – sometimes instead of or in advance of these – APILO stressed the usefulness
of civil litigation. It was noted that while criminal proceedings in which clients were a
witness could entitle clients to CP or T/U visas, such proceedings were not really for the
client. Rather the client is a resource for the state in its efforts to prosecute legal violations.
Civil litigation, on the contrary, is expressly for the client to gain control, amelioration or
restitution:

Civil remedies are so… so important… because it empowers survivors as plaintiffs. It can
also hold traffickers accountable. (Cindy Lion)

Possibilities included restraining orders, which were both relatively quick and provided
documentation of ongoing harassment that might help prove victimisation, though these
depended on county-level practices and individual judges, and use of family courts in cases
where clients were related to the trafficker. Among the first questions advocates address on
intake is whether a case is a trafficking case. This is not to distinguish more or less
deserving cases – they will assist clients regardless – rather it relates to the difficulty in
establishing some crimes. Some cases may be better approached through laws on other
crimes, such as kidnapping, extortion, assault, etc.

A powerful approach was felt to be focusing on trafficking as work and the client not as
‘victim’ but as worker, and seeking to apply all possible labour rights laws, whether it be
suing for back-payment for domestic work done at home while in a coerced situation, for
back wages promised as part of trafficking recruitment, or work in kind that might at first
seem secondary to ‘obvious’ trafficking.

… if trafficking is inherently also about forced work, even if it’s essentially illegal work like,
being forced to smuggle drugs or being forced into sex work… our clients are still… entitled
to back wages and damages[.]

It can be a huge list and sometimes when we file these complaints, we’re going through with
26-30 causes of action. (Cindy Lion)

This would be relevant for many of the above hypotheticals. In the bottom right case and
of women detained and coerced into prostitution and in Guadalupe’s case, claims could be
made for damages for the women’s household labour if you look beyond the obvious and
ask “well, who did the washing up?” or “who cooked?” This also applies to coerced work
that was itself criminal, such as Guadalupe’s smuggling. Again tactics apply: attorneys know
which authorities can calculate higher damages, so, for example, state labour laws were
preferred to federal due to higher payouts.

**Conclusion**

We have seen a lot of detail on ATCBA’s “victim-centred approach”. Much more could be
provided, but I would like to emphasize three main areas: approach, awareness of
performativity, and time.

Firstly it can be emphasized that it is an approach that tries to centre not an image of
predefined victimhood, but whoever the survivor is – indeed “person-centred” might be a
better label were it not for the legal necessity of laying claim to ‘victim’, and the positive
valence attached to ‘survivor’ as an improvement on typical victim stereotypes.

This hints at a second factor: it is an approach that is conscious of its performative
constitution of both the helper and the helped and possible relationships between them.
As such it makes tactical use of categories and ways of telling stories to best assist clients,
playing carefully and creatively into the available administrative possibilities to gain aid, restitution, status and sympathetic or hospitable responses from state authorities, but modifying presentations according to context, and maintaining a critical stance toward the state, in particular with regard to migration where the language of the state is used, but tactically and at arm’s length. Precisely because they are focused on the micro-level client’s needs rather than on defining or “keeping out illegal immigrants” at a macro-level, and precisely because their concern is not to control and fix on a grand scale but to assist whatever individual client appears with whatever goals, they spend the time and care necessary to get beyond such simplistic categorizations. At the same time, their holistic approach means that ‘trafficking’ is not their only concern – they deal with family matters, benefits, other crimes, immigration, ongoing difficulties in free (i.e. non-trafficking) labour relations – hence any determination that a case does not meet ‘trafficking’ criteria does not mean help will be withheld.

Hence, for example, the question of whether someone ‘is’ a trafficking victim is not driven by their need to answer that question but by others’ demands for a clear answer. The victim-centred approach works exactly by not thinking of the survivor as victim first and foremost but by awareness of who, what and how is centred always at the service of what the client – understood as an inherently valuable, active subject worthy or and demanding respect – wants. The characters – that is the constituted subject positions – in this scene are simultaneously ‘full’ and ‘empty’. They are ‘full’ in that there is attention to and openness to the messy complexity of individual lives, to inconsistent behaviour, conflicting desires and hopes, and the multifaceted ways people appear in and experience/negotiate the world, whether as migrants, workers, parents, children, siblings, male, female, transgendered. Characters are ‘empty’ in the sense that there is a deliberate reluctance to ‘fill them in’ with prior or superior knowledge about what ‘victims’ are, or what they will want (which as suggested in previous chapters often tends toward investing others with our own fantasies).
In this scene, we do have ‘victims’, ‘traffickers’, ‘survivors’, ‘migrants’ but they diverge from cartoonish tropes. This allows a ‘fuller’ picture of any particular individual precisely because the scene does not presuppose a particular image of ‘the victim’ that is needed to allow a particular rescuer subjectivity.

The third area I wish to emphasize is time, in several respects. Throughout, it has been seen that what distinguishes this approach is its patient ongoing work, work that takes time and that does not promise a grand finale. It takes time to get to know clients, their backgrounds, their stories, to understand, and to creatively navigate the legal and benefit systems. Because there is no simplistic one-size fits all model of vulnerability to trafficking, or trafficking itself, and of the victim, there is no promise of a future in which everything will be rosy. The clients’ situations are complicated, and are likely to remain so – ATCBA commits to be with its clients for the long-haul, often for years, to achieve as much as possible of what the client wants as they deal with an often slow but simultaneously impatient administrative environment. Their approach includes an acute awareness of the necessity to spend time, that state agents often do not or cannot spend the time to see aspects of trafficking rather than ‘illegal migration’, and that advocates’ time is a resource of which there is never enough:

*There are probably a lot of people who are eligible for U and T visas who are in detention right now that I don’t have access to … We have great partners who try to go in and talk to people but … intakes, the questions and the process are very convoluted… our partners go in and they have 20 minutes to talk to one person. This information may not come to light immediately, so there are probably a lot of cases where people are eligible that really need a lot of assistance that are there. (Cindy Liou)*

Besides the advocates’ time there is a frequent friction between the time of the client’s life – the time that matters in this approach – and the administrative time of the state. The importance of 18th birthdays, mentioned above in respect of Johnny, is just one cut-off point borne not of any relation to the individual, their development or their needs but out
of the need for clearly defined boundaries for the coherence of the law, and to enable administrative distribution and withholding of assistance within the fantasy that this is just, rather than arbitrary. The various ticking-clocks of administrative time function similarly, whether the requirement to apply for asylum within 1 year, the temporary suspension offered by DA, or the various validity periods of visas designed at least as much for law enforcement’s needs (for prosecutorial witnesses) as for victims. Sometimes there is nothing advocates can do, but at other times they can intervene and pause such clocks:

I actually got a case last week where Legal Services for Children called me on a Friday and said “Someone’s turning 18 in about a week to a week and a half and he was trafficked”. I was like “Bring him like Right Now! We have to apply right now - to get that in!” … this case in particular was a border case where the young man was forced to smuggle drugs - guess how friendly and understanding law enforcement on the border was! … sometimes you wanna send out a skeletal application just to lock down the date, and then supplement the declaration and things like that later … that’s a tactic that you can also use if your client is in detention and in removal proceedings to make sure you hold the application in place.
(Cindy Lion, original spoken emphasis)

The final aspect of time to stress is the temporality underpinning the scene. Unlike much anti-trafficking campaigning and work, ATCBA’s efforts do not seem strongly structured by a promise of “ending slavery in our life time” as a civilizational achievement. Their website is in fact www.endtrafficking.org but this is not borne out by their approach. Indeed one person winced at it, saying “I wish we’d not called it that”. This matters because the open-endedness allows the client-centred focus. Having a promise to ‘end trafficking’ at the macro scale, however laudable or desirable, demands certain kinds of instrumental knowledge and approach, some of which have been seen in previous chapters, and is perhaps unavoidably more bound up in the desire of the campaigner than the desires of any particular beneficiary. Notably, it needs causes, mechanisms of causation and ways to intervene, all at systemic scales far above—and perhaps against—the needs of individuals. It needs ways to show its audience that ‘victims’ have been saved or have achieved
‘freedom’ and that it was because of things ‘we’ did. Such different notions of what constitutes effective action will be considered in the conclusion. For ATCBA’s scene, the difference is reflected in the temporality implied in the victim/survivor’s own progress. As noted above, the implicit trajectory of “transition from victim to survivor” should not be understood as a hard teleology. There is no promise of a moment when it will be knowable that they have changed. It does not appear as a transformation done by hero rescuers. These survivors’ achievements are their own, they are not repositories of our desire or prideful moments to be celebrated as part of a project. The transition is immanent to the already-survivor. To be a person-centred approach, rather than a rescue-centred one, it could be no other way.
Chapter 6

Accountability, Hospitality and Approaching the other

Introduction

I began this thesis with a ‘Yes, but…’

I acknowledged and affirmed the desire to respond—to do something about slavery—as an ‘ethical impulse’ toward the other… but… I have argued that the question of how to respond is more complex and political than neoabolitionism typically allows. As such I chose to ask “What constitutes an ethical response to slavery?”, which led me to explore how ethics, self, other, ontology, desire and action intertwine in various ostensibly ethical responses to modern day slavery or human trafficking. Each offers a response, a way of saying Yes to what is understood as the other’s demand, but… in doing so each has tended to undermine its ethical impulse.

In Chapter 1, I suggested that response begins with the constitution of a scene in which possibilities, including notions of the ethical and the responsible, are produced and come to make sense. These scenes constitute what appears to be the world, a set of possibilities of subjectivity, action and response. Each in its own way tells us who we are, who we have been, can be and should be, what the world looks like, and who/what else populates it. The scenes explored here in chapters 2, 3, 4 and, to a lesser extent, 5, offer us comfort: they tell us that responsibility is possible, that we can be ethical and how to be ethical, how to act responsibly given our scene-specific place in the world and that of those to whom we are asked to respond, while de-emphasizing or eliding other possibilities. To suggest scenes ‘elide’ other possibilities is only partly accurate, as it might suggest those possibilities are there until hidden. While this may be true of some possibilities – for example, the
‘revolution’ Bales tells us explicitly that we don’t need—it is perhaps more accurate to say that some possibilities are produced, and others are not produced. It is not always that they were there and then we simply forgot them, but that in our hurry to find the ethical response, we subjected ourselves to and reproduced a scene in which only certain possibilities appeared. Forgetting, when it has been seen, has been an active, often anxious, reiterative forgetting productive of particular subjectivities—a kind of ontological, epistemological and historical sleight of hand—placing some things in the past (e.g. antebellum slavery, the full impact of racism); or constantly, even ritualistically, repeating ‘facts’ (for example statistics around sex trafficking) to pre-emptively forget any doubts.

Having considered introductions and scene-setting as performative ethico-political practices, I then looked in Chapter 2 at how neoabolitionist writers habitually introduce slavery, how they introduce the world and the audience to itself. I showed the prevalence of frighteningly large numbers, shocking life stories and a trope of anachronism. Each of these reflects presumptions about the reader/audience and helps (re)produce a reader that fits those presumptions: a reader who will be moved by the scale but empathise with the individual stories, a reader whose sense of modernity will be shaken by discovering the anachronism, who will ask “what can I do?” and will enthusiastically embrace the solutions offered—who seeks to live ethically and respond hospitably to the other, and wants to know how.

The thesis has explored some of the suggested approaches as existing in and setting particular scenes. These approaches—broadly, the attempt to scientifically know slavery (Chapter 2), individual activism (Chapter 3), and the attempt to harness capitalism and consumption (Chapter 4)—are readily traceable from each scene’s ontologies and characters. These approaches began with a picture of the world where capitalism is an unquestioned force, slavery is considered to be hidden and believed to be in the past, the state is natural but cross border migration is not, and the freedom of free people is
expressed through their polity and through their role as consumers. I have traced how these presumptions inexorably led to conclusions that to end slavery we must make capitalism ‘better’ (Chapters 2 and especially 4), raise awareness that slavery still exists (Chapters 2, 3, and 4), shop carefully and with attention to supply chains (Chapters 2 and 4), and push for laws that rescue and treat victims kindly while dealing harshly with ‘illegal aliens’ and criminal villains (Chapters 2, 3, and relating critically to that scene, Chapter 5).

Chapter 4 on Not For Sale explored the potential for depoliticization in what purported to be radical and ‘smart’ activism, with re-naturalisation and re-legitimisation of capitalism as a putative ethical response to be enjoyed. The scenes considered in Chapters 2, 3 and 4, as well as programmes such as the ‘T’ and ‘U’ visas (see Chapter 5), are intended to make the world ‘fairer’ and more hospitable, but they are built on the fantasy that we can know who really is a victim of slavery (rather than what we contingently ‘see’ as ‘slavery’), or who really is a victim or a culpable illegal immigrant, and how we can successfully respond. Administrative, putatively non-political knowledge thus serves as a buffer against a threatened excessive demand from the other.

Chapter 3 showed a similar, perhaps more rigid trajectory from the presumptions and characters of the scene to corresponding notions of responsible action. If we begin with the notions that sex can be work and those selling it can be knowing subjects in a scene of complex and grey characters, then sex trafficking is a problem of law enforcement, human rights and labour rights. Websites like Craigslist will be seen as a boon allowing these agentic subjects to participate in a marketplace with greater independence and safety. Furthermore, they can provide law enforcement opportunities, evidence, tips and disincentives to those who would exploit others using the medium. If we assume the possibility of ‘agency’ then we cannot finally control others, especially in a partially non-territorial and anonymised cyberspace. Consequently containment, restriction and targeted mitigation will appear to be the responsible course of action. Playing Whac-A-Mole™ with
websites will appear as delusional desperate action for the sake of action, and as attack on sex workers that will drive traffickers elsewhere and harm potential and actual victims.

Conversely, if one starts from the position that sex cannot be work, and sees a scene of morally uncomplicated good and evil—of pimps, victims, and Johns—then in the face of a great evil, amelioration will never be enough and all commercial sex must stop. No efforts will be sufficient. In this scene, shutting venues makes sense because they are or facilitate evil. They cannot be both problem and solution, or are least always more the former. Campaigning against these villains looks and feels like ‘doing something’, so when it doesn’t work we must do more, and when it seems to work we must do more. As in Chapter 2 on neoabolitionism, the solution tends to appear as making the world more like our pre-existing image of what it is and should be. In this case that is a morally conservative scene where ‘sex’ is normatively domestic: it is ‘private’ but the form of its privacy is a public matter. Criticism and doubt are met with ritualistic repetition of factoid simulacra, reinvigorating belief in the characters and scenery, performing ‘expertise’ bolstered by celebrities, political grandstanding and mass mobilization of public pressure. The fantasy of knowledge of what is really going on (whatever the people involved think) defends against traumatic complexity and messy, multiple, political realities. Again, the solution to the other’s problems is often deemed to be that they should be more like ‘us’.

In academia, although some recent critical modern slavery studies seek to address this troubling potential for depoliticizing narcissism, the mainstream on which I focused in Chapter 2 remains largely oblivious or hostile, seeing such reflexivity as academic navel-gazing instead of progressing with the urgent work of fighting slavery. I was pleased to find however that among ATCBA staff, an attention to our own implication and desire was seen as being not a distraction but rather a necessity of their ‘victim-centred’ approach (see Chapter 5).
Although I have at times been highly critical – notably of the campaigns against Craigslist and Backpage.com – my general point is not that these are bad efforts, bad people or bad organisations. They are all engaged in articulating norms of permissible work conditions, human dignity, legal and diplomatic approaches, border practices, and immigration statuses, notions of subjectivity, practices of caring and responsibility to the other. As such, I have devoted much of the thesis to the details of how their scenes and practices embody, and sometimes exceed or contradict their normative goals. Everyone I have looked at least plausibly sees themself as trying to do something good – something ethical. Rather, my claim is that helping – acting ethically in response to the other – seems to be stubbornly difficult. This difficulty is not merely technical, but is inherent, ongoing, and political, and of the groups I have examined, only ATCBA (see Chapter 5) seem attuned to this difficulty. Each answer—each Yes to the demand of another—seems to be accompanied by a ‘but…’, a turning away inherent in the method of turning toward the other – some sort of restriction or failing – a discomfiting sign that in trying to do something right, something goes wrong or that in seeking to respond to the other, the self intrudes despite itself.

I have emphasized the importance of context, as seen perhaps most clearly in Chapter 5, where AWS and APILO’s patient, open-ended, survivor-centred approach and their attention to the individual person and their history, underpinned their ability to push state authorities to be as hospitable as possible. However, there is perhaps something to be gained from considering the difficulty in a more abstract framework, and connecting this with examples from the preceding text.

Distinct from these scene-specific forms and imperfect iterations of ontic, embodied responsibility-taking, Chapter 1 also outlined the Levinasian ‘face’ (via Butler) as a model for considering absolute responsibility to the other. The face describes the pre-ontological constitutive vulnerability of self and other that precludes finally ‘being’ ethical: there, the terrain of ethics is that of the threatened dissolution of self before the other or other
before self. I suggested that in practice we avoid and defend against absolute responsibility, partly through scene-specific differential distribution of concern that is both discursive and pre-reflective, based on characters standing in for the face. This ‘absolute’ responsibility perhaps offers a touchstone against which to consider our efforts. As unreachable, the face signifies a responsibility that is ultimately unsignifiable, hence it is not strictly a regulative ideal but rather a conceptual limit that may be used to critique ‘responsibility’ more generally, and to think the possibility of an outside or otherwise to any particular scene of responsibility.

I want to explore further this seemingly ever-present ‘but…’ – this trace of reluctance or impossibility – that seems to attend our efforts to encounter the other. What happens, or what can happen, in any such ‘encounter’ – when another ‘arrives’ on scene, occasioning a response? Here I use Derrida to think through that occasion and response in the abstract, through his deconstruction of the hospitality/hostility binary, and its connection to responsibility and the face. I also develop a notion of the accountable subject, whose giving an account of themselves underpins the possibility of administering limited hospitality and protecting the self/host from the unknown or unknowable other. Focusing on hospitality as an ethical response, I outline how this can act as a framework for questions of ‘admission’ (to a territory or a status of affirmed responsibility). I then explore Derrida’s interrogation of the (im)possibility of pure hospitality, connecting this with the difficulties identified in the previous chapters. Throughout, I draw connections with the earlier chapters, and argue that in many ways, the victim-centred approach seen in Chapter 5 comes closest to performing hospitality in its approach to the other.

**Ethical Response**

An ethical response to the demand(s) of the other is not one operating according to a particular moral or ethical code (an ethics). The structure of demand made in any encounter
is, strictly speaking, unconditional and uncoded. Yet, as I suggested in Chapter 1, concrete
encounters are preceded and exceeded by the scene in which they occur. Empirically
manifest encounters are coded in various ways as has been seen throughout this thesis.
Encounters take place in scenes that cannot finally escape the responsibility communicated
by the Levinasian face, but that still defend against such vertiginous responsibility. These
scenes conjure worlds divided in particular ways, assign different characterizations and
meanings to certain others, and distribute both responsibility and concern accordingly.
These distinctions may (perhaps inadvertently, perhaps deliberately) insulate and secure
states and citizens against the ontological challenge and economic and affective costs of
the needs and aspirations of the others. As seen in anti-immigrant sentiment, disbelief of
victimhood claims and reluctance to grant immigration relief, even very limited state-
sanctioned forms of hospitality to foreigners can be domestically controversial even as they
serve as a defence against the full force of an encounter. In a different way, those
approaches that offer us the comfort or thrill of helping others similarly tame and deploy
that otherness.

Typically we tend to be less concerned with and less affected by (if only because we are less
aware of) the troubles of those outside the borders of our various political communities.
We know there are people suffering worldwide but our responses are unequal. Our
interrelationality is not limited to face-to-face encounters: all others potentially present a
‘face’, but day-to-day we do not see them: we do not respond; we are already turned away.
Inasmuch as we are complicit in political, economic and trade structures implicated in
others’ suffering and exploitation, we may even indirectly fail to heed the face’s primary
injunction not to kill (see Butler, 2005, p. 92). Neoabolitionism in its various forms tries to
remedy this – to provide and motivate an ethical response to those others understood as
slaves. It attempts to expand the boundaries of our ethical concern and compassion – the
space in which the other may affectively impinge upon us. These extensions of concern are
welcome, but limited and conditional on a certain accountability and identifiability of the other.

In her discussion of the Levinasian ‘face’ and its non-coincidence with (but relation to) ‘actual’ faces, Butler notes we tend to assume that “those who gain representation, especially self-representation, have a better chance of being humanized, and those who have no chance to represent themselves run a greater risk of being treated as less than human, regarded as less than human, or indeed, not regarded at all.” (Butler, 2004, p. 141).

The question then becomes, in what ways will they be humanized? Or, perhaps what ‘humanities’ will be possible through particular practices of representation? The assumption of a liberating and ethical potential – indeed, as seen in Chapters 2, 3 and 4, a great urgency – of representing the other runs deep through neoabolitionist discourse, underpinning the constant use of biographical stories in the literature and campaigning to bring suffering others to the readers’ attention: to let—or make—them ‘arrive’. While it has been largely beyond the scope of this thesis (excepting Chapter 5 on Not For Sale’s Road to REBBL videos), much could also be written about the use of photographs and video of victims, survivors and vulnerable potential victims in a similar effort, or about clichéd use of stock images. All can be seen as calling us to turn toward a ‘face’ – a produced instance in place of the face. The ways this operates vary. An interesting and perhaps telling difference can be seen here between AWS’s fervent efforts to keep their shelter and their clients’ stories hidden and their clientele anonymous, and NFS Romania, who publicise client stories and recent arrivals on their website’s newsfeed, invariably coupled with a donation request and a clear, neatly packaged and bitesize narrative (NFS, 2014d). It may be that these are fictionalised, synthesized or anonymised, but this is not how they are presented, and approximate locations and even photos of shelters have been made available in publicity. It is as though in Not For Sale’s web presence the face and story of the other is commodified for us, and we are not asked to think too hard or long. In contrast,
for AWS the performance of responsibility and ethical care of their clients – the turning
toward the face of the other – is approached precisely by refusing to represent the face – it is
not for us who may wish to help.

Arrivals

At any encounter, the ethico-political question of hospitality and responsibility arises. Conversely, any question of rules for hospitality and responsibility, even if intended to represent certain others as deserving of these, constitutes an indirect form of encounter. If responses are framed in advance such that we know how to act based on presumptions of certain forms of accountability and proper place, then decision is avoided: the raw encounter with the face of the other is itself avoided or domesticated. By ‘domesticated’ I mean to imply that the other is placed into a grid of intelligibility based around states or questions of home, or delimited spaces of concern; exposure to otherness is made safe, tamed, and strategically deployed. The self faced newly with the demand of the other can be thought of as being ‘at home’ – bounded, comfortable, and differentially powerful in some way (whether as citizen of a state, at home in their freedom, at home with being a consumer, at home in one’s ethical and moral presumptions) but now asked to offer hospitality – to welcome the other into that home, perhaps even to risk that home.

Throughout, we have seen various ways in which ‘arrivals’ are dealt with – whether the ‘arrival’ of 27 million modern slaves into the consciousness and concern of free Western readers, Baldev being permitted to arrive only as a ‘slave’ with no capacity to choose, or undocumented individuals arriving at the US border or in APILO offices. In the abstract, what happens when another arrives – when a possible encounter begins? We may always fall short of responding to the infinite demand of the face, yet the arrival of another, facing us, occasions a response. That response itself constitutes an imposition on that other, or perhaps an invitation.
‘Arrival’, here, has multiple connotations: It may be a literal, physical arrival, e.g. at or across the border of a territorially delineated space such as a home or state. It suggests both the process and moment of arriving and the one who arrives. It is a moment of co-constitution of self and other, of demand and response. It is an, or perhaps the, ethical scene.

It may also be an arrival on ‘stage’. We have seen that to some extent, the one who arrives does not appear as themselves – whatever demands or desires they may have, they appear in a regulative context, subject to expectations and discourses that prepare a place for intelligible characters. In a state border situation, what appears is a body to be administered, assigned to an available, desired or prohibited part in a scene already set. Such ‘arrivals’ need not coincide with a physical border crossing. As one’s status and visibility changes, one may ‘arrive’ at different statuses, appear in different ways than one has before. One who has obtained clandestine entry to a territory has in a literal sense ‘arrived’ there, but may not have arrived in the field of administrative visibility, something that may happen later. For example, one who ‘legitimately’ visits another state on a tourist visa but later decides or is forced to stay, who then comes to the attention of relevant authorities could be said to arrive anew inasmuch as they retrospectively appear as a problem or as one who needs to be accounted for.

There may also be an affective ‘arrival’. Stretching the spatial metaphor, we could think of someone—or someone’s plight—arriving at the borders of consciousness, at our ‘affective boundaries’, or into ‘our’ political community – into visibility, into our sense of self, an impression into our sense of responsibility or our momentary affects. This second sense also suggests that ‘arrival’ takes place in a place at least in part prepared in advance. The scene has prepared roles for the one who arrives and the one who responds to arrival. How we respond affectively is complex, but it is clear we do not respond equally to everyone. This is distinct from our considered reflection on any given individual, relating to
automatic, often implicit, distinctions such as those signposted by Butler’s notions of
grievability and framing (see Butler, 2009). Importantly, although strictly affective/pre-reflective
rather than reflective, the specific distribution of such responses is in part discursive,
susceptible to a genealogy, and to repetition or contestation through changing linguistic and
normative frames and performativities that challenge or confirm our emotional
experiences. As seen in Chapter 3, it is not merely discursively constituted belief that impels
and colours the campaigns around sex trafficking, but emotions (disgust, horror, urgency,
sympathy) and affective investment in the particular relationships and constitutions of
self/other. Not For Sale’s supporters (see Chapter 4) learn a particular understanding and
knowledge of ‘slavery’, and are taught a certain Archimedean subjectivity through the
epistemology of ‘going upstream’. But they embody their belief in shared experience,
through music, through visual identity, through saving, through being a ‘movement’, and
through daily performances of consumption and enjoyment – through feeling. Yet, while I
have suggested there is a narcissistic, self-regarding aspect, it nevertheless partakes of the
same ‘ethical impulse’ to encounter the other. As AWS staff noted, it “comes from a good
place”. In Chapter 5, we saw APILO and AWS staff deeply aware of the potential
performative contradictions between approaching the other and the desire to save, and
consciously trying to embody a self-attenuating, hospitable approach that sought to
encourage empathy but not to render the other as the same or becoming-same as the self.

The place prepared in the scene does not fully capture the future other. ‘Arrival’ may
constitute a visitation - an unbidden encounter, unexpected and unknown, visited upon us
rather than invited: one who comes from the future (l’avenir). Derrida’s l’avenir, the ‘to
come’ implies the open future, as opposed to the predicted future. L’avenir, in its temporal
alterity, is not the same as the ‘future’ expected in or promised by the scene. In this sense
the arrival occasions a ‘face’ – an unsettling demand for response. The possibility of
visitation by an unruly *arrivant* haunts the norms and rules governing admission that secure against it. It haunts our present place, the past that brought us here, and our future.

The questions posed by ‘arrival’ are more than simply practical - they threaten to undo us. The face constitutes both the possibility of, and a scandalous threat to, subjectivity, exposing our place as finally unjustifiable. Levinas writes,

> “In the relation to the face I am exposed as a usurper of the place of the other … To expose myself to the vulnerability of the face is to put my ontological right to existence into question.” (Butler, 2005, p. 132; Levinas and Kearney, 1986, p. 24, my emphasis)

We are all usurpers in this sense, but we are not used to thinking of ourselves as such. Rather, our placing is often invisible, and if we do see ourselves it is typically as belonging here (metaphorically in place - ‘at home’) and as trying to act justly. The arrival of another, insofar as it carries with it a trace of the face, threatens to expose our finally unjustifiable usurpation – our *unaccountability*. The inscrutability of the one with whom we find ourselves faced forecloses knowing how to act, questions our place. Perhaps it is not coincidental that the typical response to arrival is to seek to render the other knowable, and to demand that the other gives an *account* of themself. Before considering in more depth what is involved in such accounting, it will help to address ‘hospitality’.

**Hospitality and borders of space and concern**

The question of ethical response to the one who comes can be usefully explored through a Derridean vocabulary as a question of hospitality or hostility, which can be connected to the accounts—and the form of *accountability*—demanded of the *arrivant*.

In any scenario where we are concerned to respond ‘properly’ or fairly, according to some set of rules, the one who arrives at the border must be accounted for so that we may know how to respond. This framework can also clarify the power operating at—or producing the thresholds of—the spaces or statuses into which welcome may be given or refused.
In an ideal form, ‘hospitality’ gestures toward an ethics of concern for the other, a stance of *welcome*, and an affirmation of responsibility. ‘Hospitality’, contrasted with hostility, concerns the ethico-political nexus of self, responsibility for and knowledge of the other, home or territory, and future.

In familiar, traditional forms, the laws of hospitality have concerned conditional rights and duties of host and guest regarding temporary admission of identifiable individuals to a domestic space owned and/or controlled by the ‘host’ (Westmoreland, 2008, pp. 1-2). ‘Domestic’ here implies both *domos* (house) and the not-foreign, not-international but may also connote safety. Whereas I have suggested efforts to respond to the other are undone by the intrusion of the self, in its unconditional absolute form hospitality would constitute the paradoxical interruption of self by the self in response to the Levinasian face (Derrida, 1999, pp. 9, 51) and the infinite, strictly impossible, dispersal of the domestic threshold in the form of a pure openness to any future and any other.

Two of Derrida’s reflections on hospitality are instructive: his engagement with territorial sovereignty and right/duty taking its point of departure from Kant’s *Perpetual Peace* (Kant, 1970); and the trial of Socrates, whose claim of ‘foreign’ status in relation to the language of Athenian law (Derrida and Dufourmantelle, 2000, p. 15) can illuminate both the violence done in the demand to give an account in the language of another and the potential for subversive responses to the injunction.

Derrida takes inspiration from Kant’s concern with establishing a universal, rule governed, limited right of hospitality. Kant proposes that

*Cosmopolitan Right shall be limited to Conditions of Universal Hospitality … hospitality means the right of a stranger not to be treated with hostility when he arrives on someone else's territory.* (Kant, cited in Derrida, 2000, p. 4)
Hospitality, then, is opposed to hostility, and is restricted for Kant to a right of “temporary sojourn.” (Derrida, 1999, p. 87) Kant also places limits on the potential host’s responsibility and conversely upon the legitimate expectations of the would-be guest:

One may refuse to receive him when this can be done without causing his destruction; but, so long as he peacefully occupies his place, one may not treat him with hostility. (Kant, 1795)

Kant may be seen as offering comfort against the full force of the other – a way to know when one may or may not refuse them, and a clear extent to one’s obligation. Derrida departs from this to explore the conceptual limits of absolute hospitality in respect of the other, or foreigner.

Could a pure hospitality be given? Strictly speaking, for Derrida, hospitality, like the gift, is aporetic and impossible (Derrida, 1995, p. 70; Derrida, 1999, p. 50; Derrida, 2001, p. 16; Derrida and Dufourmantelle, 2000, pp. 25, 75, 77). Hospitality always carries the trace of hostility and the seed of its own undoing. The common root of ‘hospitality’ and ‘hostility’, hostis, refers both to ‘guest’ and foreigner or ‘enemy’. Its French translation, hôte, implies both the English ‘guest’ and ‘host’ (Derrida, 2000, p. 15 note 4). The one who comes for hospitality is subject – vulnerable – to the host’s power to refuse, to set conditions. Conversely the host is also vulnerable: the host ordinarily sets rules of behaviour, not welcoming the visitor in their singularity but preparing a place for prescribed admissible invités. To offer unconditional hospitality is to be subject to absolute responsibility, and become the hostage of one’s guest – indeed of any guest (Derrida, 1999, p. 55).

The most enthusiastic welcome remains haunted by its possible and eventual withdrawal and retains traces of violence, since to welcome presupposes and re-iterates the claim of control of the space in question. It also depends upon and re-founds territorial delineation of space – for Derrida, without a threshold there can be no welcome and no way to arrive. Pure hospitality is, strictly, impossible: to offer hospitality requires one to have the power to
give it, to host, which is a power to control; one must be master of the premises to welcome a guest (Derrida and Dufourmantelle, 2000, pp. 5, 15). Relinquishing that power is what might make hospitality worthy of the name, but without it hospitality could no longer be offered: absolute hospitality both precludes and demands unconditional invitation. Derrida distinguishes the invited guest from the one who visits (upon) us: “The visitor is not necessarily an invited guest [un invité]. The visitor is someone who could come at any moment.” (Derrida, 2000, p. 17 note 17) We do not have control over the visitor, who could be an invader. It could not then be meaningfully said that the invaded ‘host’ was being hospitable. In relation to the visitor, the host is hostage – a relation strikingly similar in its persecutory valence to the Levinasian face discussed in Chapter 1, which both binds and insurmountably separates the self and other. The visited host/age would be the one who does not usurp the place of the other, in Levinas’s terms, but instead gives place to the absolutely other without first requiring a name, an account, a truth:

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\text{[The express law that governs the general concept of hospitality, appears as a paradoxical law \ldots It seems to dictate that absolute hospitality should break with the law of hospitality as right or duty, with the “pact” of hospitality \ldots absolute hospitality requires that I open up my home and that I give not only to the foreigner (provided with a family name, with the social status of being a foreigner, etc.), but to the absolute, unknown, anonymous other, and I give place to them, that I let them come, that I let them arrive, and take place in the place I offer them, without asking of them either reciprocity (entering into a pact) or even their names. (Derrida and Dufourmantelle, 2000, p. 25, original emphasis)}
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Pure and unconditional hospitality, hospitality itself, opens or is in advance open to someone who is neither expected nor invited, to whomever arrives as an absolutely foreign visitor, as a new arrival, nonidentifiable and unforeseeable, in short, wholly other. (Derrida et al., 2003, p. 17)

Pure hospitality is as unreachable as the face. As we must attend to encounters that communicate some trace of the face, we must similarly attend to empirical re-iterations and normative articulations of impure hospitality, such as those of antislavery/anti-trafficking.
Iterations of imperfect hospitality reproduce and rearticulate the empirical positions of host/master and supplicant, the normative delineation of space and the threshold. As such, it matters how neoabolitionism contributes to such reiterations as it is these that materialize these distinctions and relations.

Anti-trafficking, particularly in its state-centred forms as embedded, for example, in US immigration relief practices after the TVPA (2000), serves as défense (both protection and prohibition) against the nonidentifiable and unforeseeable, providing ways of knowing that domesticate the others’ putting-in-question of us and our place. Its logic is not one of opening in advance – for most possible arrivants it closes in advance, with the proviso that an opening may be made for some few.

The language in this discussion should not be taken to presume dichotomous categories. These are differential productions and distributions of various ‘othernesses’: certain others are excluded whilst others are included in particular positions. In the context of hospitality Derrida refers to the foreigner (l’étranger) as one translation of the Greek xenos, albeit with a stronger implication of alterity. Translated into English, these terms cover both ‘stranger’ and ‘foreigner’, but also ‘abroad’ (see “Translator’s Introduction” in Derrida and Dufourmantelle, 2000, p. ix). As well as its usual sense, the choice of ‘abroad’ seems to connote being ‘out of place’ – improper, that is to say ‘elsewhere than one’s proper home’. It literally suggests one is travelling; also, things ‘abroad’ can imply ‘goings on’, ‘being at large’, which seem to be agentic connotations appropriate to the potential unruliness of the foreigner.

The arrival occasions a need for response and demands a decision. The question d’étranger (‘question of the foreigner’ – see Derrida and Dufourmantelle, 2000, pp. 3-74) is ethico-political; it is distinct from the moral question of how one treats the foreigner – a question of rules. It is also a ‘foreigner question’ and ‘a foreigner’s question’: a question put to/of us
by (coming from) the foreigner; a question posed by their being-foreign; a question posed by their arrival; and a question put by us to (asked of) the foreigner thus putting their being in question:

[T]he question of the foreigner is a question of the foreigner, addressed to the foreigner. As though the foreigner were first of all the one who puts the first question or the one to whom you address the first question. As though the foreigner were being-in-question, the very question of being-in-question, the question-being or being-in-question of the question. But also the one who, putting the first question, puts me in question. (Derrida and Dufourmantelle, 2000, pp. 3, original emphasis)

Derrida’s densely playful prose resists exegesis but this passage appears, in its emphasis on being-in-question, to be about vulnerability. This vulnerability is not precisely empirical: it is constitutive and inescapable, an ontological vulnerability of all subjects, close to Butler’s ‘precariousness’: the vulnerability of each to all others – not simply in that they can harm us, but in that we are social at all, that we cannot be alone or recognize ourselves without the creative mirror of an other (see Cavarero, 2000). As we constitute one another, we each place one another in question. This ontological vulnerability underpins and is immanent to specific empirical and existential vulnerabilities. It is the vulnerability we habitually fend off with fantasies of control and identity, and the comforting seeming-coherence of accountability and moral certitudes. Such ‘fending off’ produces many of the empirical vulnerabilities of those excluded or rendered other.

It suggests too an inescapable vulnerability to responsibility – the impossibility of not making or facing ethico-political demands. This is what I understand by ‘the first question’: that of response as decision in the face of the undecidable. The nausea of such exposure is perhaps partly what is at stake for Butler when she states that the face of the Levinasian other persecutes me (Butler, 2005, p. 87). The other will come, may come (this is not to be known in advance): their arrival puts me on the spot, reminds me uncomfortably of my unaccountable ‘ownership’ of this space – my usurpation of the place of the other. Such
encounters – iterable, iterative, and repetitious – produce stubborn fictions of inside and outside, self and other. Thus, at each encounter we bear some share of responsibility for the shape of the future. Here, our positions are at stake.

Derrida’s ‘foreigner’ (étranger) places us in question, perhaps more so than the xenos. The face of the étranger approximates more closely than the xenos the vulnerability and inscrutability of the Levinasian face. The étranger may thus terrorize the host of the polis/domos to which they address themself as radically other, radically vulnerable. The xenos is already named and accompanied by rules: we know how to deal with them and when we may legitimately refuse them. Their vulnerability is less scandalously total because they are definitionally subject to another authority, with which a reciprocal agreement or recognition is maintained: “there is no xenos, there is no foreigner before or outside the xenia, this pact or exchange with a group or, to be more precise, with a line of descent.” (Derrida and Dufourmantelle, 2000, p. 29) Étranger may include this sense but may also imply ‘other’ (l’autre). Unlike the xenos, the other (l’autre) is one not guaranteed by any such reciprocal relationship that would enable them to be named or tell us in advance how to act toward them. While the link between the étranger/xenos and the immigrant border-crossing victim-of-trafficking is obvious, a similar estrangement occurs when we are faced with any inscrutable responsibility to or complexity of the other. In Chapter 3 we saw that it seemed impermissible to not know what adverts were instances of trafficking or prostitution and which were not. It appeared threatening to the rescuer for anyone they sought to protect to reject their help. On all sides, the desire for certainty – to know the truth of those at stake and to know who we are in relation to them and how to react – was powerfully felt. In Not For Sale’s presentations and campaigns, certainty abounds and complexity is either absent or to be overcome by smart knowledge. In Bales’s work, we must know who is or is not a slave by knowing what slavery is, otherwise we cannot say we are free.
The temporary presence abroad of the xenos does not negate or deny their belonging elsewhere; they are just ‘passing through’ and need not concern us. This provides a security against the full force of the question d’étranger. The étranger as other (autre) may or may not belong elsewhere, may belong nowhere, may choose to belong or not to belong: it is unknown – their opacity reflects their estrangement, their strangeness, but it also makes of them an estranger\(^2\) – one who displaces or estranges us and reveals our own ontological and ethical estrangement. Contemporary ‘foreigners’, like the ancient Greek xeni, are already included differentially in the law of the polis: the modern form is the non-citizen whose presence is authorised by a visa or some waiver or permit, who enters subject to the proper authorities at the proper time and place, or who entered without authorisation but can readily be assigned to some sanctioned category of admissibility. Little or nothing specific may be known about the one who arrives before their arrival (we may have no account), yet it is still presumed that they are proper to (and accountable to) a sovereign territory, and are nameable and accountable within this framework. These xeni, too, perhaps threaten to become étrangers. The hospitality offered to the xenos comes with conditions and rules for behaviour (notably that they will eventually leave and will support themselves). In a territorial state (rather than the small, visible space of the scene of domestic hospitality), the ‘host’ is vulnerable to the visitor choosing to disappear, outstaying their welcome, failing to identify with a polis or to be administratively pinned down as one thing or another, or presenting unexpected demands. In caring for and opening ourselves to an other on the basis of their identity or story, we become vulnerable to deception and exploitation. The étranger takes away the ethical safety net of ‘propriety’ with the dual connotation of rectitude and ownership (that is, being proper to—accountable to and as a member of—some other territory and community).

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\(^2\) Estranger is a deliberate mistranslation on my part, but a plausible one: French é… words often translate into English with the é replaced by an s or es; the English noun stranger, the French l’étranger and English verb to estrange share an etymology.
The requirement of intelligibility in the demand for an account can be seen as a form of linguistic violence; and the demand that one be ‘properly’ of some place a form of ontological violence: one may not be inscrutable. Discussing the question of how Socrates’ is to be intelligible to his trial judges, Derrida identifies precisely such a requirement as a failure of hospitality, which may be very difficult to avoid:

[T]he foreigner … inept at speaking the language, always risks being without defense before the law of the country that welcomes or expels him; the foreigner is first of all foreign to the legal language in which the duty of hospitality is formulated, the right to asylum, its limits, norms, policing, etc. He has to ask for hospitality in a language which by definition is not his own, the one imposed on him by the master of the house, the host, the king, the lord, the authorities, the nation, the State… (Derrida and Dufourmantelle, 2000, p. 15)

Conversely, the ‘master’/host is vulnerable before the one who is not inept, whose language is knowing and uncannily proper to the context. Insofar as the categories that permit admission (for example ‘skilled worker’, ‘tourist’, ‘victim of trafficking’) are themselves performative, the authority that administers them is vulnerable to ‘inappropriate’ performances. ‘Inappropriate’ performances are those that authority would deem appropriate to others than those by whom they have been appropriated. The fiction of accountability threatens to trap the authority that depends on it as much as those compelled to give account: categories and justificatory accounts permit a certain resistance or agency. At his trial, Socrates rhetorically demands recognition as xenos rather than as a citizen precisely because the status confers rights relating to language and intelligibility (Derrida and Dufourmantelle, 2000, pp. 17-21), placing certain duties of hospitality on the court as host. Accused of sophistry, hence vulnerable to accusations that his language deceives—that his account is inadmissible, untrue or unintelligible—he defends himself by saying that he does not know the language of the court, it is foreign to him and he to it, and were he xenos he would be afforded forgiveness for his linguistic difficulties.
The status of ‘victim’ can be articulated consciously or unconsciously with no necessary correlation to an exterior ‘truth’ (whose appearance would always already be an effect). If successfully claimed through an intelligible, believable accounting, it offers a linguistic place in which and through which an otherwise unwelcome foreigner or other can become both intelligible and less threatening to state authorities concerned with maintenance of borders and distribution of resources. Both state authorities and traffickers (broadly construed) are quite aware of this, the latter taking advantage of it and the former doubting the truth of accounts of victimhood because it can be so used. In such a climate of suspicion it then appears unremarkable when crackdowns on illegal immigration initially treat all those found illegally present as presumably culpable. Even those who do manage to qualify as ‘victims’ are likely to have first been arrested, detained, even handcuffed and imprisoned as APILO staff complained. This is framed as discouraging further immigration, smuggling and trafficking. Appearing ‘tough’—defaulting to hostility—comes to seem right and necessary. A default position of suspicious inhospitality serves to defend against the unaccountable and the deceptive: it provides a norm for dealing with those who might otherwise be uncategorised or uncategorisable étrangers, thus avoiding the necessity of decision. Inhospitable, even blatantly hostile, treatment of present individuals can appear legitimate in the name of protecting possible future victims and securing ourselves.

The one whose account qualifies them as victim may receive some form of hospitality and assistance including continued residence. This is often difficult to achieve, and even clear and fully believed accounts may result only in temporary reprieves from return. For example US ‘T’ visas constitute a legal and practical recognition of victimhood, an acknowledgement of an account of trauma. The numbers of such visas given out and the provision of assistance are considerably lower than estimated numbers of victims. Many such forms of immigration relief are explicitly tied to cooperation with law enforcement, and are sometimes limited to the duration of a trial for which the victim is required to be a
witness, perhaps plus a short recovery period. That these arrangements are so often tied to law enforcement requirements, and the degree to which APILO have to fight for them, gives the lie to their limits as a form of grant of hospitality, and to the rationalities behind them. It is the requirements of the state to prosecute offenders who have violated the state’s border sanctity and law, as well as violating the victim, that justify hospitality. That is not to deny a genuine intention to help on the part of some of those who design and implement these policies, but this appears to be a poor second in importance in state decision making and funding priorities.

In contrast to such traditional ‘hospitality’, limited and conditional on one’s name and one’s accountability, Derrida asks:

[M]ust we ask the foreigner to understand us, to speak our language, in all the senses of this term, in all its possible extensions, before being able and so as to be able to welcome him into our country?” (Derrida and Dufourmantelle, 2000, p. 15)

He does not presume it to be practically possible to do without language and to welcome without any reservation. However, the very unthinkability of that merits slower consideration than it is usually given. It reflects a habitual acceptance of and investment in territorialisation – a scenery of states. Even if everyone were content with current borders, the framework in which admissions are administered remains fundamentally antipolitical insofar as all transgressions are held to be pathological – either wilfully improper illegal entry, or unwilled entry as a result of criminal activities by others. Desires, movements and identities are required to find their bearings within bordered territories, and are evacuated of their political quality by being rendered as problems of entitlement and administration – we are all to be characterized with reference to states. We have seen much of this tacitly accepted by neoabolitionists, excepting a few critical voices such as Julia O’Connell Davidson and Bridget Anderson and, notably, ATCBA’s efforts to resist.
Derrida’s Socratic tableau mirrors the individual who finds themselves vulnerable to disbelief by an immigration court. To be recognised as a trafficking victim or other non-threatening status is analogous to the position of the *xenos*, rather than the *étranger*. It is also to perform a certain submission to the authority whilst demanding a standard of consideration. It is a simultaneous assumption of the court’s (host’s) language and a performance of unfamiliarity with it, precisely the balancing act APILO must perform when trying to keep their clients in their ‘own’ language but also navigating them through tribunals and hearings that demand they be comprehensible. As for the client’s spoken language – i.e. their foreign tongue as opposed to their familiarity with discursive constructs – ATCBA is exceptional in the degree to which they make it possible for clients to communicate across formidable translation barriers, offering services and translation in over 40 languages, itself a remarkable feat of hospitality.

There seems an ironic cruelty in systems that turn people away in the name of rescue of rectitude, that cause vulnerability in the name of protection, and which police admissible accounts and intelligible forms of agency in the name of freedom. In the case of border control, this becomes hostility in the name of hospitality; more generally it legitimates nonconcern. We rescue ourselves from the other by rescuing certain others and abandoning the rest, secure in the belief that our actions are just (or at least that any instance of injustice is an inadvertent error). Through repeatedly exercising or supporting such control in distinguishing the admissible other from the other others, norms of ownership, property, control, and the demarcation of space are (re)produced, (re)legitimated and sometimes contested. As such, to the extent that anti-trafficking discourses articulate norms of hospitality and responsibility, they are engaged in this reproduction. Rules are set, norms of believable accounts propagated, and technical knowledge and expertise is drawn upon to avoid being faced with decision or one’s own unaccountability, to escape responsibility in its strictest sense. Anti-trafficking may thus affect—both progressively and conservatively—
how we as hosts act, and helps reproduce and legitimate our position as host, as bearers of entitlements that are differentiated from those of incomers. At the same time, in participating in this chain of citation we render ourselves and are ourselves rendered as intelligible within that same framework. The effects of this are not equal for all, but it is a form of self-government, a positioning of ourselves as well as of others. *We domesticate ourselves*, submitting to and in the process reconstituting authority, tying ourselves to the states that are ‘properly’ ours (and to which we are proper), and to that notion of territorial division: we *become* always-already separated from those whose separateness neoabolitionism mourns and we become invested in a status quo that produces vulnerability through immigration restrictions. This is why it was so striking that ATCBA staff seemed able to navigate this state-centred scene—with its borders, proper citizens, forgivable victims and culpable aliens, and its Kafkaesque demand for perfect victim accounts but not *too* perfect—*without* participating (or at least fully participating) in such depoliticizing domestication or assuming the subjectivity of ‘host’. In a meaningful sense, they simply did not appear to live in that world, or at the very least were not invested in it or enamoured of its reality.

Implicit in the global concern to differentiate the victim from the immigrant is that states—indeed, *the* State—are threatened by, even frightened of, the political potential of these *étrangers*. Perhaps not only the excluded, but also those admitted because of their victimhood—their defining *lack* of ‘agency’—actually constitute a spectre of *excessive agency*, haunting states’ territorialisation of identity and control of mobility by not remaining in their *proper* places. Similarly, some sex-workers and other nonabolitionists (see Chapter 3) see the desire to ‘rescue’ helpless sex trafficking victims as a distorted desire to control an excessive female sexual independence. The analysis here strongly suggests that the ‘opening’ of spaces of admissibility for a few is at the expense of, and legitimates, ongoing hostility to the many, but that the performativity of (re)producing those spaces and
thresholds does allow for subversive performativities that may increase the chances that hospitality will approach something more worthy of the name. If pure hospitality is unachievable, then we must ask after the performative product of our practices. I do not hold up ATCBA as a perfect or full answer, nor—as should be clear by now—do I expect there to be a perfect answer. The very desire for one is problematic, as has been shown repeatedly. However, it is arguable that their relatively quiet, politically engaged and resolutely other-regarding approach makes more of a difference on more levels than, for example, the claimed revolutionary tactics of Not For Sale or promised futures of End Demand or ending slavery in our lifetimes. As a result of their efforts, their clients experience a different arrival and a different response, in particular because ATCBA resist the imposition of an accountable subjectivity.

**Accountability**

The demand for an account, in order to know the arrival, does not merely request information, and to give such an account is fraught. The interlocutory scene enacts a productive, performative injunction. Butler’s (2005, pp. 10-16) consideration of punishment as productive of reflexivity in Nietzsche’s *On the Genealogy of Morals* may illuminate the temporality of the self that is enjoined to give an account. In a juridical and/or administrative context, ‘accountability’ requires what is ostensibly a unitary self, articulated to and through a single subject position and appearing to have a singular trajectory – an **accountable** personal history that is at the same time a history of personal accountability. By ‘accountable’, I mean that the self, or its pertinent acts and desires, can be completely narrated – it is presumed to be able to be brought fully into language, given a truthful narrative exposition either admitting impropriety and culpability or providing a justification.

In Butler’s reading of Nietzsche, self-consciousness—and here, with it, linear memory and juridical responsibility—appear “only after certain injuries have been inflicted” (Butler,
2005, p. 10) and a demand is made to attribute responsibility for these such that ‘justice’ (as punishment or revenge) may be served. The response to an arrival here takes the question form of “what have you done?” or “did you do that?”, as a question demanded of the one by another, or by and to itself. In Nietzsche’s scene, some injury has occurred, some suffering is observed, and the question is asked whether I caused it? A similar structure might equally be applied to any occurrence other than injury – whatever the form of the deed, the question presupposes the ‘doer’ that Nietzsche tells us is its belated fictive supplement (Butler, 2005, p. 14).

In this case, asking the question iteratively institutes a model of responsibility, a system of justice and a presumed causality that has a normative force and a specific temporality:

“[i]t is question posits the self as a causative force, and it also models a specific mode of responsibility. In asking whether we caused such suffering, we are being asked by an established authority not only to avow a causal link between our own actions and the suffering that follows but also to take responsibility for these actions and their effects. In this context, we find ourselves in the position of having to give an account of ourselves.” (Butler, 2005, p. 10)

The question performatively invokes an appearance of that subject self on which its logic depends. The interrogatory authority needs this accountable, consistent subject to justify its own right. The interrogative injunction can be said to be iterative both insofar as any actual instance of such a scene draws upon a (possibly fictional) history of authority, and insofar as it produces a new iteration with the possibility (however limited) of difference. The addressee is required to play a part and through that playing, the addressee appears, though this does not mean the ‘self’ or its appearances are exhausted by or coterminous with either that initial injunction or with the narrative.

Interlocution sets parameters within which an account is rendered necessary and possible, distinct from the discursive framing of what counts as an intelligible or permissible content.
of that account. The addressee is addressed and perhaps has actions attributed to them in an interrogation impelled by a threat of punishment (Butler, 2005, p. 11). This particular Nietzschean scene presumes a query made within a legal framework (Butler, 2005, p. 13). In a contemporary setting, demanding an account of an arrival may approximate such a framework, but it is more than that too. The attribution or presumption of ‘identities’ or biopolitically invested signifiers such as ‘risk factors’, associations, age, gender, race, religion or proclivities may be as important as specific historical actions (though these may well be inferred from such a posited history).

The posited linear temporality and equation of responsibility with accountability are more widely relevant, even when a logic of punishment is not foregrounded. If I seek to know whether you are a victim of slavery (a question that may significantly impact my future automatic responses to you, my feelings and sense toward you, as well as your entitlements and access to resources), I am not seeking to punish you nor do I claim any authority to do so; yet the question is meaningless without that conflation of status with a continuous accountable unity. In this scenario, I also seem to be implicitly presuming some sort of epistemological authority – a right or possibility to judge status: if not a right to respond based on knowledge, then at least to construct a knowledge to comfort myself about the ethical propriety of my response. Furthermore, I seem to be ontologically secure – it is your status in question, not mine.

Punishment, or abandonment and refusal, may remain implicit when not formally threatened: an immigration officer assessing the status of an arrival may be assessing whether that person can enter or can receive some assistance, but the alternative is presumably to be denied access or violently ejected. A law enforcement officer assessing ‘signs’ of sex trafficking may decide a woman will count as having been an innocent victim, but if not then she may appear as a criminal prostitute. A key part of APILO’s expertise in navigating the system is their awareness of the difficulty of gaining recognition and the
necessity both of constructing the right narratives and finding people who can be persuaded to listen in the first place – sometimes by pressuring authorities and sometimes by sidestepping one authority in favour of another more responsive one. Furthermore they maintain a critical relation to the legal system, aware of its demand for a certain kind of subject and of both the violence this can do and the opportunities it can afford.

The framework in which these encounters take place is one in which the territorially sovereign state arrogates to itself rights to determine admission and to punish those who violate its sovereignty or seek to evade its authority and to demand and interpret accounts. The temporality of the accountable self extends beyond this scene of punishment to other scenarios if they too presume or require the production of a truth of the person understood as demonstrable by a sequential accounting.

Whatever pre-exists an encounter, it is not (or not only) that an individual subject arrives, recounts the trajectory of its desires and actions and receives some response. Such a grammatical subject is produced backwards and simultaneously rendered one fantasized singularity to which a proper name and a psychic interiority may be attributed. In Butler’s terms it is a performative assumption. In Lacanian terms one might see the name that signifies this one life—this one person and the body that ostensibly defines them—as being a point de capiton. By way of a ‘backward stitch’ a point de capiton retroactively assumes a place as privileged master signifier that ‘quilts’ the other signifiers while effacing its traces (Edkins, 1999, pp. 14-15, 68, 93), suturing complexities of affect, experience, unconscious and interpellation to appear as attributes of a consistent temporally extended individual referentially signified by that name. This habit of thought and language extends far beyond such interrogatory scenes. Without this presumption of ontological unity, the questions on which the definition of slavery and freedom rest (of agency, of deception, of economic motivation) make little sense. Even if those questions continue to matter, it becomes at least suspect to think either that objective answers can be found in the life trajectories
constructed, or that such stories can perform the function of an example of the truths of slavery, for example. They are, rather, exposed and vulnerable political performances.

In order to account, then, it is silently assumed and often loudly demanded that one find oneself to be one. One must have been there all along, must have ‘done’ this or that, must own what may seem alien affects and acts, opaque motivations, fragments of memory, desire, anger and sensation. This is not a sovereign imposition, rather “[t]he injunction compels the act of self-making or self-crafting, which means that it does not act unilaterally or deterministically upon the subject. It sets the stage for the subject’s self-crafting[.]” (Butler, 2005, pp. 18-19) It is something which must be taken up by the one so produced. Similarly to Butler’s account of gender performativity (see especially Butler, 1993, pp. xxi-xxiv), it is not strictly taken up by the one; the one is inextricable from the assumption (reiterated ‘taking up’) of itself, confounding ‘normal’ subject-verb grammar.

That which is not conducive to accountability becomes shameful, inexplicable, even unspeakable or traumatic to the self and invisible to or inadmissible to the political order. Not only is the one presumed to have a story that can be narrated, but one’s story becomes a privileged site for presenting/appearing as a viable subject, as human, as justifiable and justified, and for ‘qualifying’ as any given category such as ‘victim’ (or, for that matter, ‘abolitionist’ or ‘academic’), and for (re)presenting oneself in any encounter. Such habits of thought underpin power-knowledge and the administrative need for truth more generally, as well as underpinning our comforting fantasies that we can know how justly to respond to another if we know what they are, what is the truth of their past.

To account for oneself is thus both to offer explanation (to speak a history) and, inextricably, to speak a justification (to request or perform authorisation citing regulatory norms). This re-iterates the apparent naturalness of accountability and of the authority that demands the account, or indeed of the perspective of the reader expecting a coherent
account of enslavement. This renders seemingly unremarkable the very notion that we either need or could ever have a justification – a place that is rightfully ours and a way to know our actions are ‘just’ and responsible. Authoritatively demanding an account, taking the position of one who need not account for themself versus another who seemingly must, may serve to conceal that neither party is justifiable in its position. That accounts are demanded and given conceals a final unaccountability, and may constitute a key site of depoliticization. In contrast, accounts that break with the scene, or refuse or confuse its parameters threaten the questioner’s ontological security. What responses might there be?

If the address is in some sense unwelcome, an obvious response might seem to be silence. Butler argues it is “always possible to remain silent in the face of such a question”. Silence “articulates a resistance to the question”, denying the questioner’s authority or right to know, or refusing to dignify an allegation with a response (Butler, 2005, pp. 11-12). Butler sees this as an attempt “to circumscribe a domain of autonomy that cannot or should not be intruded upon by the questioner.” (Butler, 2005, p. 12) Silence (as non-vocalisation, non-speaking, non-writing – as refusal) is always possible, although in the abstract nothing can be said about how plausible an action this is or what its consequences will be. In the case of individuals encountering state authorities seeking to determine appropriate hospitality or hostility, silence is unlikely to invoke sympathy. While silence may be said to resist, to be or enact resistance, it is less an articulation than an invocation. The silent one may be resisting as Butler suggests, but their silence does not say, does not strictly articulate anything. It compels interpretation, acting upon but also relying on the one making the allegation or some bystander, who must saturate the silence with meaning. An addressee may also desire to give an account but find themself unable to. Their silence may still be interpreted the same way, or in literal face-to-face encounter non-verbal cues may affect the interpretation.

In an embodied encounter, silence is never merely silent when the parties are aware of one another at all: in any situation where total indifference does not prevail, there will be
aspects of body language, looks or avoidances of gaze that exceed both speech and silence, in addition to presumptions that inflect interpretation. When the potential encounter is attenuated or otherwise mediated (such as when reading accounts of slavery and rescue intended to motivate response), such cues are likely to be absent though others may take their place. As much as one cannot be wholly silent when present, one cannot even be recognised as wholly absent; one’s absence, refusal or non-appearance (or even one’s determined articulate speaking) do not preclude a discourse placing a representation in one’s place (even ostensibly for one’s own benefit). I would argue this is precisely what was seen in Chapter 3 when prominent voices shout down, deny and dismiss those women who articulate a position as choosing sex workers. Indeed such a representation may be the only way you can be encountered, arguably the situation of however many US children are actually subjected to whatever forms of sexual exploitation, or the countless people about and for whom we claim to speak when debating antislavery responses. They are rendered as governable objects by a discourse seeking to know them in order to free them, but not seeking that knowledge from them. It is a categorising, taxonomic, motivated power-knowledge, not an encounter with the other, not an attempt to know them and not easily troubled by them.

The silent one is dispossessed of the meaning/effect of their silence (even as they may keep a private meaning). Where the injunction to give an account is—as in many of the immigration scenarios faced by ATCBA clients—tied to administrative desires for knowledge, the ‘gap’ of silence may be ‘filled in’ with whatever the questioner and context presuppose. Silence may be the only response, but remains vulnerable to interpretation and appropriation as a sign of hidden truth. The one presumed to be refusing to speak ostensibly should speak, should have a story to tell, an account to give. When there is a tactical need to give an account, expertise in drawing out clients’ histories and constructing legally effective narratives can be crucial in providing something that the state can work
with without requiring the client actually be as demanded, as can demanding that clients’ accounts be given space and time to be heard in their complexity. Conversely, there are occasions when maintaining silence may be the best thing for, or desired by the client, in which case the sanctuary of the AWS shelter may provide that literal service, or APILO’s expertise may provide means of seeking restitution from traffickers that do not place vulnerable individuals in problematic legal situations (for example when there may be a conscious choice to avoid involvement with a criminal case, but civil suits are still pursued).

With regard to the presumption of accountable oneness, silence may be a refusal or failure to coalesce into such a form but may also leave the presumption intact. It is a refusal with no guarantees, and while it resists capture it also cannot escape the scene: “the refusal to narrate remains a relation to narrative and to the scene of address.” (Butler, 2005, p. 12)

What of choosing to speak? It is commonly argued by anti-slavery academics, campaigners and survivors alike that for someone who has been victimised and enslaved, telling your story may be liberating. Emphasis is placed on the taking of a subject position as opposed to an object position. Such an act is not sovereign, and the subject position is both constraining and enabling, but to account for oneself, taking the grammatical place of the ‘I’, is also to act. For Butler,

> “the “I,” its suffering and acting, telling and showing, take place within a crucible of social relations, variously established and iterable, some of which are irrecoverable, some of which impinge upon, condition, and limit our intelligibility within the present. And when we do act and speak, we not only disclose ourselves but act on the schemes of intelligibility that govern who will be a speaking being, subjecting them to rupture or revision, consolidating their norms, or contesting their hegemony.” (Butler, 2005, p. 132, my emphases)

The ‘I’ that attempts to give an account does not stand free from the norms and conditions that enable and impel it, but it can stand in a critical relation to them, as can others involved in the articulation of related norms.
Those accounting for themselves in juridical contexts are empowered and constrained by such norms when speaking in part in order to claim or deny a formal status, but are ultimately seeking recognition. Whether engaged in a liberating expression, a claiming of a subject position, a demand for recognition of dignity or request for assistance, they are still giving an account in this fraught sense. They speak—or are spoken (of)—in a particular scene, and thus render themselves or are rendered knowable through their account; as such it is necessary to ask how these stories function as encounters and occasions for response, what they produce and how they are used to govern. With their awareness of the vexed performativity of giving an account, APILO take, and help their clients to benefit from, a critical stance to the scene. Performances may gain recognition but APILO staff neither uncritically accept the immigration framework in which these encounters occur, nor crucially do they seek to impose such understandings on clients. The demand to account for oneself as victim retroactively calls forth an appropriate subjectivity, potentially demanding traumatic retellings while imposing certain language on them. As discussed in Chapter 5, APILO and AWS were careful not to impose language (such as ‘rape victim’). They also supported minimising the number of times people had to tell their stories – there was no assumption as to telling one’s story (as if there were only one) was liberating or not in general, only what a client wanted. The same sensibility can be seen in the use of what they referred to as ‘resourcing questions’ – the practice of deliberately asking questions framed so as to remind the client of their resourcefulness, of when they have coped, and of when things improved.

The speech of the one who gives an account (even in the absence of an authoritative demand) is never simply theirs, nor is their appearance or the ‘face’ presented to others not strictly by, but as them. When the ‘freed slave’ speaks, or their photographed face appears, it does so neither alone nor necessarily even as the loudest voice or clearest image. Though one may attempt to guide the interpretation of one’s story, the speaker is necessarily
dispossessed of it at the moment they articulate it as their own (Butler, 2005, p. 36). Similarly, representations that stand in for the face take on a life of their own. What seems to me especially valuable about ATCBA’s ‘victim-centred’ approach is that it seeks to make it possible for the other to speak, support them in it, and avoid speaking for them, but also to avoid demanding that they trap themselves in a comfortable accountability (that is, comfortable to us or to ATCBA). In Derrida’s terms, they do ask the other for a ‘name’ – for an account – but they neither tie hospitality to that name nor require the other to stick to it.

There is, then, violence in presuming possible and demanding a full account of another, and in deploying and circulating such accounts, however well-meaning the purpose. Each tends to efface that we are all narratively incomplete by virtue of the opacity of our origins (our history begins before our memory, our language is not our own, we are formed through and undone by our constitutive exposure to others). We all founder when attempting to enact the ‘I’ that, while it appears to originate our account, is its most ungrounded, most vulnerable moment (Butler, 2005, p. 66). Butler worries that the coherence of accounts may foreclose an ethical resource in the form of the awareness and acceptance on the limits of self-knowledge. She argues for a non-violent ethical possibility based on recognition of this fundamental opacity of the self (Butler, 2004, 2005). I have argued that such a recognition underlies ATCBA’s client-centred approach and the representational practices of APILO. For Butler, such recognition may ground a broader openness to the arrival of the other that does not depend on denial of either vulnerability or responsibility. In this sense, Butler attempts to ‘ground’ an ethics in the very groundlessness announced by the death of God. Less abstractly, we can see echoes of such an ethics in ATCBA’s efforts to refuse to impose what they termed ‘cultural lenses’ or our language upon clients, and their simultaneously habitual and considered determination to treat clients with a non-judgemental respect.
Concluding thoughts

The demand constituted by the arrival of the other hints at the scandalous unaccountability of our own taking-place. Contrary to the eschatological promises of neoabolitionism, there can be no final redemption from this bind, but we might at least affirm it, as it seems to me that ATCBA do. This might open a less hostile and exclusionary hospitality, enable new solidarities and reduce certain violences.

When neoabolitionism informs state policy it offers instrumental knowledge of the ‘actual truth’ of whether someone is or is not trafficked or enslaved. Such knowledge is founded upon certain notions of agency and a juridical understanding of responsibility as accountability. To be a ‘victim’, the one who arrives must be innocent of agency in their illegal presence. As such if one is a victim one is potentially excused from a certain form of juridical responsibility. As non-agentic, the victim need not (indeed must not) say “I am responsible for my presence”. Yet in another way they are expected to take a juridical form of subjectivity. It is still presumed that they should be ontologically accountable in the sense of being a being susceptible to coherent explanation, but not that they be held ontically accountable in the sense of culpability for their situation. One can forgive their illegal presence in a foreign country precisely because they are not agentic and culpable, but instead appear as deceived or forced. Such an accounting legitimates and permits a sympathetic response, affirming an affective and perhaps a practical and economic responsibility to them in an environment otherwise defaulting to hostility. Conversely however, ‘knowing’ we are acting justly toward the real victims produces and depends upon a continued hostility or apathy towards, turning away from, and even fear of, those not deemed legitimately or forgivably present or whose exploitation is not severe enough. A similar turning away operates when we as consumers disregard multitudes of exploited individuals in production lines, living in degrees of poverty and with limited choices we would not wish to accept but whose circumstances aren’t ‘slavery’, or when we
authoritatively presume the truth of our ascriptions of victimhood and our notions of normative or shameful labour. Each scenario presumes and reiterates a framework of authority, territory and entitlement, defending against the threat of dissolution in the face of the other and distributing concern and attention. The comfortable presumption that we do not need to justify ourselves is tacitly maintained by demanding they provide an account. We may often be witnessing and engaging in a dialogue among the free about and for themselves, or at least policed such that our comfortable self-image is either not challenged, or is challenged only in ways we recognise - our own ontological precariousness is effaced and the challenge of the other rendered bearable.

Might we instead recognise and live with the traumatic opacity and unbearable demand of the other, and of the other in ourselves? Might we acknowledge the contingency and strangeness of our territorialised identities and affective boundaries – our inevitable usurpation? Might we recognise a more profound responsibility to the other than as a distant fleeting quandary when we fill our shopping baskets? Might we make an effort to encounter the other without demanding they share our scenes?

In the Introduction to this thesis I asked, “What constitutes an ethical response to slavery?” Having explored many efforts to answer variants of that question through different areas of intervention, I suggest a general response that is twofold. Firstly as shown throughout, what constitutes an ethical response—what produces particular ideas as ‘ethical’ and particular actions as meaningful ‘responses’—varies with scenes that refer back to us and our desire. That is to say that the question already includes a desire to know and be comforted, even as it is a question that seeks to open ourselves to the other and to the discomfort of an unjust violent world. Secondly, following from this and the discussion here, the implication is that an ‘ethical response’ is aporetic. It can only be the self who responds and who desires to respond but the ‘pure’ ethical response – as with Derrida’s absolute hospitality – would be wholly for the other and would represent the absolute
disruption and dispersal of that self, without which there could be no response. That self is an inextricable performative conjunction of grammatical position, phenomenological experience, relationality and historicity: the scene exists and insists in the self. If we cannot perfectly answer the question and we cannot ‘disperse’ ourselves in our relation to the other, we can resist the temptation to find and grip tightly to ontological and ethical certainty. I do not mean to belittle the importance of taking responsibility in various guided ways – through careful shopping, through enlightened laws and so on – but I would urge caution about their broader effects, and who really ends up rescuing whom.

We can still approach the other, and embody an approach, remembering that to approach is not to arrive at a certainty or final position but is instead performative and on-going. This is what I identified in Chapter 5, looking at the other-regarding approach of AWS and APILO, whose staff are just as subject to beliefs and desires and scenes as anyone, yet who embody an approach to others that allows for disruption and de-emphasis of one’s own desire to respond as a necessary feature of responding for the other. They do this in a very ‘real world’ grounded fashion. It is grounded not in a grand project with a promised future, in supremely confident knowledge of the truth of slavery, in the fact of victimhood, or in their own righteousness or brilliance. Rather it is momentarily grounded in and for the other, whomever arrives, and in a cultivated willingness to be at least to some extent ungrounded by and with that other. Perhaps we cannot ‘let go’ of our desire, but we can perhaps hold on lightly, living with not knowing, or placing the ideal of hospitality above and outside of knowledge, and acknowledging our desire for ethical comfort without anticipating its fulfilment.
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