The re-emergence of ‘trafficking’: sex work between slavery and freedom

Sophie Day Goldsmiths, University of London

Activists find that sex work is considered a less legitimate occupation today than it was in the 1980s and early 1990s. They now confront representations of sex workers as victims, sold and bought across national borders and reduced to the status of things. In this climate, labour rights seem irrelevant. Recent shifts in the language of consent and compulsion in the UK are explored in the light of historical parallels in order to suggest a general ambivalence towards all forms of work. Is it possible to experience freedom or only subjugation at work? What is the role of gender in differentiating these polar opposites?

Anti-trafficking in the UK

Prostitution1 has provided a rich source of metaphor and imagery in Western societies, casting a shadow or shame on immoral behaviour, including corruption in church or government. With such a weight of meaning, it is not surprising that activists selected alternative identifications as they formed a civil rights movement in the 1970s. At this time, feminists were exploring gendered idioms of work in relation to the contrasts between paid and unpaid labour, embedded in distinct private and public realms, to which different rewards were attached. They asked how to produce more equality and ‘freedom’ for women. Questions about pornography and prostitution became pivotal to debates about violence against women and gender subordination. Sex worker advocates considered that their own subordination or vulnerability was a direct consequence of discriminatory laws and their execution rather than false consciousness. They objected during the 1970s and 1980s at public demonstrations and occupations to the infringements of their rights to work and to work without harassment.2 They also formulated local and international claims for civil rights, such as the manifesto that was agreed at the First World Whores’ Congress in 1985 under the auspices of the International Committee of Prostitutes’ Rights in Amsterdam. An International Charter of Prostitutes’ Rights demanded the decriminalization of prostitution so as to assure sex workers of basic human rights, some control over work conditions, access to health care and other services, and, finally, a means of influencing public opinion.3 It was in this climate that prostitution was successfully redefined as sex work, initially in the USA.
Other feminists, often associated with radical feminism, do not consider sex work an occupation, nor do they consider that women could choose such a job or perform it voluntarily (see, e.g., Barry 1979; Brownmiller 1975; Dworkin 1981; 1987; MacKinnon 1987). Prominent figures in this camp discuss the violence that affects ‘prostituted victims’ rather than sex workers. Their views of an oppressive patriarchy are distinguished at least partially from other positions associated with government or the church but, despite the varied interests, these latter groups share a common desire to strengthen prostitution laws, preferably through criminalizing the men who buy sex rather than the women who sell it. Arguments about choice and compulsion have defined the parameters of discussion to the present day (see further below).

Since sex work is commonly constituted as an exception rather than an exemplar, the wider relevance of these debates has been little explored. However, a long intellectual history in the West frames work precisely through this binary of force (slavery) versus choice (freedom). These polarized debates about prostitution can therefore illuminate our deep-seated ambivalence towards work in general but, since arguments about prostitution, sex work, and trafficking focus largely on the exchange of women rather than on their working lives, it will be necessary in this article to relate idioms of work to ideas about exchange. Anthropological accounts dwell on long-term processes of give and take that inevitably include the passage of time. They raise questions about the relationship between an exchange, formalized perhaps through a contract, and the work that flows from such an agreement in processes of wage labour, including sex work, or unpaid work, including marriage.

Recent debates about prostitution can be situated within a longer history which peaked in a panic about white slavery in the UK around the 1880s. The shorter timeframe since 1986 spans the period during which I conducted research in London under the rubric of our Praed Street Project, emerging from collaborative research with a clinical doctor, Helen Ward.\(^4\) Initially, we focused on AIDS in response to the gradual realization that HIV could be transmitted heterosexually and might not therefore be contained within ‘risk groups’ outside the ‘general population’. My early work focused on the evaluation of policy proposals, such as the suggestion in parliament to mandate regular screening of sex workers, and we analysed the potential risk of HIV to or from research participants (Day, Ward & Harris 1988).

Despite an AIDS panic, the UK policy response favoured health promotion and a range of community initiatives to reduce risk. By the mid-1990s, a large number of harm minimization efforts associated with sex work projects had been established. Indirectly, this support encouraged the recognition of sex work, that is, the platform associated with the sex work movement. Furthermore, these initiatives contributed to the recognition of the skills and expertise associated with proficient practice, with the employment of sex workers as consultants, advisers, and educators in safer sex initiatives (see Day 2007; Doezema 2004, for examples). By the end of the 1990s, however, this limited recognition had largely disappeared from government. Sex workers were now seen as prostituted victims, sold and bought as though they were things.

How had ‘free’ labour been defined anew in terms of immoral ‘exchange’? This was our puzzle in the Praed Street Project. The language of trafficking that flooded newspapers and policy documents, including a raft of government papers about prostitution policy, seemed to come from a past era. Their terms appeared to constitute ghosts from...
another time on whose behalf we should speak and, critically, act. Ten years later, these terms look less anachronistic. In retrospect, it is clear that the policy shift of the late 1990s established a strong anti-trafficking policy in government, closely connected to a range of other national and international developments.

While the particular histories of sex work activism and public health may have led us to misread this epidemic of language, the transmission of words and images has certainly been more critical than the circulation of pathogens to the construction of victims today. AIDS is still considered a problem, but it is perceived increasingly through the sale of women across borders, which can only be solved by prohibition.

The significance of rumour

Current debates in parliament illustrate the ever-wider consensus among elites that prostitutes are victims; generally women and, occasionally, children. As recently as 2006, the street-walking drug addict represented ‘the problem of prostitution’ as five sex workers were murdered in Ipswich, in the east of England. These women carried anti-social behaviour orders (ASBOs) that the government had introduced in 1999, but discussions in the mainstream press about their clearly local provenance and difficult circumstances shifted rapidly to focus on trafficking.

The problems of prostitution were emphasized in the opening of parliament for 2008-9 and the Policing and Crime Act was passed by the end of the year. Under this legislation, the government promises to punish men who pay for sexual services of a prostitute subjected to force. This is a strict liability offence, so that the client will have no legal defence if the sex worker is later shown to have been forced, even if he did not know this at the time and did his best to find out. Clients are not permitted to show in defence that we are all controlled to some degree by other people as we go about our daily lives, indebted to our parents or employers. Questions about freedom and slavery remained prominent throughout the parliamentary debates. In response to critics who warned that a law about control would be difficult to enforce, the then Home Secretary, Jacqui Smith, proposed a rewording, ‘subjected to force, deception or threats’ (BBC News, 19 May 2009). Anti-trafficking groups such as the Poppy Project then called for the criminalization of ‘all forms of demand’, acknowledging that local sex workers fall outside the orbit of current initiatives but arguing that they should be treated like the trafficked victim rather than free agents who work voluntarily. Eaves, which runs the Poppy Project, is reported to have claimed that ‘the new wording might remove protection from those who are psychologically pressurised into selling sexual services’ (BBC News 2009). Anti-trafficking is thus an expansive domain which can accommodate local women working on the streets of Ipswich or the pressures leading anyone at all to sex work alongside the stereotyped image of a very poor and vulnerable victim from the Third World (Day 2009).

The current consensus relies upon rumour. Rumours have a capacity ‘to spread ... instead of being a medium of communication, language becomes communicable, infectious, causing things to happen almost as if they had occurred in nature’ (Das 2006). Veena Das explains how rumours brought particular views of the past into the present and created the conditions for both panic and collective violence in India. She shows how these exceptional events are built out of and folded back into everyday life, years and even decades after the events took place. If rumours produce the events that they describe and create a panic, arguments about definitions and cases of trafficking can lead the term simply to be used more and more widely and to bring trafficked
victims into clearer view. At the same time, the exceptional status of sex work is confirmed, and it is seen as a deviant form of exchange rather than, or as well as, a form of work. The Palermo Convention of 2000 was supplemented by a Protocol against trafficking,6 which holds that ‘[e]xploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs’. In this and other definitions, trafficking is linked closely to prostitution, despite evidence of the many problems associated with illegal migration across whole economies.

Kevin Bales (2004), for example, presents ‘modern-day slavery’ as a new form, in which the ‘control’ of men, women and children ‘for the purpose of economic exploitation’ has replaced the former system of legal ownership. Reports suggest that the employment of increasing numbers of poor women far from home, screened from public scrutiny for less and less money, could be addressed by anti-trafficking initiatives if these extended beyond the realm of prostitution (Agustín 2007; Ehrenreich & Hochschild 2003; Parreñas 2001). But difficulties in defining a lack of life choices (Dewey 2008: 3), differentiating trafficking and prostitution (Dewey 2008: 28; see also Ditmore 2005; Kempadoo 2005), or explaining why consent and choice are loaded words in conjunction with sex work (Dewey 2008: 48) but not, by implication, in any other jobs or exchanges tend ultimately to reconstruct an exceptional status for the occupation, which remains distinct from other forms of trafficking as it does from other types of work. Thus, the close links between trafficking, slavery, and prostitution are confirmed again and again, and the terms together constitute speech acts that achieve certain effects in the world. These speech acts create breaks between ordinary life and the extraordinary, or between what might be glossed in terms of scale with, for example, a global stage peopled in relatively abstract terms and a local one defined in terms of particular relationships and positions. They create breaks in thought as well, such that everyday ways of thinking about relationships are inappropriate to the exception. The links made through use of these three terms and the reiteration of stories propel interlocutors to search for a cure rather than investigate the aetiology. In particular, references to slavery demand immediate restitution and so, instead of analysing the imagery of coercion and gender, we are moved to ‘stop the traffic’ (Fig. 1).

Rumours about trafficking create a counter-image of exchange, telling of theft and enslavement that dishonour a woman, her family, and her country. They freeze the foundational separation into a frame where the victim is trapped in her abject state forever. In addition to exploring these negative images of exchange, it will be instructive to follow Das (2006) and ask what happens subsequently. Does the passage of time indicate limits to an analysis based only on the terms of the initial exchange?7

White slaving and trafficking

It is not my intention to review the panic about white slaving, since many fine accounts of a range of national and international contexts have been produced.8 It will be important, however, to note common symbolic and discursive elements as well as institutional continuities with contemporary anti-trafficking initiatives and debates in order to explore the sometimes-incongruous parallels. It is puzzling initially to find the language of the 1900s repeated in the 2000s without appearing out of place, especially since numerous elements of popular culture suggest sympathy for sex workers trying to get by.9 In addition, academic accounts have analysed idioms of race, gender, class, and nation-building through the lens of white slaving while sex worker rights’ activists have
demonstrated that panics about the large-scale movement of women under both ‘white slaving’ and ‘trafficking’ have had equally deleterious effects on poor women and sex workers (e.g. Doezema 1999).

The UK panic about white slaving can be dated to at least 1830 with the publication of A letter on the horrors of white slavery by Richard Oastler (Irwin 1996; Fig. 2). It had gathered momentum long before William Stead’s publications in the Pall Mall Gazette, which produced a moral panic about child prostitution. His revelations in the ‘Maiden tribute of modern Babylon’ (1885) suggested that a child could be bought easily for the

---

**Figure 1.** Freedom Keys (reproduced with permission of ‘Stop the Traffik’: http://www.stopthetraffik.org).

---

**Figure 2.** Edwin Long, The Babylonian marriage market (1875). Oil on canvas. 172.6 × 304.6 cm. Royal Holloway, University of London.
purpose of prostitution. They contributed to the passage of the Criminal Law Amend-
ment Act of 1885, which raised the legal age for sex and increased sanctions against 
associates of prostitutes. Rumours circulated about innocence undone, white victims, 
evil and commonly marginal foreign traders. Attached to these rumours were serious 
corns about society. Historians have shown how panic restricted the freedom of 
women to move into the city or between nations, and to work. To take one example, 
Donna Guy’s outstanding histories of Argentina provide an illustration from the per-
spective of nations defined primarily as receivers of migrant women. With thousands 
arriving in Argentina from Europe in the last quarter of the nineteenth century, Guy 
has explored how this flight from Europe was conceived through the lens of gender. 
Men could safely travel abroad and within Buenos Aires, but unescorted women were 
in danger, especially of forced sex (Guy 1991: 7). Moreover, their flight was represented 
as leading to the erosion of family, separation from husbands, and the abandonment of 
children.

In this and other case studies, reformers emphasized either the immorality of forcing 
their own ‘white women’ into sexual slavery abroad or the dishonour of having foreign-
born women degraded in local brothels. Sending nations worried about the loss of 
purity and reproductive matter while receiving nations feared pollution and contagion. 
Studies of Argentina and other nations show that women sustained the reputation and 
reproduction of the collective in their own bodies. Differentiated by characteristics 
such as race and class, they bore the honour of social groups and it was their sexual 
behaviour, above all, that marked the borders.

The links between slavery and prostitution were so obvious to those involved in 
nineteenth-century reform that they were never questioned, and came to inflect the 
movement for suffrage. A third of the women leaders opposing the registration of 
prostitutes in the UK through contagious disease legislation of the 1860s had been 
involved in the earlier anti-slavery movement. The Contagious Diseases Acts were 
designed to protect the troops and they allowed for the arrest and inspection of women 
who might be working as prostitutes in garrison towns and, where appropriate, their 
incarceration until free of disease. This kind of regulation was common in other 
countries and, indeed, exported to the colonies, even though it was repealed in the UK 
during the 1880s.

Repeal is often credited to a proto-feminist coalition, including significant church 
memhership, opposing the double standard and state interference on the grounds that 
it fuelled the white slave trade. It is not therefore a coincidence that the opposition was, 
and still is, known by the term, abolitionism, meaning an absence of state involvement 
in registering, licensing, or inspecting sex workers or their businesses. In 1875, James 
Stuart published a history of the Acts with the title The new abolitionists (McHugh 1980: 
247). Josephine Butler, perhaps the best-known opponent, argued like many other 
campaigners that registration created a permanent ‘slave class of women ... The inaug-
uration of legal prostitution is nothing else than ... the protection of a white slave trade 
in a word, the organization of female slavery’ (cited in Irwin 1996).

With the typification of movement as (often violent) exchange, reports of prostitu-
tion in the nineteenth century led the politics of solidarity into repression. Panics arose 
as girls ran away from their families and left home for the streets, or as women chose 
same-sex partners (Englestein 1992; Jarvinen 1993). ‘Movement itself acquired a sexual 
connotation’, says Englestein with reference to Russia at the time (1992: 300). She 
sums up the terror of prostitution in the form of white slavery in terms that evoke
contemporary concerns about a traffic in body parts. This, she says, constituted an appearance of ‘the Enlightenment in nightmare form – a caricature of universalism, a network of global intercourse, of interchangeable private female parts loosed from the domestic into the public sphere, transforming the particular (my wife, your daughter) into a public woman accessible to all men’ (1992: 300). Movement on the part of women elicits similar concerns today, and nowhere more than in relation to sex and the sex industry, where communities sending and receiving migrant workers express a sense of shame, on the one hand, and contamination, on the other. Don Kulick (2004), for example, has explored Sweden’s 1999 ban on the purchase of sex in terms of this logic of the border.10

As the Contagious Diseases Acts were repealed in the UK, five international conventions and a string of local statutes marked the transformation of the opposition to white slaving. The earlier reform movement is generally considered sympathetic to working-class women, who were seen as sisters, and relatively libertarian in the face of what was considered a despotic state. The later reform movement is linked with social purity, vehemently opposed to white slaving and later to prostitution in general: prostitutes were not sisters but daughters to be rescued (Walkowitz 1980). As Sylvia Pankhurst noted of the 1912 White Slavery Act, ‘[I]t is a strange thing that the latest Criminal Amendment Act, which was passed ostensibly to protect women, is being used almost exclusively to punish women’ (cited in Bland 1995: 303). By the end of the nineteenth century in the UK, abolitionism had come to mean the elimination of prostitution rather than the removal of inequitable state rules for controlling it, and today, once more, there is a widespread agreement among elites that prostitution should be prohibited.

The UK Contagious Diseases Acts brought the figure of the white slave into close association with the urban outcast, just like recent legislative attempts to prohibit sex work. Walkowitz (1980) and other historians have shown that the women most directly affected by the nineteenth-century control measures were comparable to the ASBO-branded street workers in the UK today: poor women combining jobs in an effort to get by. They were not migrants but marginal, local women who had not the capital even to move elsewhere to work. Then, as now, diseases that it had become possible to diagnose fuelled anxieties which were perhaps symbolically contained by rules to stop people behaving immorally, rules that were particularly harsh in times of crisis such as war.

Concern disappeared from view in the UK before the First World War, continuing internationally through lobbying, conferences, and later the League of Nations. In 1921, the Conference of the International Bureau for the Suppression of the Traffic in Persons dropped the term ‘white slavery’ in favour of the seemingly less racist term ‘traffic’. The 1949 protocol of the United Nations (the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others) derived from organizations formed in the wake of white slavery scandals, and more recent agreements such as the Palermo Protocol (discussed above) have been driven through initiatives since the 1980s relating to migration, feminism, AIDS, child prostitution, and sex tourism.

These links between white slaving and anti-trafficking have prompted commentators to write of a single, long-running campaign (McDonald 2004), crusade (Weitzer 2007), or movement. Maximum anxieties about women on the move have coincided with particularly intense periods of globalization, from around 1870 to 1914 and since the 1990s (Wimmer & Glick Schiller 2002). ‘Epidemics’ of language suggest that rumour, in part, structured attempts to protect the integrity of family or nation in the
face of globalization. In their anatomy of slavery, stories circulating today contain the same mythic elements of abduction, deception, violence, and dishonour as those produced a hundred years ago. Victims share the same outsider status and they are represented as property. They are usually stolen forcibly and transplanted as strangers, with no kin: nothing and no one mitigates the force exercised by their masters. They remain trapped forever. In consequence, they suffer a loss of personhood, that is, the social death that Patterson considers diagnostic of slavery. As he put it, ‘[S]lavery is the permanent, violent domination of natally alienated and generally dishonoured persons’ (1982: 13). Now, as then, however, reliably documented cases of white slaving or trafficking have proved hard to find.

Differences are also evident over a period spanning at least one hundred and fifty years. The contemporary UK movement is largely confined to the efforts of elite politicians and activists, while Stead’s revelations elicited a popular panic. Roger Lancaster argued that ‘sex panics’ since the conservative turn in US politics have provided a basic template for the production of other states of panic (2008: 42). He defines these, after Cohen (2002 [1972]), as mass movements emerging in response to epidemics of language, delineating false, exaggerated moral threats to society and proposing punitive measures (Lancaster 2008: 44). Although sex work has been enmeshed in fleeting panics about AIDS in the 1980s and trafficking since the 1990s, a wider politics of elite coalition-building and governance has been more prominent and persistent. Moral entrepreneurs (Becker 1973 [1963]), including women in government, have successfully bundled a motley set of concerns about terror, immigration, urban regeneration, gender equality, and Christian precepts in pushing for prohibition, supported by media campaigns. This elite is opposed in government by a traditional conservative libertarian consensus, lobbied by sex worker rights’ activists among others defending the politics of sexual difference and personal autonomy. In this context, the concept of punitive governance (Hall, Critcher, Jefferson, Clarke & Roberts 1978) may be more appropriate than Cohen’s moral panic, but the environment could alter rapidly: New Labour policies are as likely to be overturned as they are to be carried through under the Conservative-Liberal coalition, and trafficking remains a potent vehicle for popular unease.

The UK movement is closely connected to other national initiatives and the international arena, where US influence has led donor aid to be tied to policies against sex work. Under the Bush administration, the Global AIDS Act of 2003 described prostitution as trafficking; any international organization together with US partners had to have a policy explicitly opposing prostitution in order to be eligible for funding. It was not until 2008, after two lawsuits, that the US senate voted to remove Bush’s anti-prostitution clause and to increase funding for the President’s emergency plan for AIDS relief, but the system of annual reporting continues to stratify countries in terms of their efforts to prevent trafficking, and states that rank low are ineligible for US aid (Butcher 2003; Dewey 2008: 42; Ditmore 2005; Weitzer 2007).

**Praed Street Project research**
In the early days of the Praed Street Project, three quarters of the women we met were from the UK. By 2000, this proportion had dropped to one quarter (Day 2007; Ward, Day, Green, Cooper & Weber 2004). This change occurred in the mid-1990s with incomers from the former Soviet bloc and later a range of countries in Asia, South America, and Africa. Simultaneously, with the deregulation of capital, individual
businesses developed extensive international links. For example, one London agency in 1999 had 354 sex workers on its books from sixteen different countries; one in seven lived in the USA. The previous decade, an agency would have provided introductions to perhaps fifty women living in central London.

Meanwhile, concerted policing had shut down the local streets and women moved indoors, where surveillance increased. Virtually all those arrested in fifty-two Soho flats raided in 2001 were detained as illegal migrants and deported. Operation Pentameter Two (2008) involved fifty-five police forces in England, Wales, and Scotland during a six-month period and culminated in the arrest of more than 500 people. Although 167 ‘victims of trafficking’ were rescued, the Home Office said that police were struggling to look after them, as many refused to co-operate. According to the BBC, ‘Home Office Minister Vernon Coaker said ... short of “locking them up” it was difficult to know what to do’ (BBC Radio 4 2008).13

We spoke to women who had lost their jobs and welfare entitlements and then shifted of necessity into the informal economy as they benefited from a new, albeit highly partial, freedom of movement. Many worked in appalling conditions, with no English, and keeping little of their money. Yet, situations changed and it often took less than a year to become a manager in turn and send remittances home (Cooper, Day, Green & Ward 2007). It is difficult, therefore, to interpret the reported increase in cases of trafficking. There have long been women working without identity papers, in heavy debt, and for the barest subsistence. A few were forced physically and lost all legitimate identity long before concerns about trafficking emerged in the second half of the 1990s. Now, however, state policies support victims and grant them limited rights to stay in the UK if they co-operate with the authorities (under the Asylum and Immigration Act 2004). Attempts to find traffickers and to offer the trafficked some measure of humanitarian aid may have inflated the caseload, since the right story can elicit the relevant response, appropriate to the status of victim rather than criminal.14

Given the difficulties of distinguishing trafficked victims from other people, I refer simply to migrants in reference to our data. These findings suggest a reading at odds with the discourse and policies I have reviewed. We only heard about trafficking as predominantly Eastern and Central European women came to work in the UK.15 In the 1980s, London had in fact been equally central to women’s movements, but this earlier border-crossing attracted no attention. London was then more a national than an international destination for the workforce, and it sent women to a wide range of other countries, largely in relation to oil money.

When we compared over a thousand sex workers attending the Project in the later 1990s with the later 1980s, we found that they were older when they began sex work, better educated, and with considerable experience of different kinds of work (Ward et al. 2004). Despite the common view that migrants were bringing diseases into the country, the proportion of women reporting past sexually transmitted infections declined from 80 per cent to 32 per cent. At first visit to the clinic, screening showed that they had fewer infections (Ward et al. 2004).

I have asked why it seems that sex workers in the 1990s were trafficked but not those of the 1980s. Some may have come into the UK while others left but, in practice, research participants most often came and went at regular intervals. It proved impossible to contrast the later group of immigrants with an earlier group of local women since all research participants had left their past lives and, at least initially, virtually all of them intended to return. Most women, whether or not they held UK papers, had

Journal of the Royal Anthropological Institute (N.S.) 16, 816-834
© Royal Anthropological Institute 2010
constructed particular working characters for the short term, conceiving sex work as a temporary movement through which to secure a future associated with social as much as geographical mobility.

Anti-trafficking reports suggest that local sex workers are coerced by ‘pimps’, who constitute the local equivalent of ‘traffickers’. In the 1980s, over half the women we interviewed said that they had been introduced to sex work by their girlfriends, and younger women explained that they had no money and wanted to buy the things their friends had. A few, however, spoke of deception or coercion. Five of seventy-seven whom we followed from the 1980s to 2002 (Ward & Day 2006) said that they began sex work through boyfriends who turned out to be pimps. These five women, as well as others during the research period overall, had found it hard to separate the figure of the trafficker/pimp from the boyfriend, and it took years before they redrew the lines between freedom and slavery. In discussion, they appealed to idioms of consent: Did I or could I have chosen freely to do this work, or was I, on the contrary, compelled? The differences between a close friend and a vicious manager were only drawn in retrospect, once the relationship had fallen apart. Most research participants had moved themselves. Their fathers had not given them away but, to force the analogy with exchange, they had given up part of themselves for a future and compromised their status by moving into a dishonoured occupation for a while.16

These longitudinal data, collected over a period of sixteen years, provide important contextual information to reports about trafficking. The 1990s cohort were better off in relative terms than the women who had worked the previous decade. Despite stories of poverty and abuse, newer recruits continued to see themselves as workers, and they were less vulnerable to occupational risks than earlier recruits. It is difficult to say in relation to our own research data which of the two groups might have been trafficked, which occupied the position of white or third world slaves, which were victims, and of whom.

**Slavery, trafficking, and work**

Concerns about trafficking intersect with many other debates about gender. Wide-ranging analyses of gender difference circulated alongside battles over abortion, censorship, pornography, and other issues from the 1980s, in which the so-called pro- and anti-prostitution lobbies participated. The binary of choice and coercion that I have outlined, associated with often bitter disputes about ‘free’ and ‘forced’ work, takes on a broader significance in this context since a traffic in women and contracts for their exchange are assumed in much of this literature.

In classic anthropological accounts, an incest taboo is seen to mandate alliances between families, and this exchange makes the social world; it creates stability and builds a future for all (Lévi-Strauss 1969 [1967]). Rubin’s uneasy equivocation about sex/gender systems (1975) indicates the central role of marriage exchange in theories of gender. She both agrees with Lévi-Strauss and yet argues that women are not universally transacted; their exchange does not build a system nor does it define culture. She writes, ‘[O]f course men are trafficked too but only in some catastrophic social status as slaves, hustlers, athletes or serfs rather than as men. Women are transacted as slaves, serfs and prostitutes but also simply as women’ (1975: 175–6). In other words, exchange systems render men traffickers or slavers and women victims in everyday life.

During the 1980s, disputes about sex/gender systems became so vehement that they were dubbed a ‘sex war’. Pateman’s version of the sexual contract was perhaps the most...
influential critique of liberal political theory at the time. The social contract, she wrote, is built on a sexual contract (Pateman 1988). The former describes formally equal citizens with rights and duties vis-à-vis the nation-state. This is a public sphere concerned with equality between men. The latter, in contrast, describes a private sphere of male domination over women and children. Pateman considers all contracts to be unequal: neither workers nor women have property in their own persons, and they cannot therefore have true freedom of action. However, there are important differences between these contracts: sexuality is even less detachable from the person than other forms of labour; it is the most essential aspect of the self. Therefore, Pateman contrasts the dishonour of the sexual contract, which concerns the exchange of women, with the exploitation associated with the labour contract, which concerns the exchange of men as well. **So too, we are told, is prostitution a more absolute slavery than marriage.**

As noted, activists questioned the ready opposition of paid and unpaid or sexual and other forms of labour. Why, they asked, was it acceptable for women to sell some apparently domestic attributes and not others? Why were all these female attributes also sometimes considered inalienable in contrast to the respectable labour market, where men could safely detach aspects of their person without shame? In sex work, Nancy Fraser argued, the highly explicit nature of contracts limits both exploitation and subordination, and thus invalidates Pateman’s contrast between wife and prostitute: ‘Even as the wage contract establishes workers as subject to the boss’s command in the employment sphere, it simultaneously constitutes that sphere as a limited one’ (Fraser 1993: 176).

As those who had supported labour rights for sex workers came to view prostitution in terms of violence against women, Gayle Rubin retracted her earlier views and drew attention to the repressive consequences of conceiving women as pawns in a sexual contract. In ‘Thinking sex’ (1984), Rubin emphasized that trafficking was not an exception or a social crisis. To the contrary, the exchange of women is constituted in the fabric of everyday life, and embedded in the work of kinship through which gender relations and representations are also constituted. National borders traced through the aberrant exchanges of ‘white slaving’ or ‘trafficking’ at the end of the last two centuries can thus be grounded in mundane events. Women might be exchanged between countries in the same way as they were between fathers.

Anthropologists have shown that the dishonour of a slave status cannot always be distinguished from family relations, even across otherwise significant differences in property and production relations (J.L. Watson 1980). Moreover, as both Rubie and James Watson indicate, these continuities are inflected by gender (J.L. Watson 1980; R.S. Watson 1991). In the Hong Kong territories during the earlier twentieth century, men exchanged their daughters between property-owning lineages. The differences between a major and secondary wife, a prostitute, a concubine, a servant, a daughter, a daughter-in-law, and a slave were exceptionally difficult to fix by comparison with the status of a man. A man was either free and belonged to a lineage or he was a slave, the property of another.17

Exploitative labour relations between, for example, capitalist and worker parallel the absolute distinction that we make between the subject and object of an exchange, such that people exchange things. Indeed, Marx had cast the capitalist as a white slaver in a famous phrase about the exploitation of wage labourers by industrial capitalism (Marx 1959 [1844]) and Pateman (1988) argued that contracts were an exercise in domination and subordination rather than a ‘free’ exchange, which could only occur among equals.
Relations of exploitation and subordination can thus be approached as a single domain, but UK and other conventions of gender difference also hold them partially separate. Objects of exchange tend to be feminized, as seen in the earlier Rubin argument (Rubin 1975) concerning a traffic in women. In comparison, objects of exploitation are more likely to take an unmarked or masculine form.

Gender inequality also led to the ready exchange of women, as implied by Pateman’s critique of liberal contract theory (Pateman 1988). In the language of anti-trafficking, it is this improper exchange of women that is emphasized, but the stories also tell of exploitation at work. Young women are abducted and deceived by traffickers, and broken into their new role through a violence that combines subjugation with severe exploitation. The exemplary horrors of trafficking derive, therefore, not just from the originating ‘natal alienation’ but also from subsequent exploitative conditions of work. This combination of violent domination (through exchange) and exploitation (in work) is generally considered diagnostic of the practice of slavery, which may help to explain why most of the stories about trafficked victims in our national newspapers feature women rather than men.

If working practices among trafficked victims repeat that first exchange, they can also be evaluated alongside other forms of work. At work, we seem to be subordinated personally since labour power cannot be extracted in the abstract but only as an aspect of ourselves, as Pateman had argued. Value accrues to the product rather than the producer or service provider. Thus, David Graeber (2006) stresses not working relationships or sociability but the social death experienced at work: personal liberty or freedom can only be recouped outside the workplace. In this context, Weber’s account of the decline of Rome is particularly significant. He attributed the end of empire to the failure to maintain a strong contrast between ‘work’ and ‘slavery’. In Keith Hart’s lucid summary of this magisterial essay (1904), Weber shows how the Roman empire flourished on the basis of a strong legal contrast between slave and free peasant labor. The Italian peasants (coloni) were recruited into the army and their conquests made land available for settlement. This left Italy to be converted to plantations worked by slaves captured in the wars of conquest. The peasants had family life, the slaves were denied it. Then around 150 AD the limits of empire were reached, the supply of new slaves slowed down. Owners had to restore to them the means of reproducing themselves, which made them more like peasants. In the meantime the Italians found themselves subject to ever more coercive taxation and lost many of their freedoms. The two types of labor began to converge into one generalized category of relative unfreedom, forerunner of feudal serfdom.

In this way, Weber argues that the fall of the Roman empire was not a result of invading Germans (most of whom wanted to prop up the old regime), but the internal erosion of the political and economic mechanism that opposed free and unfree labor (Hart 1996).18

Campaigns against growing inequalities today focus attention on labour rather than exchange relations in the ‘new slavery’, and create a continuum of relative unfreedom rather than a firm contrast between ‘free’ and ‘forced’ work. But, since all social contracts may involve both exploitation and subordination to other people, references to slavery produce a particular effect. It has been argued cogently that ideologies of freedom arose through slavery, by means of contrast, so that the coercive aspects of work appeared as the antithesis of what it meant to be truly human.19 People only work if they have to, through necessity.

Perspectives on work, on exchange, and the differences, if any, between the two depend upon the social and historical position of various actors and observers. Two
examples among a large anthropological literature will indicate the particularity of our assumptions about trafficking. Considering these perspectives alongside those of the sex workers I knew, I suggest that neither the first nor subsequent exchanges cement relations of inequality, and conclude that sex working practices establish particular values of freedom as much as exploitation or subordination.

Marilyn Strathern (1984a) has long argued that Lévi-Strauss’s theories hold us ransom to metaphors of exchange and she has asked whether marriage should not be seen in terms of its products or benefits. The relations between groups emphasized by Lévi-Strauss might also be less relevant than the ‘road between’, analogous to the roads opened by migration, which only stay open through continued exchanges of various kinds such as remittances (Strathern 1984a; see also Strathern 1984b). Strathern has developed these arguments in relation to cases directly comparable to trafficking. Drawing on a range of commentaries and legal documents, she explores a 1990s ruling about Miriam’s marriage in the Highlands of New Guinea (Strathern 2005a; 2005b). As in various anti-trafficking instruments, the national legal code precludes the treatment of people as things: ‘[L]iving men or women should not be allowed to be dealt with as part of compensation payment under any circumstances’, for this would be repugnant to the general principles of humanity (Papua New Guinea Law Reports, cited in Strathern 2005b: 111). Miriam, however, was to become part of a death compensation for her father in resolution of a dispute between the two sides of the family. On the intervention of a local NGO, the case was taken to court. A key question concerned Miriam’s agency: had she agreed to the settlement or not? It was concluded that she had been coerced into giving her consent and so the court found for the NGO that brought the case. Strathern asks how then Miriam is to meet her debts and obligations. Before the ruling, it seems that Miriam agreed to the settlement out of concern for her younger sisters, who might be asked if she refused. She explained that she was willing to participate but not to an immediate marriage or a marriage to just anyone. Afterwards, Miriam worried that the freedom awarded by the court from ‘traditional’ obligation would lose her tribal support in general.

Strathern analyses the global morality implemented by the NGO and the court in order to show that the victim status in human rights discourse is closely tied to an equation of people with things. Labour can be bought and sold as it involves only part of the person, but the whole person cannot be transacted. The strongest image of this global morality is located in slavery, and the very development of human rights is related to its abolition: ‘[I]nvoked, it [slavery] presents the strongest possible image of the inalienability of the person-body seen as an entire entity’ (Strathern 2005b: 191 n. 9). In the Highlands, it seems that this relationship between part and whole is reversed such that people could ‘own’ other people but not parts of them. What looked like a tribal obligation to the outsider, a forced exchange or a form of traffic, and what appeared therefore to perpetuate control and coercion, can equally be seen as a process of alignment between people. NGOs practising universalist moralities such as anti-trafficking forget the always-particular ways in which we live together when they campaign against exchanges that seem to reduce people to the status of things (Strathern 2005a: 191). Accordingly, Strathern reformulates the idiom of exchange in terms of a relationship, which by definition entails non-optional and mutual obligations.

This idiom of relationship parallels an exploration of work among the Laymi of northern Potosi (Bolivia), where equally obligatory collective activity, which could be seen to involve subordination and exploitation, defines the very value and nature of
what it is to be human. Anthropologists have commonly reported that their research participants had no word for ‘work’. The Laymi used the Spanish *trabajo* only for ploughing and a range of other terms for working together on the land or in mines. Conviviality through work is presented as a form of blessing and well-being in what Olivia Harris (2007: 159) describes as an Andean Genesis. For the Laymi, an obligation to work is not equated with a notion of coercion; it is an expression and performance of value in itself, independently of the things produced. Spanish observers, however, could not understand why the Laymi preferred to work in groups or why they willingly placed themselves in servitude or slavery. Harris draws on the historical record to counterpose Western and Andean traditions and confirm that the opposition between freedom and coercion plays a foundational role in western ideas about work.

Any form of compulsion can be quickly assimilated to a condition of servility, insofar as it represents a partial limitation on freedom and thus on full personhood. In some senses, work is seen as the antithesis of freedom (2007: 158).

These carefully situated perspectives show that obligatory exchange and work may confer full humanity upon the people who move or work together. They also indicate the equally particular and consequential nature of observations by visitors who have perceived an inevitable servitude or slavery in such practices. Both accounts raise questions about freedom, to which I turn in my conclusion on the sex workers whom I knew. If exchange and work involve, to the Western eye at least, subordination and exploitation, what does it mean to be free?

**Freedom in sex work**

Our ideologies of freedom seem to constitute an attempt to transcend social life altogether, couched in secular as often as religious terms today since, in most social situations, everyone obviously has mutual rights and obligations. What, you might ask, would it mean to work freely? In what circumstances would a ‘free’ or ‘common’ woman (Day 2007; La Fontaine 1974) be comparable to a free or common man?

Idioms of exchange in anti-trafficking discourse focus on the initial separation of women from their previous lives. They explore less the subsequent folding of this movement back into everyday life as the generic woman (although in practice sometimes a man) builds home and family, not least through transplanting relationships and working hard under the supervision of a mother-in-law. Indeed, some of the Chinese discussed above were mistakenly labelled slaves by abolitionists decrying the sale and purchase of young women. It is normally assumed, as I may have also implied, that migrants return eventually or settle where they find themselves. By the year 2000, it was evident that many of the sex workers we had followed for nearly twenty years through the Praed Street Project had abandoned their earlier aspirations towards the longer term. They had not built a sense of stability and continuity in their lives. While many women sustained relationships with the world they had left over significant periods of time, they also abandoned the effort of stitching together the past and future with the present, the far away with the close at hand, and they joined an alternative counter-public. We followed 130 women to the end of the century. Over half were still in the sex industry (Ward & Day 2006). They had stayed on the game, and even those who had left the occupation remained in some sense strangers to the world. In this way, the initial rupture – a natal alienation, to return to Patterson’s definition of slavery – that
constituted a short-term exchange of an unpalatable present for the future could in fact turn out to last forever. But, in contrast to other people, sex workers considered this state to be one of freedom, which they had substituted for previous conditions of slavery.

The phrase ‘on the game’ constitutes a complex play with images of work, freedom, and slavery (Day 2007). First of all, sex work contrasts with other paid labour because individuals enjoyed, if they could, working without a boss, without fixed hours and routines to gather money from an abundant environment. Second, women sold sex rather than giving it away and therefore avoided the coercion of unpaid and distinctively female domestic work. Bypassing the problems of most social contracts, research participants attained a highly precarious freedom as permanent outsiders. Precarious, because to transcend everyday dependencies implies death, figuratively, through the social death diagnostic of extreme dishonour, and literally, as shown by the high mortality figures in our cohort study (Ward, Day & Weber 1999), the consequence of social stigma and punitive governance. Precarious, because sex workers had to construct an alternative or counter-public that did not acquire the usual solidity of social processes reproduced over time, transmitted to the next generation and built into the material landscape. Insofar as it is still legal to work in the industry, a woman must appear to work alone, employing no one and sharing none of her income. The UK effectively excludes sex workers from other supportive relationships by defining adults who share their life as ‘pimps’ or ‘traffickers’ in law. Research participants thus found themselves ‘free’ of the dependencies – and pleasures – of recognized relationships (Day 2009). Some valued this freedom highly in the shadows of a counter-public, protected from the weight of the past (and future) with its lasting, legible, and visible social practices, where they could enjoy intense and possibly transient associations within the horizon of the present (Day, Stewart & Papataxiarchis 1999).

If slavery connotes inhuman exploitation and subordination and, in particular, unthinkable violence, then restitution is the only possible reaction. When sex workers repudiate this offer with the observation that their own work is less exploitative and less servile than others’ and offers even a positive emancipation, their comments, if they are heard at all, will be filtered through extensive media coverage of the terms I have discussed under the rubric of anti-trafficking, and they are likely to leave the deep ambivalence about other forms of work unexamined in favour of redoubled efforts to stop the traffic. Sex workers’ views of freedom might be compared, however, to highly valued religious and secular practices of transcendence in the Western imagination such as those associated with solitary religious ascetics, performers, or competitive sports. Such values indicate that a sense of coercion attaches inevitably, in our view, to the long-term relationships we inhabit. They show that our idioms of freedom delineate a non-relational and, at times, non-reproductive world as much as a social world of equals.

NOTES

I am greatly indebted to Olivia Harris, who made characteristically incisive and helpful comments on an earlier draft. She died in April 2009, and is sorely missed. Thanks to Jean La Fontaine, who suggested I write this article for publication, to the many colleagues and participants who have contributed, and to those who funded my research (AVERT and the Wellcome Trust, grant 053592).

1 I refer to prostitution in relation to its negative evaluation, and to sex work simply as a job.

had not caught a single trafficker in a country-wide, six-month hunt for offenders. McHugh (mgoodyea/uksex.htm under the UK (advocacy and support).

REFERENCES

reproductive stance towards both biological and social reproduction.

form of female servitude that he assimilates to the work of kinship (in the position of daughter) attracted become kin.

system of Asia and the more inclusive societies of Africa, where slaves could be incorporated over time and would not only insure a future but would also be a future' (her mother exchanged a part of herself, hoping 'that a baby, a part of herself split off and made manifest,

Dewey (slavery and anti-trafficking are a prominent theme in the accounts that I am drawing upon: see, for example, further Nick Davies’s report in the Guardian (2009), which showed that the Pentameter Two police operation had not caught a single trafficker in a country-wide, six-month hunt for offenders.

Sweden is associated closely with the view that prostitution constitutes a form of violence against women. See Day & Ward (2004) for discussion of the effects of ‘criminalization’ in Sweden alongside apparent liberalization in countries such as the Netherlands.

For example, the recent Home Secretary and Minister for Women and Equality, Jacqui Smith and Harriet Harman.

In order to qualify for funding, organizations also had to support abstinence rather than safer sex programmes. In the USA, feminists opposing prostitution are more closely allied to powerful religious and conservative lobbies than in other countries (Chapkis 2003; Ditmore 2005). In this article, I focus on the UK.

This report noted that thirty-one women returned home voluntarily and seventeen were removed. See further Nick Davies’s report in the Guardian (2009), which showed that the Pentameter Two police operation had not caught a single trafficker in a country-wide, six-month hunt for offenders.

See, for example, Andrijasevic (2007), Aradau (2004), Boltanski (1999), and McDonald (2004). Epps, Valens & Gonzalez explain that individuals are induced to recount their case histories in order to make a case for staying in a particular country (2005: 9). Their choice of title, Passing lines, thus refers to story-telling as well as border-crossing.

Concerns in much of Europe and the USA resurfaced with migration from (white) Eastern Europe, even though problems had long been recognized in the (non-white) third world. The racist hierarchies of white slavery and anti-trafficking are a prominent theme in the accounts that I am drawing upon: see, for example, Dewey (2008), Doezema (1999; 2001), Kempadoo (2005), and McDonald (2004).

See Steedman’s biography of her mother for a parallel reading of social mobility, where she writes that her mother exchanged a part of herself, hoping ‘that a baby, a part of herself split off and made manifest, would not only insure a future but would also be a future’ (2000 [1986]: 76).

James Watson (1986) situates this account within a conventional distinction between the closed kinship system of Asia and the more inclusive societies of Africa, where slaves could be incorporated over time and become kin.

Thanks to Keith Hart for drawing my attention to Weber’s essay and also his own work on West Africa.

See below for two recent examples.

James Watson (1986) notes that male servitude was invisible to European anti-slavery circles, whilst one form of female servitude that he assimilates to the work of kinship (in the position of daughter) attracted organized campaigns to stop the trade in human beings.

A term I use more in reference to Warner’s (2002) definition than Fraser’s (1990), connoting a non-reproductive stance towards both biological and social reproduction.

REFERENCES


© Royal Anthropological Institute 2010


Fraser, N. 1990. Rethinking the public sphere: a contribution to the critique of actually existing democracy. Social Text 25, 56-80.


Journal of the Royal Anthropological Institute (N.S.) 16, 816-834

© Royal Anthropological Institute 2010


Journal of the Royal Anthropological Institute (N.S.) 16, 816-834
© Royal Anthropological Institute 2010
La réémergence de la « traite » : les travailleurs du sexe entre esclavage et liberté

Résumé

Selon les activistes, les métiers du sexe seraient moins légitimes aujourd’hui qu’ils ne l’étaient dans les années 1980 et au début des années 1990. Les travailleurs du sexe sont aujourd’hui représentés comme des victimes, vendues et achetées par-delà les frontières nationales, chosifiées. Le droit du travail semble dépourvu de toute pertinence dans ces conditions. Les décalages récents du langage du consentement et de la compulsion au Royaume-Uni sont explorés dans le présent article à la lumière de parallèles historiques, en suggérant une ambivalence générale envers toutes les formes de travail. Peut-on trouver la liberté au travail, ou seulement la soumission ? Quel est le rôle du genre dans la différenciation de ces opposés ?

Sophie Day is at the Anthropology Department of Goldsmiths, University of London. She has research interests in labour and kinship, time and history, and medical anthropology – including infectious diseases (UK) and spirit possession (Ladakh).

Anthropology Department, Goldsmiths, London SE14 6NW, UK. s.day@gold.ac.uk