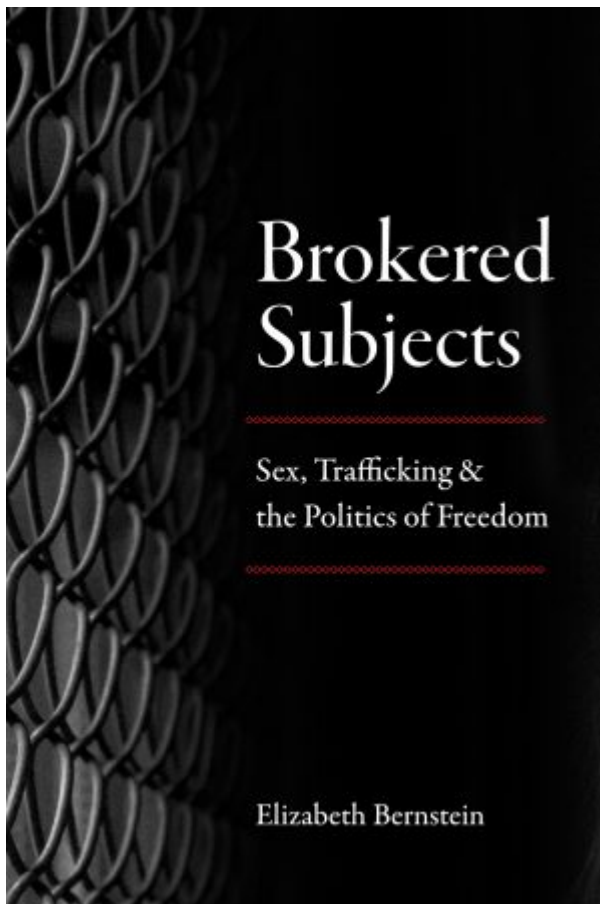




Brokered Subjects: Sex, Trafficking, and the Politics of Freedom #Interview

written by Elizabeth Bernstein
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The topic of sex trafficking captured the imagination of the public for already a few decades. Despite the definition of trafficking being rather blurry, fighting against trafficking is frequently understood as a noble and worthy cause. In her new book, [*Brokered Subjects*](#), Elizabeth Bernstein explores the assumptions behind the narrative of human trafficking.

She shows how our current understanding of trafficking is shaped by a combination of rather conservative sexual politics, militarized humanitarianism, and redemptive capitalism.

In this interview, Elizabeth Bernstein discusses how she became interested in the topic of trafficking and how the narrative of trafficking shapes and is shaped by the dichotomy of slavery and freedom.

Dafna Rachok: You start the book by mentioning a “human trafficking tour” organized by a coalition of Thai and US NGOs. Then, in one of the chapters you zoom in and look closer at this one and other similar tours. What prompted you to start looking at the “trafficking industrial complex,” as you call it, in the first place? And how and why did you decide to connect the discussion of the “trafficking industrial complex” to



the new generation of Evangelicals?

Elizabeth Bernstein: I started looking at trafficking because I encountered some of these issues when I was doing research for my prior book, [*Temporarily Yours*](#),^[1] which was on sexual commerce and globalization. I was doing research for that book in the mid- to late 1990s. And when I started the book, nobody was talking about trafficking, but by the time I was finishing the book, suddenly I was hearing a lot about it. There was this whole new framework that was emerging. There were meetings at the UN and there were rumors that the United States will introduce something new legislatively, which would later become Trafficking Victims Protection Act (TVPA). And though everybody was talking about this new framework, nobody really knew what it would do and how you can get on board and make it better. Moreover, people were wary of it because of the memories about the white slavery discourse.

So, I was finishing the other book and thinking whether I need to start another one. I wrote about trafficking a bit in the Introduction and Conclusion to *Temporarily Yours*, and then I thought that I would do a research project on trafficking because it was very interesting. So, I decided to talk about the discourse of trafficking, because the discourse is not just the way of talking about things, but it also includes laws, policies, resources, and the whole institutional apparatus that was gathering steam. Just in the final years, when I was finishing that other project and doing my research with sex workers, nobody was talking about sex trafficking in those terms. And as we know from Foucault and other thinkers, how we talk about things matters. And particularly in this case, there were ample political and financial resources that were being rerouted to this reimagination of what the problem of trafficking consisted of, what the causes were and so forth. So, I got curious.

And regarding the Evangelicals, I got to it empirically, in a sense. Because I was looking also at who was pushing this framework further, and there was a number of articles in the press that mentioned that strange bedfellows – feminists and Evangelicals – are working together again. So, as I researched the issue of



trafficking, I met a lot of Evangelicals, and to my own surprise, they turned out to be quite different from what I expected. I was expecting very right-wing people, the antiabortion activists, for example, and it wasn't those Evangelicals. Turned out that yes, it was Evangelicals who pushed forward the issue of trafficking, but they are a very different group than I imagined them to be. So that was very interesting and instructive for me, also in terms of thinking about the current coalition of Evangelicals with feminists versus past coalitions.

Dafna Rachok: You did the majority of your research for the book before SESTA/FOSTA (Stop Enabling Sex Traffickers Act/Fight Online Sex Trafficking Act).[\[2\]](#) If you conducted the research in the wake of SESTA/FOSTA or after it was passed, would it reshape your optics?

Elizabeth Bernstein: I don't think that it would change the analysis very much. It changes the analysis in the first book a little bit. The first book is about sex workers who live off the street going online and indoors, and SESTA/FOSTA is potentially going to reverse all of that. But we will see. It hasn't been here long enough to see what it's actually going to do, but it certainly threatens to do that, and people are worried about that. Certainly, SESTA/FOSTA is extremely relevant to the argument that I make in *Temporarily Yours* and to the dynamics that I'm describing. But in terms of *Brokered Subjects*, I think we don't know yet what it actually is going to do. It makes sense that SESTA/FOSTA emerged when it did in this climate. But I am a person who thinks empirically: so, let's see what it is going to do. I have talked to some sex workers and they are not happy about it and are trying to work around it. But in terms of the broader effects and to what extent it reshapes the landscape of sexual commerce now, we'll have to see. It is too early to know that.

Dafna Rachok: In the chapter detailing the human trafficking tour and the people who bought the tour, you mention that the tourists often dismissed the authority of people who contradicted their pre-established beliefs about the prevalence of human trafficking and how the victim of trafficking looks like. I was wondering whether you think this



phenomenon is at all connected with the phenomenon of an increasing importance of someone's point of view, even if this point of view contradicts established facts (a phenomenon we saw with alternative facts, for instance)?

Elizabeth Bernstein: I think that is true, but I also think that there are certain sources of authority, nonetheless. As a lot of the tourists who embarked upon this tour got their knowledge about human trafficking from some source, such as the movies. And the so-called experts on the tour were reinforcing that. Thus, I think that it wasn't just some skepticism of experts, as I was also on the tour, I was a different kind of expert and they were skeptical of me because I'm a sort of pointy-headed academic. I think that when the experts reinforce a felt sense of something that you know and want to be true, then they are given credence. And when they run afoul of that or in a different direction, then they are treated with skepticism. So, it's not a wholehearted dismissal of experts. It's a selective embrace of what they have to say about what you feel is true.





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Dafna Rachok: In the book, you offer an incredibly insightful discussion about redemption through capitalism: that corporations often become main stakeholders in the human trafficking discourse and then actively promote the use of technologies that they can offer to curb human trafficking.

Do you see this as a feature of contemporary capitalism that needs affects and calls to morality in order to sustain and possibly to legitimize itself?

Elizabeth Bernstein: I think that's well put. And I also think back now to the discussion of SESTA/FOSTA. I think I would probably rewrite the chapter about the redemptive capitalism if I were writing it now. Not because of SESTA/FOSTA per se, but because of the fact that the companies like Facebook have taken such a hit: they were trying to present themselves as benign. Not even as just benign, but rather as sources of salvation for the problem. And I think that the broader trend has continued. What I'm calling redemptive capitalism, we continue to see this trend. And we see it not only around trafficking, but around so many other issues as well. Given some sorts of opposition to Trump, there are a lot of people who are trying to get corporations to use some sort of capitalism as a buffer against political structures that they don't like. I think that persists. And I think that whether or not it is the issue of trafficking or other issues, it is certainly an ascendant way that corporations, especially large and dangerous ones, justify themselves. Especially post 2008, when there is a lot more critique and more concern than there had been previously.

Dafna Rachok: I find the subtitle of your book very interesting. The subtitle is "Sex, Trafficking, and the Politics of Freedom". However, you don't talk a lot about freedom in the book: rather, you show the emergence of this new gender politics and in part challenge some ideas



about the “progress” made in this sphere. Why did you decide to talk about “politics of freedom” in the subtitle?

Elizabeth Bernstein: I talked about it a little, but it is more implicit rather than explicit and it is mostly in the Introduction. And then in Chapter 6. Intellectually, I am in dialogue with Julia O’Connell Davidson:[\[3\]](#) about the rhetoric of slavery and that if we want to understand what slavery is, we then must have some idea of what freedom is. Because if we are talking about slavery, freedom is its purported opposite. So, I’m trying to suggest that the implicit model of freedom, as evident from many of the anti-trafficking campaigns, is one which situates freedom within contemporary capitalist market relations without much of a critique or an interrogation of those. And that is a vision that I find somewhat suspect based on both theoretical and political implications. But largely, my empirical work for this project and the one before, was about figuring out how the people concerned understand freedom and understand their choices: how people get into this mess, as often other options that are available on the table and also not free.

So, one of the things that I’m trying to do is to challenge the presumed neat dichotomies between slavery and freedom, exploitation and not exploitation.

I am also trying to challenge the presumptive sites of freedom, which in the imagination of global anti-trafficking campaigns (particularly those which originate in the US) are the criminal justice system and the capitalist market. And I think that these are not the right places to look for meaningful versions of freedom.

Dafna Rachok: Your overall argument is about the emergence of a new domesticated politics of sex and gender, and how this new gender politics are mediated by neoliberalism and supported by some feminists. How come did human trafficking become an issue situated at the intersections of all these topics?

Elizabeth Bernstein: Here is another thing now – the #MeToo movement – that



has really picked up much more since I finished writing the book: I alluded to it in the very final footnote of the book, but other than that I don't mention it because when it was happening, the book was already written. So, I think with any of these issues you need to have a perfect storm, so that things could coalesce. And the storm, at the very beginning, could be caused by a totally different issue. I suggest this in the Introduction and then again in the Conclusion that #MeToo is doing some of this work now and that trafficking is sort of being pushed to the side a little bit. But I think that partially this is happening because other things about the political movement have changed to a certain extent. Between the late 1990s and, say, 2016 there was antiglobalization anxiety: a sort of response to neoliberalism, as well as a certain configuration of sex and gender politics that was operating within that milieu, the rise of humanitarianism and so forth. I think through the Bush and Obama presidencies: people were concerned about globalization and global flows of markets and people. Trump is concerned about borders and global flows too. He also talks about trafficking, as he did in his most recent State of the Union address. So, I think that you need to have this sort of storm. And this is the broader argument of the book that these issues don't emerge simply by virtue of the specific features of the issue itself, but they have to connect with other things that are happening in the broader global social, political, and economic field. And only then they can ignite, like it happened with trafficking. But again, I think that trafficking has been slightly eclipsed, it has been getting less attention in the US, as I write in the Afterword, because of everything that has happened particularly since 2016.

So, it makes sense that #MeToo is the issue now that goes with this new configuration, because #MeToo is less transnational and less global, it is more insular.

It is a sort of analogue of Donald Trump-centric global politics: everybody is sort of inward looking now, though I think that this situation was different in the preceding decades.



[1] Bernstein, Elizabeth, *Temporarily Yours: Intimacy, Authenticity, and the Commerce of Sex*. Chicago: University of Chicago Press, 2007.

[2] SESTA is an abbreviation for the Stop Enabling Sex Traffickers Act; whereas FOSTA stands for the Fight Online Sex Trafficking Act. Commonly referred to as SESTA/FOSTA, they became law on April 11, 2018.

[3] O'Connell Davidson, Julia, *Prostitution, Power and Freedom*. Ann Arbor: University of Michigan Press, 1999; O'Connell Davidson, Julia, *Modern Slavery: The Margins of Freedom*. Houndmills, Basingstoke, Hampshire: Palgrave Macmillan, 2015.

Bernstein, Elizabeth. *Brokered Subjects: Sex, Trafficking, and the Politics of Freedom*. Chicago: University of Chicago Press, 2018.

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