O'Connell Davidson, J. N. (2021). Slavery Versus Marronage as an Analytic Lens on "Trafficking". In C. Mora, & N. Piper (Eds.), *The Palgrave Handbook of Gender and Migration* (pp. 425-439). Palgrave Macmillan. https://doi.org/10.1007/978-3-030-63347-9_26

Peer reviewed version

Link to published version (if available):
10.1007/978-3-030-63347-9_26

Link to publication record in Explore Bristol Research
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Slavery Versus *Marronage* as an Analytic Lens on "Trafficking"

Julia O'Connell Davidson

ABSTRACT
Dominant discourse on "trafficking" and "modern slavery" has been heavily criticised by scholars who argue that its framing of the problem as a criminal justice issue both overlooks the political and structural roots of vulnerability to violence, exploitation and abuse (such as criminalisation and stigmatisation of sex workers, immigration regimes, austerity, neoliberal economic reform) and encourages the criminalisation and/or immobilisation of marginalised groups, including sex workers, irregular migrants, child labourers, child migrants, and runaway youth. This chapter explores how histories of fugitivity and *marronage* - the process of extricating oneself from slavery – might provide a more helpful starting point from which to theorise and research the contemporary experience (both positive and negative) of migrants who appear as vulnerable to "trafficking" and "modern slavery" in mainstream discourse.

KEYWORDS: trafficking; modern slavery; fugitivity; sex work; migration.

INTRODUCTION

At the end of the twentieth century, global north state actors were increasingly anxious about the unauthorised cross-border movement of goods (especially drugs and guns) and people, which they packaged together as a problem of "transnational criminality" and regarded as a threat to national sovereignty and security. The unauthorized movement of people was subdivided, however, into those migrants assumed to be complicit with the criminals (smuggled persons) and those assumed to be their victims (trafficked persons). The United Nations Convention on Transnational Organised Crime (2000) was accompanied by supplementary protocols on both smuggling and trafficking (also one on arms). Where smuggling was said to be "a crime against the state", human trafficking was "a crime against the person" and so a human rights violation. Thus, although "trafficking" entered into international law as a problem of crime control not human rights, it was also discursively constructed as a humanitarian issue (Aradau, 2004, Mai, 2018). The latter framing was supported by an emphasis on "trafficking" as a form of violence that especially affected women and children, and by repeated reference to "trafficking" as a form of "modern slavery".

By the 2000s, antislavery NGOs were insisting that "trafficking" *is* "the modern-day slave trade— the process of enslaving a person" (FTS, 2007-2014). Although this claim is incompatible with the definition of "trafficking" offered by the UN Protocol on Trafficking (UN OHCHR 2000), which lists slavery as just one of several possible outcomes of trafficking, North American, Australian and EU politicians ran eagerly with the idea that "trafficking" is "nothing less than modern day slavery" (IOM, n.d.). In 2015, Theresa May (then Britain's Home Secretary) introduced a Modern Slavery Act, which includes more punitive sentences for "trafficking" offences, and similar legislation has subsequently been introduced in Australia, the Netherlands, and France, and is under consideration in Canada (de Haas, 2019).

Legal definitions of both "trafficking" and "modern slavery" are extremely vague. The UN Protocol describes "trafficking" as a process, rather than a specific act, and one that can be arranged in multiple ways and lead to a variety of different outcomes. Furthermore, for a process to count as "trafficking", a number of elements, such as "exploitation", "force", "deception", and so on, must be present, yet none of these sub-elements are defined in the Protocol (Anderson & O'Connell Davidson, 2003). The term "modern slavery" is even more slippery. It is used as an umbrella term for various disparate phenomena (trafficking, forced labour, forced marriage, worst forms of child labour, etc.), each of which itself presents serious definitional challenges (O'Connell Davidson, 2015). Hence, there can be legal disputes as to whether an individual who has experienced a given constellation of harms is or is not a victim of "trafficking" or "modern slavery", and even as to whether the same individual is a "modern slave" or a "slave master" (Koch, 2019). More generally, the elasticity of the term "trafficking" means it is used in different ways by different actors. It operates, Grupo Davida (2015) observe, as a "floating signifier", and gender and childhood have been and remain nodal points in on-going struggles between different actors attempting to fix its meaning.

Critical scholarship argues that "trafficking" and "modern slavery" discourse is an interpretative grid which makes (some) members of (some) marginalised groups - including sex workers, irregular migrants, child labourers, child migrants, and runaway youth – visible as "victims of trafficking" while rendering invisible the political and structural roots of group marginalisation (criminalisation and stigmatisation of sex workers, immigration regimes, austerity, neoliberal economic reform, and so on) (Kempadoo et al, 2005; Kempadoo, 2015; Day, 2010; Shih, 2016; Bernstein, 2018; Cruz et al, 2019). This chapter continues that critique and reflects on how histories of fugitivity and *marronage* - the process of extricating oneself from slavery – can provide a more helpful starting point from which to theorise and research the contemporary experience (both positive and negative) of migrants who appear as vulnerable to "trafficking" and "modern slavery" in mainstream discourse.

FROM SLAVERY TO *MARRONAGE* - SWITCHING THE FRAME, SEEING THE STATE

Comparing contemporary forms of migration to the transatlantic slave trade makes for powerful rhetoric. It also deflects attention from the contradiction between states' efforts to control and limit migration, and their humanitarian obligations. Indeed, the concept of "modern slavery" functions as a bridge between anti-immigrant and humanitarian sentiment. If the humanitarian problem is caused by a slave trade that moves immigrants illegally across borders, then cracking down on the criminal "slavers" simultaneously prevents illegal immigration and relieves human suffering. Yet the comparison does not stand up to even basic scrutiny. The transatlantic slave trade was a large scale, profitable, and legally sanctioned business that flourished for some four centuries, and it relied on overwhelming physical force at every stage. Its African victims had no pre-existing desire to move to the Americas, and the outcome of transportation was always catastrophic for them. By contrast, the vast majority of the people who are today described as "trafficked" actively, often urgently, *wanted* to move. Indeed, whether migrating to earn enough to pursue a life project, or to escape war or persecution or domestic violence, or simply to travel and

see more of the world, they want to move to realise greater *freedom*. Moreover, the processes today described as 'trafficking' do not inevitably lead to a situation that is subjectively perceived as worse than remaining at the point of departure, since on the one hand, the conditions people flee may be horrific, and even life-threatening (see Kook, 2016), while on the other, unfreedoms at the point of destination may be temporary (see Bastia & McGrath, 2011).

Rather than taking the transatlantic slave trade that transported Africans *into* slavery as a point of reference, a more helpful historical comparison is between migrants and refugees today and enslaved people who attempted to escape *from* slavery (O'Connell Davidson, 2015). Among them, we see a common, strong desire for mobility, and a common quest to secure certain rights and freedoms. There is also commonality in the sense that these are groups of people whose independent mobility is criminalised. Importantly, through this lens, other historical parallels come into focus, especially between the states that supported slavery in the past and contemporary states. What these states have in common is a desire to thwart certain groups' pursuit of freedom and to restrict human mobility, and the techniques they employ are remarkably similar.

Most of the mobility control strategies currently being used by global north states were anticipated and deployed by American states to control the mobility of the slave population, including: passports, visas, fences, walls, border patrols and checkpoints, carrier sanctions, detention, the manipulation of affective ties between children and parents and husbands and wives. Hungary has gone so far as to license the use of sniffer dogs at its borders, and there are reports of migrants being hunted down and attacked by those dogs (Byrne, 2016; Pasha-Robinson, 2017). Last but not least, there are a growing number of examples of humanitarian actors being prosecuted and fined under people smuggling and trafficking laws for assisting refugees and migrants making the journey to Europe and to the USA, which strongly echo prosecutions under American fugitive slave law used to criminalize those who harboured or assisted runaway slaves (O'Connell Davidson, 2015; Sinha, 2019).

The criminalisation of people who offered humanitarian assistance to fugitive slaves alerts us to the fact that states that supported slavery historically had to do more than just "build that wall". Measures to prevent human mobility, no matter how brutal, are rarely 100 percent effective. Even slave states could not ensure that no enslaved person ever escaped. Knowing this, they doubled down by trying to make certain that if "fugitive slaves" ran, they would find nowhere to hide. Again, there are striking parallels between the ways in which environments were made "hostile" to escapees from slavery (in "free" northern states of the US as well as southern slave states) and the ways in which contemporary states create "hostile environments" for irregular migrants (Bowling & Westenra, 2018).

To focus only on the treatment of the enslaved as things or commodities is to miss what Saidiya Hartman (1997) identifies as the central ambiguity of New World slavery, namely, the double character of the slave as both person *and* thing. That double character was especially clear in Fugitive Slave Law in the US, a body of law that made the runaway slave criminally liable as a *person* for stealing herself as a *thing* or piece of property (Best, 2004). Slavery was not merely the treatment of a human being as a piece of property. It also designated 'a

relation to law, state, and sovereign power; a condition of disfigured personhood, civil incapacitation, and bare life' (Best & Hartman, 2005: 10). This had to be so, because without an edifice of law and law enforcement to restrain and punish the enslaved as *persons*, one that controlled slave mobility in particular, slaveholders' *property* rights in slaves would have been empty and unenforceable.

Southern states of the US in early nineteenth century, with their thoroughly "modern" legal systems, sustained slavery by constructing the enslaved in law as ephemeral beings: "the slave was always a kind of afterlife, a form of legal being that was neither birthed by law, nor extinguished by law, but nonetheless present in the law" (Han, 2015). Irregular migrants and asylum seekers in the contemporary world share something of this ghostly character. As Lyndsey Stonebridge (2018) has recently argued, rather than becoming subjects of human rights law in the post-World War II era as European refugees did, the displaced and dispossessed peoples of the global south became objects of humanitarian attention, separate and unequal from the 'international community' that claims to act on their behalf. To this we can add that when "illegally" present in the territory of global north states, migrants, like slaves, are criminally culpable persons but denied other aspects of what constitutes socially recognised personhood in those countries. Indeed, they are frequently criminalised for undertaking any and all acts necessary to support life itself, from taking employment to renting housing to accessing banking services. Like fugitive slaves who managed to escape to urban cities in the slave south or to "free" northern states, their standing in relation to law is zombie-like. They are flesh and blood humans who can commit crimes but who cannot lawfully love, sleep, work, or dream.

To live suspended in this hostile environment is necessarily to be vulnerable to abuse and exploitation since it creates dependency on others to mediate access to the means of life. Sometimes those who offer assistance are good, honest, and decent; sometimes they are quite the opposite. This was true for escapees from slavery in the past, and it is true for irregular migrants and asylum seekers today. In both cases, vulnerability to abuse and exploitation is created by the laws and systems that deny the full panoply of rights and protections afforded to those who enjoy socially recognised personhood. Switching the point of comparison from the slave trade to *marronage* or fugitivity allows for an analysis that reveals, rather than obscures, immigration regimes as systems of domination. It also allows for more complex engagement with the problem of agency in relation to phenomena dubbed "trafficking" and "modern slavery".

SLAVERY, *MARRONAGE* AND THE PROBLEM OF AGENCY: THE CASE OF "SEX-TRAFFICKING"

For contemporary antislavery thinkers, the treatment of human beings as 'things' that can be traded, owned and possessed literally objectifies them – it strips them of free will and agency; they cannot walk away from the situation of exploitation and violence (or its threat) in which they find themselves. They are "slaves" (Bales, 2004; Bales & Soodalter, 2009). The idea of enslavement as entailing the literal eradication of individual agency, the transformation of one human being into the extension of another's will, is crucial to contemporary policy on "trafficking and modern slavery". It means that victims of trafficking or "modern slaves" are not regarded as knowing,

agential participants in unlawful activities, such as unauthorised border crossings, prostitution (where selling sex is criminalised), illegal working, and so on. They are "innocent victims", deserving of certain (limited) forms of protection and assistance; they are disidentified from categories of person more usually feared, despised or debased in political rhetoric - "illegal immigrants", "whores" and "criminals" (Aradau, 2004).

Because "trafficking" is read as "slavery", and "slavery" is understood to entail the erasure of will and agency, gender and age play an important role in its identification. Women and children, who have long been imagined as naturally dependent, innocent, gullible and tractable, are much more readily dressed in the garb of victimhood than adult men. This is evident in policy and political discourse on "trafficking". The UN OHCHR (nd), for example, links women and girls' greater vulnerability to "trafficking" to discrimination and poverty, which 'results in fewer and poorer life choices, and may lead certain individuals to take risks and make decisions that they would never have done if their basic needs were being met'. A 2016 European Parliament Briefing paper explains women and girls' vulnerability as follows:

> One common method [of recruitment] consists of exploiting the lack of economic opportunities in the local community and promising employment. Women and girls can be 'offered' jobs as models or dancers, as well as to participate in beauty contests or 'study abroad' programmes. Matrimonial agencies, also called 'mail-order bride agencies', offering to arrange a marriage abroad, sometimes serve only as fronts for sex trafficking. Yet another method, mainly used by male perpetrators to abuse female victims, especially young girls, involves feigned romantic interest (the 'lover-boy' method), where the trafficker enters into a romantic relationship with the victim, just to gain her trust, and then manipulates or coerces her into sexual exploitation. (EPRS, 2016: 6)

Once duped into taking a foolish risk, women and girls are reduced to mere objects of trade by their "traffickers", "used, controlled and exploited for commercial or personal gain" (Freedom Fund, 2018). Anti-trafficking campaign materials abound with images of objectified and commoditized women and girls. They feature young women bottled, or barcoded, or wrapped in cellophane and placed on plastic trays like meat in a supermarket, or transformed into dolls and marionettes (Andrijasevic, 2007). More recently, it has become vogue to visually represent "trafficked' women and girls as stripped of agency by picturing them as voiceless - gagged, or with their mouths covered by a hand, or taped shut. The message is that "labour migration is always risky or reckless for women, and that their inviolability is always threatened by moving abroad" (Brace, 2013: 881). The solution is not more and safer opportunities for migration, rather:

> Strengthening women and girls' "agency" – their ability to influence and make decisions that affect their lives – is key. Impactful programs teach women and girls life skills that allow them to make informed decisions that affect their lives. (Freedom Fund, 2018)

Agency, or the lack thereof, is thus central to the dominant discourse of "trafficking and modern slavery" promulgated by both state and civil society actors. Its presumed absence simultaneously makes the "victim of trafficking" into an object of humanitarian concern and prevents her from being perceived as a criminal or security

threat. Like victims of the transatlantic slave trade, she was taken from her home, thingified, and exploited for profit. State and civil society can therefore enter an alliance to protect her.

To focus on slavery only as the reduction of human beings to objects of market exchange is to disregard the bifurcated character of the enslaved in law as both persons and things, and so to miss the central role of the state and law in producing and reproducing slavery as a system of domination. Does switching the frame to *marronage* help with the problem of agency? Neil Roberts' (2015) *Freedom as Marronage* provides one answer. Roberts is critical of Western philosophical and political traditions that imagine freedom in fixed and static terms – freedom as a "thing" that you either do or do not possess; and he draws on Frederick Douglass' idea of movement as 'a cornerstone of the human condition and essential to reform and progress… Movement is inevitable. Flight from slavery a continual process of release from bondage' (41). For Roberts, *marronage* represents 'a flight from the negative, subhuman realm of necessity, bondage and unfreedom toward the sphere of positive activity and human freedom'. A focus on the experience of flight, he says, opens up possibilities for a new, dialectical and more relational understanding of freedom, an understanding of 'freedom as *marronage'*.

Unlike the concept of "modern slavery", *marronage* focuses our attention on people's efforts to negotiate the spaces between domination and freedom, and in this respect, it can helpfully be applied to many of the forms of mobility currently discussed under the rubric of "trafficking and modern slavery". We could, for instance, apply it to research on Nigerian women's sex work migration, which so often features as an exemplar of the evil of "trafficking" and "modern slavery" in research and media reports (e.g., Aronowitz, 2009; Taliani, 2012; Baarda, 2016). In these accounts, Nigerian women's movement to Europe is orchestrated by "traffickers" by means of coercion and deception, and once in Europe, they suffer extensive and routine violence at the hands of the Madams to whom they are bound by a combination of debt and "juju". Through this lens, prosecuting "traffickers" and shutting down possibilities for them to move their victims out of Nigeria and into Europe are measures that will combat slavery, protect women's human rights, and even save lives.

And yet there is a great deal of research that reveals a more complicated and nuanced picture of Nigerian women's experience of sex work in Europe, one that not only draws attention to the time-limited nature of their unfreedoms, but also shows that migrants often simultaneously acknowledge the serious restrictions on their freedom imposed by the third parties who arranged their movement, *and* express gratitude towards them for having facilitated their migration (Testai, 2008; Mai, 2016; Plambech, 2017a). Such research draws attention to women's desire to move freely, not merely to access better earning opportunities but also simply to be able to see for themselves. One of Irene Peano's (2013: 127) interviewees eloquently expressed the universality of this desire:

> [It] is like you, maybe since you've been in Europe you've been hearing of "Africa, Africa", you've not really seen Africa [and] have been wishing to see Africa. "Ah, this is Africa! I really want to know what is special about this Africa, you know, I want to know what is really going on there". Same thing with Africans, they want to go there. "Ah, is this Europe, Europe, Europe…I

really want to go there and see". Even if somebody is telling you that "is not what you think-o!", you don't even want to listen. You want to see for yourself.

If we foreground this desire for mobility, it is very clear why the measures currently being pursued by the EU in the name of combatting "trafficking", namely intensifying and externalizing border controls, do not work to protect human rights but rather the reverse. Making it harder for women to travel safely from Nigeria to Europe by plane has not stopped them from attempting to migrate, merely pushed them into heavier dependence on third parties and into taking riskier journeys, such as the Mediterranean crossing (Plambech, 2016), or seeking alternative points from which to fly. Nigeria is Africa's most populous country and the largest economy on the continent, yet the Nigerian passport is extremely weak, currently in the bottom quarter of the annual Henley Passport Index. Nigerian passport holders enjoy visa free access to fewer countries today than they did in 2010, and their applications for visas to study or visit the UK, Canada and the US are increasingly being rejected (Kazeem, 2020).

It is in this context, and having been frustrated by EU countries' draconian (and very expensive) visa application processes and decisions, that the Nigerian women participants in Okyere's (2020) research decided to use the services of smugglers. Without access to safe or reliable means to move directly from Nigeria to Europe, they had taken the new route through Benin, Togo and Ghana, from where they hoped to fly to Europe. As Okyere (2020) notes, contrary to the notion that 'traffickers' or smugglers recruit 'victims'/travellers, the women in his study had all 'approached the smugglers to help facilitate their travel', and did so in the knowledge and with the intention of paying off the extremely high costs of the smuggling services through participation in sex work.

There are many other studies that show women's migration between global south or from global south to north to earn through sex work can be subjectively understood as a kind of freedom project, even when it implies temporary restrictions on freedom of a type that in dominant discourse appear as "trafficking" (e.g., Sobieszczyk, 2002; Levy & Lieber, 2009; Piscitelli, 2012; Plambech, 2017b; Lainez, 2019). In this respect, thinking with *marronage*, as defined by Roberts, may offer a way in which to recognise and grasp the agency of those whose personhood is disfigured in law as described above, and yet who remain active, agential subjects rather than being literally "thingified" by the system of domination that seeks to control them. Nonetheless, I will argue below that *marronage* is an analytical concept that requires handling with care if we are to avoid inverting, as opposed to transcending the binaries that underpin discourse on "trafficking as modern slavery".

BEWARE OF THE BINARIES

For the past 40 odd years in the US and Europe, most academic research on sex work has been framed by or contributed to a highly polarised and very divisive and emotive feminist debate between those who regard prostitution as an expression of patriarchal power and a form of male violence against women akin to rape; and those who regard women sex workers as rebels against the patriarchal strictures which demand sexual "purity" and "innocence" of women. There is an interesting parallel as regards

approaches to the history of slavery, since studies of transatlantic slavery 'often divide between works that emphasize the overwhelming power of the institution and scholarship that focuses on the resistant efforts of the enslaved' (Brown, 2009: 1235). The latter approach frequently rests upon what Walter Johnson (2003: 115) describes as a 'misleading entanglement of the categories of "humanity" and (liberal) "agency",' through which 'the bare fact (as opposed to the self-conscious assertion) of enslaved "humanity" has come to be seen as "resistance" to slavery'. And yet the former can reproduce an equally problematic vision in which the bare fact of slaves' objectification as legal property comes to be seen as erasing their volition and free will, and so *literally* de-humanizing them (O'Connell Davidson, 2015; Rinehart, 2016). Slavery, as much as any other social phenomenon, presents us with a problem at the heart of all sociological enquiry, namely the relationship between structure and agency.

So far as slavery is concerned, the problem is made all the more politically troubling by the racialisation of the categories of freedom and agency as white in dominant liberal thought, for these are the categories through which the normatively human was, and is still, imagined and socially recognised. In this context, it is difficult to stress the restraining violence of slavery without suggesting that its victims were reduced to mere bodies, the passive objects of structural forces, and therefore also hard to avoid reproducing the racist association between blackness, dependency and dishonour. And yet to attempt to counter this by emphasising the agency, courage and ingenuity of those who led or participated in revolts and revolution, or who made daring escapes from slavery, also carries its own risks. It leaves, for instance, little space to acknowledge the quiet valour of those women, men and children who somehow managed to make their lives within the confines of the institution (Brown, 2009; Wong, 2009). And a story in which the enslaved were resistant heroes makes it extremely difficult to admit the evidence that shows enslaved people often capitulated to, and were sometimes complicit with, the power of slaveholders (Midlo Hall, 1998) and/or even exercised *de facto* powers of ownership over other enslaved people (Beckles, 1987; Schafer, 2018).

Maroon and fugitive slaves are associated with a kind of glamour, embodying the kind of bravery and dignity that most of us wish, but somehow doubt, we would have displayed in the face of slavery's tyranny. And for contemporary theorists, concepts of fugitivity and *marronage* apparently provide the basis for hope. They fit with a politics of change and freedom as opposed to the politics of despair. This is also a feature of writings on migration that adopt what Peano (2013: 128) terms the "method of hope", an orientation that acknowledges structural constraints, but does 'not reduce subjects to structures' epiphenomena, nor… subscribe to overly functionalist or individualist accounts of intentionality and action'. Yet in relation to *marronage*, as Wilder (2017) observes, the historical reality overlooked in hopeful accounts is that most Maroons existed 'under perpetual threat of discovery, social destruction, and re-enslavement', living 'a vulnerable and conditional autonomy that bound them to the system they fled'. *Marronage* did not necessarily lead to a condition markedly different from what Roberts (2015) terms the 'negative, subhuman realm of necessity'. Likewise, Peano (2013) notes that while those who apply the method of hope to migration typically acknowledge 'suffering as also being part of migrants' experiences, they nonetheless proceed to elide any reference to it in their account'.

And yet, she continues, 'hope itself carries defeat as a potential condition within it, and is born of ill-being and uncertainty' (2013:128).

The concept of *marronage* is preferable to that of "modern slavery" as a starting point for analysing contemporary forms of migration currently are discussed under the rubric of "trafficking", but still needs to be used with caution. If "the modern maroon" is substituted for "the modern slave" and read as an ideal, heroic figure, we see agency but miss the fact that as agents, those at the sharp end of systems of domination can still only choose between options that are not of their choosing. This, after all, is part of what is wrong with the Freedom Fund's (2018) assertion that the "agency" of women and girls who are "modern slaves" or vulnerable to "modern slavery" needs to be strengthened. The problem for women and girls who undertake risky debt-financed forms of sex work migration is not their weak decision-making capacities, but rather the absence of a panoply of safe and attractive opportunities to decide between.

CONCLUSION

In 1869, Frederick Douglass made a speech in Boston advocating the acceptance of Chinese migration to US, arguing:

> There are such things in the world as human rights. They rest upon no conventional foundation, but are external, universal, and indestructible. Among these, is the right of locomotion; the right of migration; the right which belongs to no particular race, but belongs alike to all and to all alike... I know of no rights of race superior to the rights of humanity, and when there is a supposed conflict between human and national rights, it is safe to go to the side of humanity (Blackpast, 2007).

The forms of abuse, violence and exploitation that are discussed under the umbrella of "trafficking" do not only affect cross-border migrants. However, immigration regimes that deny the right of locomotion to vast numbers of people, especially those from the global south, are one of a number of intersecting systems of domination that foster what is dubbed "trafficking" and "modern slavery". Instead of addressing this, anti-trafficking policy assumes a line between those who have actively chosen to move and consented to the type of work they will undertake and the conditions under which it will be undertaken (cast as agents), and those who have been tricked, cheated, bullied and trapped (cast as non-agential victims). It conceives of migrants as *either* willing selves, acting on the basis of their own freely made choices, *or* as forced to submit to the will of another.

This transports us onto territory that is profoundly gendered and aged, since women and children's grip on their own wills is understood to be fragile and tenuous. It also reflects a preoccupation with the form of compulsion produced by the exercise of direct, personalistic power, and so a very narrow and distinct understanding of 'force'. It reproduces a liberal vision of a world in which people are *either* abject, passive objects and slaves *or* freely contracting subjects, thereby missing the unseen, structural factors that force fates on men as well as women and children under the social relations of capitalism. It privileges a very particular kind of 'freedom' – what

G. A. Cohen described as the 'the bare bourgeois freedom which distinguishes the most abject proletarian from the slave' (1995: 101).

Marx's basic insight about the relationship between structure and agency – people make history, but not in circumstances of their own choosing – needs to be connected to a different vision of the relation between agency and force. We need to transcend the gendered and aged division between willing subjects and will-less objects, retaining a concern with the systems of domination that constrain choice but approaching agency 'as a socio-culturally situated capacity for action allowing people to differently inhabit and perform norms, or a capacity for people to act that is always created and enabled by specific relations of subordination rather than by abstract canons of freedom' (Mai, 2016; Shah, 2014). Reframing "trafficking" through the lens of histories of *marronage* and fugitivity, rather than the slave trade, might help to move research in that direction.

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