

Articles

Economies Of Rights: Transnational Feminism and the Transactional Structure of Rights

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Abstract: This paper draws on transnational feminist rhetorical methodologies to uncover the economic imperative that underwrites the relationship between women's rights and human rights in the sex-trafficking industry. It first traces the economic rhetoric that founds the logic of women's rights through normative rights discourse before examining fiction from the Burmese diaspora. The novel offers a model for transnational feminist rhetorical solidarity that complicates the economic structure of rights and tropes of passive victimhood that mark the discourse of gendered rights, even as the narrative does not deny the foundational role that this economic imperative has in women's rights.

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Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity.

-Convention on the Elimination of All Forms of Discrimination against Women (resolution 34/180) 1981

The irreducible imbrication of all claims to human rights within the force field of global capitalism requires us to rethink the understanding of normativity that is the basis of currently existing human rights discourse.

-Pheng Cheah, Inhuman Conditions (149)

This paper draws on transnational feminist rhetorical methodologies to trace the rhetorical relationship between women's rights and the economic imperative that underwrites the project of human rights¹. This multipart argument turns on several questions: on what and whose terms are gendered rights being determined and made normative? How does that normative discourse contribute to the operations of power that both construct and undermine women as rights-bearing and rights-claiming subjects throughout the world?² And, foundational to these questions: how are different kinds of *violence* recognized (or not) as legal *violations*?

These questions are vital to women's rights as human rights in particular because until about the mid-nineties, despite the existence of the 1967 Declaration on the Elimination of Discrimination Against Women, the 1979 Convention on the Elimination of all forms of Discrimination Against Women, and the UN's "Decade for Women" from 1975-1985, violence against women was not considered a human rights violation through most of the twentieth century. Instead, gendered violence was framed as "women's issues" or more problematically, "domestic issues," categorized outside the purview of the state and saturated by Global North definitions of domesticity, heteronormativity, and gender. These "domestic issues" were, paradoxically, codified as beyond the reach of the state by individual rights, including the right to privacy, which had the unintentional effect of largely removing gendered violence from the legal reach of international human rights law (see Bunch, Sullivan).

Thus, despite the decades of conversation on women's rights, the discourses surrounding gendered human rights in legal, rhetorical, and narrative discourses have traditionally addressed gross human rights violations that interrupt the perceived state of normalcy while frequently neglecting less acute but sometimes more pervasive human rights abuses, including women's rights and gendered rights occurring in the so-called private sphere. As Donna Sullivan argues, "the challenge is not to shift focus away from gross violations of civil and political rights by the state, but, first, to broaden the normative framework to include the abuses suffered by women that do not fit this paradigm" (127).

In the first half of this article, I start by examining the Greek history of the rhetorics of

1 I use the term transnational because it designates the very literal crossing of borders without evacuating the political and economic.

2 As Wendy Brown articulates it, if human rights "reduce suffering, what kinds of subjects and political (or antipolitical) cultures do they bring into being as they do so, what kinds do they transform or erode, and what kinds do they aver?" ("Human Rights" 453).

economy to articulate how deeply intertwined the notion of rights and economy are, not just in terms of how economy founds the language of rights, but also vice versa, in terms of how eudemonia and the language of rights founds Ancient Greek rhetorics of economy. I then trace the economic rhetoric surrounding the mainstream emergence of women's rights as human rights through discourses operating in the Global North that are widely viewed as historically central to the normative international women's rights movement, including the Convention on the Elimination of Discrimination Against Women (hereafter CEDAW) and speeches by Hillary Clinton. This tracing is informed by the robust literature of transnational feminism and transnational feminist rhetorics from the last several decades (for example, see Grewal and Kaplan, Mohanty, Chowdhury, Mahmood, Dingo, Hesford, Lyon, and Yam to name a few). As Rebecca Dingo argues in *Networking Arguments: Rhetoric, Transnational Feminism, and Public Policy Writing*, rhetorical methodologies help us understand how the rhetoric of women's rights travels across discursive networks, becoming reframed and coopted to fit development agendas as it mainstreams ³(2). Taking up this methodology, I offer that the normative discourse of international women's rights has always been tied to discourses of development and framed in economic terms. As it flowed through rhetorical networks, this hegemonic relationship became the primary justifier of women's rights as human rights in the transnational mainstream. This first section ends with a reading of the structure of rights that demonstrates the ways in which women's rights were always already embedded in a transactional economy of rights.

I am not the first to address the rhetorical relationship of women's rights to neoliberal economic discourse (see Dingo, Jensen and Hesford, Grewal and Kaplan, Brown and more). For example, in *Networking Arguments*, Dingo traces this rhetorical logic of predicating women's rights on economic value and development rhetorics through speeches given by mainstream international spokespersons like the president of the World Bank. Additionally, Inderpal Grewal and Caren Kaplan as well as Wendy Brown offer important critiques of women's rights and neoliberalism. Building on these and other scholars, I offer a complimentary reading of this networked discourse but framed explicitly through the lens of human rights theory. I suggest that this rhetoric of economic development was not so much coopted by economic justifications as it traveled across rhetorical networks, but rather that the language of rights originated through economic terms steeped in colonial logics, extractive politics, and unequal development structures. In other words, women's rights as human rights cannot escape the originating premise of the economies of rights—it became part and parcel of the project of women's rights the moment women's rights were named human rights. Recognizing this logic as a founding premise in women's rights as human rights is an important step in understanding how to conduct advocacy, activism, and structural critique from a transnational feminist rhetorics analytic that seeks to expand the notion of women's rights despite its origins.

3 See also Rebecca Dingo's and J. Blake Scott's *Introduction to The Megarhetorics of Global Development* for an articulate discussion of why rhetorical methodologies are so important for critiquing the normative and hegemonic doxa of discourses like human rights by "examining the vectors of power that can be found in the contexts behind these rhetorics" (2).

In the second half of the article, then, I turn to narrative and theories in human rights and literature to analyze the ways in which transnational cultural production both legitimates and potentially remakes the normative discourse of what Inderpal Grewal calls the human rights “regime” (*Transnational America* 1). I argue that Wendy Law-Yone’s novel *The Road to Wanting* offers a transnational feminist perspective on this underlying logic in the relationship between women’s rights, human rights, and global capital in the sex-trafficking industry⁴. The novel imaginatively depicts a nuanced subject of gendered rights who cannot transcend the normative and gendered hegemonic rhetoric of global capitalism in human rights. However, through depicting a kind of transnational feminist rhetorical solidarity, the novel complicates the economic structure of rights and the tropes of passivity and victimhood that continue to mark the legal discourse of trafficking and gendered rights discourse, even as it does not deny the foundational role that this economic imperative has in women’s rights. Human rights are legitimated by narrative⁵. This article uses a rhetorical methodology to examine how literature as cultural production both constructs and potentially remakes human rights discourse. Ultimately, I argue that the novel offers an alternative model of women’s rights as human rights born out of a feminist solidarity that is formed because of the economy of rights, not in spite of it.

Economies of Gendered Rights

The term “economy” as it is used in this article comes from the Ancient Greek, οἰκονομία (*oikonomía*) and is often translated literally as household or estate management based on *oikos* (household) and *nemein*, or “management and dispensation” (Leshem 225). What was once a way to describe the relationship between means and ends in household management and *eudemonia*, or the pursuit of the good life in abundance, has now become a vernacular term largely divorced from the ethical and defined by a transactional framework concerned with the distribution and consumption of goods and services in a framework of scarcity (Leshem 226). However, the Ancient Greek usage is interesting for this argument since it has gendered and political implications: one of the first recorded usages of the root of *oikonomía* is in a sixth-century poem by Phocylides in which the poet recommends marriage to a woman who has good “*oikonomis*,” or work ethic (Leshem 227). Perhaps the most enduring relationship that carries forward to the contemporary notion of economies and rights is the connection between the home (including

4 This novel, published in 2010, was written prior to Myanmar opening to global trade and relations after the Military Junta relinquished power and therefore prior to the mass atrocities perpetrated against the Rohingya. Although this article focuses more specifically on a different kind of gendered violence in the region, that context is ever present in my reading of the structure of rights.

5 See Joseph Slaughter’s *Human Rights Inc.: The World Novel, Narrative Form, and International Law* for more on this legitimating link between human rights and narrative. For more on the relationship between human rights narrative circulation, see Kay Schaffer and Sidone Smith’s *Human Rights and Narrated Lives*. For more on the conversation on human rights and literature see Elizabeth Swanson Goldberg and Alexandra S. Moore’s edited collection *Theoretical Perspectives on Human Rights and Literature* and Crystal Parikh’s edited collection *The Cambridge Companion to Human Rights and Literature*.

the family as well as slaves), property, and the polis. In fact, the word “estate” in Ancient Greek is *oikoi*. During Aristotle’s time, the discourse of *oikonomía* became much more commonplace and extended beyond household or estate management to philosophy and the political sphere so much so that the term came to be used to describe the “rational management” of everything from the marketplace to bodily functions (Leshem 228). This historical trajectory of the term *oikonomía*/economy has bearing on the argument that follows because it exemplifies not only the ways in which the discourse has foundations in patriarchal systems but also, relatedly, in the notion of estate management, including slave ownership and the heteronormative familial unit that founds the *polis*, the same building blocks of human rights discourse. I use the language of economies to signal this history as well as the more contemporary transactional definition that signifies the unequal global and transactional movement of media, bodies, knowledge, etc. across borders—what Arjun Appadurai calls global “scapes” (296). To speak of economies, then, is to speak of concepts that are enshrined in the Universal Declaration of Human Rights (UDHR). Simultaneously, to speak of the economies of rights in rhetorical terms, then, is to speak of the ways in which human rights have always been understood within systems, rhetorical networks, and mobilizations of local and global capital, a concept that I will elaborate further.

The epigraphs that frame this argument offer insight into the normative relationship of global economies to women’s rights as it manifests in transnational sex trafficking, and the challenges and potentialities of transnational feminism as an approach to mobilizing women’s rights. The first epigraph is from the preface of the Convention on the Elimination of All forms of Discrimination Against Women. CEDAW was adopted in 1979 by the UN General Assembly as an international bill of rights for women. It was entered into force in 1981 and has been ratified by 189 states⁶. This particular passage quoted above from CEDAW’s preamble demonstrates the ways in which the convention is framed by a prefiguring economic premise. Discrimination against women, it argues, damages the ability for women to contribute to the “political, social, economic, and cultural life of their countries,” which in turn damages countries’ “growth and prosperity” (CEDAW). As Donna Sullivan, Charlotte Skeet, and others argue, since the latter half of the twentieth century, this instrumentalization of women’s rights in economic terms has been foundational to the normativity and mobilization of women’s rights, particularly in “developing” nations or the global south.

This rhetorical move in the preamble that puts women in service to the nation (as opposed to the converse) brings to mind Gina Heathcote’s argument about the ways in which preambles to UN security council resolutions have “deployed feminist-derived messages as a normative weapon” by ignoring the transnational feminist histories, origins, and protests behind the law. What used to be a space to establish the legal antecedents to a current resolution, she argues, became in the 1990s, a space to establish normative groundings through references to “soft law” like the Beijing Platform to Action and other “non-legal text that invokes values, agendas, and justifica-

⁶ The US is a signatory, but has still not ratified CEDAW, although this does not stop the U.S.’s mobilization of women’s rights language in service to its own economic and international relations ends.

tions for the resolution” (Heathcote). The preamble therefore now functions more like a rhetorical premise without exposition that generates its own exigence by flattening the history of localized feminist activism and presenting the current opportune moment in ways that do not align with the diverse “temporal and geographical range of transnational feminist activism, which...is the true preamble to women, peace, and security” (Heathcote). Under this logic, the preamble to CEDAW can be viewed as a premise that (re)calls a referential past into being. In calling into being the conditions against which the convention is working, it actually establishes and solidifies the normativity of those conditions of violence while simultaneously inaugurating them as a violation. In this case, the particular quoted section of the preamble articulates the ways in which “discrimination against women violates the principles of equality of rights and respect for human dignity,” establishing the context of the violence, gendered discrimination, as a violation of human dignity. In the same moment, it establishes that violation as an “obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries” that “hampers the *growth of the prosperity of society and the family*” (emphasis mine). In other words, women’s full development and potentialities are always already “in the service of their countries and of humanity” such that if discrimination against women prevents their full participation in the economies and development of their nation, then rights must be granted for the prosperous good of society, the nation, and therefore of humanity. Even as the preamble to CEDAW establishes gendered discrimination as not only violence, but also a violation, it does so via its relationship to economic development of the nation.

This reading of the epigraph from CEDAW provides rhetorical context for the normative discourse of women’s rights as it is exemplified by one of the most neoliberal spokespersons for women’s rights as human rights: Hillary Clinton. I examine Clinton’s speeches during her political career as exemplary of a normative discourse of rights because she was a prominent mainstream voice in the Global North for women’s rights in the late 20th century and early 21st century and because her speeches demonstrate how pervasively the logic underwriting that normativity becomes tied to global capital over time, especially in the networked, mainstream discourses circulating at an international and UN level.

In 1995, then First Lady Hillary Clinton, in front of thousands at the United Nation’s Fourth World Conference on Women in Beijing, declaimed that “women’s rights are human rights.” Although transnational feminist activists had been lobbying for decades for women’s rights, the 1995 Beijing Conference at which Clinton delivered her famous speech is widely recognized as marking the moment in which women’s rights were geopolitically articulated as and recognized as human rights. Clinton’s speech is both pedagogical and performative of the rhetorical framework articulated in CEDAW whereby women’s rights gain legitimacy through their instrumentalized relationship to global capital via alignment with heteronormative familial prosperity and national economic growth.

Clinton states in her 1995 speech, “What we are learning around the world is that, if women are healthy and educated, their families will flourish. If women are free from violence, their families will flourish. If women have a chance to work and earn as full and equal partners in society, their families will flourish. And when families flourish, communities and nations will flourish.” Clinton bases her ethical and logical appeal for women’s rights as human rights by justifying them as in service to the family, and thus the nation. In fact, the Programme of Action published after the first UN International Conference on Population and Development in 1994 articulated a 20-year course of action based upon the relationship between “population, development and individual well-being,” predicating economic well-being on women and their access to family planning, education, and maternal health. By this logic, when women’s rights are violated, all human rights are violated and therefore, women’s rights *are* (and provide the foundation for) human rights and conversely, human rights are women’s rights. Through this framework, Clinton draws on and mimics existing normative structures of rights as declared in the UDHR. The enthymemic structure of the UDHR, articulated by Joseph Slaughter in *Human Rights Inc.*, slides from “human” to “individual” to “person (before the law)” as it maps onto the *bildungsroman* enlightenment narrative, forming the family and community as the building blocks of the nation-state. This same logic was taken up by the U.S.’s 1996 Personal Responsibility and Work Opportunity Act, in which women’s roles were tied explicitly to individual responsibility and then family. As Dingo articulates it, the act “argues that to prepare women for a postindustrial, neoliberal economy” women must be “responsibility caregivers *inside* the home through the institution of marriage and more productive workers *outside* the home through paid labor” (5).

Thus, by 2010, when then Secretary of State Hillary Clinton began her remarks at the 15th Anniversary of the Cairo International Conference on Population and Development (ICPD) with the statement that “women’s health is essential to the prosperity and opportunity of all, to the stability of families and communities, and the sustainability and development of nations,” she was trafficking in well-traveled discursive territory when she justified women’s rights as human rights for their value to the nation and the economy, not on their own terms. This speech in particular argued that granting women the right to contraceptives and other basic reproductive justice and health contributes positively to population control as well as the basic subsistence level and economic standing of families. In doing so, Clinton draws extensively on the language of economic capital:

In the Obama Administration, we are convinced in the value of investing in women and girls, and we understand there is a direct line between a woman’s reproductive health and her ability to lead a *productive*, fulfilling life. And therefore, we believe investing in the potential of women and girls is the smartest *investment* we can make. It is connected to every problem on everyone’s mind around the world today (emphasis mine).

In the fifteen years that elapsed between the 1995 Women’s Rights and Human Rights speech and the 2010 ICPD speech that centered women’s interests as an issue of economic

development, the function of women within the normative discourse of universal rights widened from the family, to the nation, to the global economy. This rhetorical logic of justifying women's rights as human rights based not only on their role in the economic prosperity of their families and their nation, but also in neoliberal terms on their role in the global market, echoes the *bil-dungsroman* of the UDHR and had by then become normative enough to be rhetorically effective when speaking to an international audience.

As presidential candidate in 2016, Clinton's platform was partly predicated on what she called her "historical activism" work on women's rights. In 2017 at a speech titled "Women's Role in Peace and Politics" given at the Georgetown University Institute for Women, Peace, and Security, Clinton evolves the narrative that women's rights are human rights and ups the stakes of the relationship by linking this economic role to securitization. Referencing her 1995 speech she states: "we thought back in the '90s that we needed to do more to elevate the rights and opportunities of women and girls on every level—obviously, education and health and *economic opportunity*, but also to unleash the potential for involvement in ending conflicts, in creating more secure environments for all people to live in and thrive... A rising tide of women's rights lifts entire nations" ("Women's Role in Peace and Politics"). Thus, in the late twentieth century and early twenty-first century as women's rights became normative under the heading of human rights – from the 1990s with the advent of the Vienna Declaration and Programme of Action (1993) and the first International Conference on Population and Development (1994) to Clinton's speeches during the 1995 Beijing platform for action, and subsequent Conference on Population and Development (2010) to the Millennium Development Goals and current Sustainable Development Goals— the logic underwriting women's rights was always already tied to and predicated on economics.

The second epigraph for this argument is a passage from Pheng Cheah's *Inhuman Conditions: On Cosmopolitanism and Human Rights* that theorizes this fundamental grounding of human rights in global capitalism. As Cheah argues, "Globalization touches the core of what it means to be human" ("Humanity" 1552), because discourses of rights are always already "contaminated" by global capital (*Inhuman Conditions* 146). Therefore, in order for the subject to be recognized as a person before the law within the global capitalist regime out of which rights emerge, the subject must be legible economically—this becomes the foundation for the concept of a person before the law. In fact, "contamination" might not even be the most appropriate word since this implies an uncontaminated form of rights that predates this economic structure when it is established that the individual foundations of human rights and legal personhood were designed first to protect the exploitative practices of the transnational corporation Dutch East India Trading Company. As Slaughter argues, "The 'human' of human rights is not simply given... Historically, the legal category of 'person' precedes the 'human' of human rights; juridically, the legal category of the 'person' carries certain rights and duties that precede the individual, that (perhaps) await activation in – or occupation by – the human" ("However incompletely" 275). We

know that corporations have legal personhood, but Slaughter's argument points out that the colonial charter and transnational corporations like the Dutch East India Company were granted legal personhood as subjects of rights well before people were and well before what we now know as human rights came into being. In other words, "corporations, and especially the colonial charter companies, were recognized as international persons in advance of the human beings they ostensibly served" ("However incompletely" 280). Thus, the foundations of rights as attached to sovereign individuals outside of exploitative capitalist structures is a convenient fiction perpetuated by the UDHR and subsequent legal frameworks. However, this is not to say that these discourses are unsalvageable.

Women's rights as human rights comes of age in the latter half of the twentieth century and the first few decades of the twenty-first century within normative discourses of human rights by assuming a legal personhood predicated on a fictional liberal notion of the ideal sovereign subject. In reality, this legal category of personhood that is tied already to neoliberal global economic structures and humanitarian aid, while perpetuating this fiction by ostensibly working toward an ideal of sovereign subjectivity, in fact undermines this fiction through the unequal structure of rights⁷. In this equation, as Cheah defines it, the Global South functions as participants in the global capitalist system through their response to the Global North's model by calling upon global capitalism as the vehicle for development and seeking to compete on the North's grounds, in particular through NGOs (*Inhuman Conditions* 166). Ironically then, despite the fact that the rights of the disenfranchised in the Global South are used as justification both for and against economic development (in the case of sanctions as penalties for rights abuses), as Cheah says "it is the disenfranchised who are caught in the aporetic embrace between a predatory international capitalism and an indigenous capitalism seeking to internationalize" (*Inhuman Conditions* 164).

This economy of rights perpetuates the unequal structure of rights and white saviorism, including what Gayatri Spivak refers to as "white men saving brown women from brown men" ("Can the Subaltern" 93), what Makau Mutua calls the "savage victim savior model" (201), and what has come to be known as the "white savior industrial complex" (originally coined by Teju Cole in *The Atlantic* in 2012). As Mutua argues, human rights are deployed and humanitarian aid mobilized through an operational and "damning" metaphor of savages, victims, and saviors (hereafter SVS metaphor). In this metaphor "the predominant image of the savage...is that of a Third World, non-European person, cultural practice, or state" (216). Culture itself, Mutua argues, is ultimately figured as the savage and Global North NGOs, academics, and governmental aid organizations are figured as saviors who must step in to save victims from their own savage culture (220-221). The treatment of women and children in particular is utilized as evidence for the savagery of the culture and thus justification for intervention on humanitarian terms by the Global North. For example veiling in Iraq and Afghanistan, rape in the Democratic Republic of Congo, and sex trafficking in South Asia have all been used as humanitarian justifications for interventionist and political

⁷ I use the term "structure of rights" following Gayatri Spivak's argument in "Righting Wrongs" (2004).

ends⁸. Of course, this is not to deny the very real violence and disenfranchisement perpetuated by the state in these circumstances, but read alongside Mutua's metaphor, one can see the ways in which violence against women and children in these contexts is capitalized on as a justification and cover for alternate interventionist reasons that carries forward colonial histories⁹. As Elora Halim Chowdhury argues, Mutua's SVS metaphor and this structure of rights "helps us understand the discourse of human rights as a space for the systemic creation of concepts, theories, and practices that reinscribe inequalities even after the dismantling of formal domination with the end of colonial rule" (xvii). While this SVS metaphor of rights that feeds the structure of rights and the white savior complex might be best framed within the context of humanitarianism rather than human rights politics, I argue that in fact it suggests the instrumentalization of human rights as a value of exchange that establishes fixed subject positions on both sides with gendered implications.

This section has demonstrated the multiple ways in which economies underwrite women's rights as human rights as a rhetorical justification and "original contamination" (Cheah) as well as the ways in which that logic is predicated on gendered notions of subjectivity tied to problematic heteronormativity and Enlightenment fictions of personhood and sovereignty. It also identified the economic structure of rights in which the Global North, the Global South, and NGOs trade on rights discourses, capital, and, as I further exemplify, gendered bodies. Thus, to return to the guiding question of on what and whose terms are women's rights being determined and made normative, then, it follows that this normativity rests in no small part on the rhetorical premise that women's rights are *just good economic development and securitization policy*.

Therefore, given that the normative discourse of women's rights cannot deny its emergence out of and location within global capitalism and economies of rights, then it follows that it is important to interrogate the limits and possibilities of that normative discourse in gendered terms for the most precarious and vulnerable. As Cheah reminds us, we must ask, "not...whether universal human rights exist...Instead we should focus on the nature and limits of the normative claims being made by various actors...when they appeal to human rights within the theoretical framework of established human rights discourse" (*Inhuman Conditions* 148). In the following section, I situate this conversation within coming-of-age fiction emerging out of the discourse surrounding sex-trafficking and alongside a discourse of women's rights that is always already embedded in neoliberal economies in order to articulate some of the limits and affordances of

8 See Kelly Oliver's *Carceral Humanitarianism: Logics of Refugee Detention* and Wendy Hesford's and Wendy Kozol's *Just Advocacy? Women's Human Rights, Transnational Feminisms, and the Politics of Representation* for articulations of human rights and women's rights as an alibi for military and humanitarian intervention, as well as Wendy Hesford's *Violent Exceptions: Children's Human Rights and Humanitarian Rhetorics*, which details the ways in which children are deployed as vulnerable subjects to justify humanitarian intervention.

9 It is worth noting here that it is particularly women's rights and children's rights that tend to activate the Global North's humanitarian response as alibi for interventionist tactics, rather than gendered rights, including transgender rights and LGBTQIA+ rights.

the economies of gendered rights. I turn to the literary form of the *bildungsroman* here because it is both pedagogical and performative of a subject of rights that cannot transcend the hegemony of global capitalism as it mimics the narrative arc of the UDHR. If the discourse of rights is both pedagogical and performative, then the literature that emerges from that discourse is also pedagogical and performative. In this case, the fiction provides a space beyond the law to imagine the potentials of feminist solidarity within this transactional economy of rights. I argue in the following section that Law-Yone's novel constructs a nuanced and complex subject of rights that re-envision transnational feminist solidarity not just in spite of, but rather because of the economies of rights.

The Road to Wanting, Economies of Rights and the Human Rights Industrial Complex

"Ready at last. I am not afraid" begins *The Road to Wanting* by exiled Burmese novelist Wendy Law-Yone. The book opens as the main character, Na Ga, prepares herself for suicide while waiting in the fictional frontier town of Wanting on the Chinese side of the Chinese-Burma border for her handler to smuggle her back across to Burma.¹⁰ The novel is structured as a series of flashbacks while Na Ga is waiting in Wanting. The present tense of the novel finds her discarded by her American erstwhile savior and lover, Will, who, after rescuing her from a refugee camp in Thailand where she was being held with other sex workers, has sent her back to Burma via China when he decides to marry an American woman. *The Road to Wanting* depicts the relationship of the gendered subject of rights to the larger forces of global capitalism via the economic imperative that underwrites those gendered rights. I argue that the text remakes the normative victim narrative surrounding sex trafficking and sex work that often perpetuates a global, gendered, transactional economy of rights predicated on a humanitarian "giver" of rights and an agent-less "receiver" of rights (Spivak, "Righting Wrongs") and in doing so, ultimately offers a form of transnational feminist solidarity that mobilizes economies of gendered rights.

The Road to Wanting portrays the sex-trafficking triangle between Myanmar, China, and Thailand in the latter half of the twentieth century, during the time that Myanmar was under control of the military Junta. I examine the novel for the ways it takes up yet resists normative narratives surrounding the conditions of sex trafficking and sex work and the ways it depicts the economic imperative that underwrites gendered rights. However, the text complicates the narrative of passivity and victimhood that the legal discourse of sex trafficking too often requires. Instead, it mobilizes a model of transnational feminist solidarity, albeit ambivalently as it leaves this promise open-ended. It critiques the human rights industrial complex and the narratives of victimization in sex trafficking by taking into account the complexities of gendered rights that are always already underwritten by neoliberalism, rather than trying to work against this embeddedness. Said differently, I argue that Law-Yone's novel offers a model of transnational feminist solidarity within the economic imperative underscoring women's rights as human rights, and an agency that accounts

for its founding logic in the economies of human rights. I do not mean to imply here that *The Road to Wanting* serves only as an allegory for the ways in which human rights are embedded in global economic structures and the narratives of victimhood surrounding the global sex trade. I do mean to argue that as a text originally written in English coming out of normative discourses, Law-Yone's narrative at once participates in this normativity while simultaneously speaking back to it. As such, rather than being allegorical, the text is performative and pedagogical. In this way, I echo Leslie Bow's materialist reading of Law-Yone's other fictional work when she argues it "suggests a fictive solution to an ongoing historical conflict in Burma" ("The Gendered Subject of Human Rights" 41).

Wendy Law-Yone has described *The Road to Wanting* as a novel about a young woman who moves from tribal existence to modernity within the course of a lifetime ("Beyond Rangoon" 194). As a *bildungsroman*—the enabling fiction for human rights discourse according to Slaughter—the novel's chronology traces Na Ga's coming-of-age from her childhood in a fictional, minority "hill" community called the "Wild Lu" through her experiences of being trafficked into Thailand to her decision to return to her hill community at the end of the novel. Throughout much of this movement, Na Ga is defined in economic terms and by her lack of agency. The novel's title and central metaphor have Na Ga constantly wanting or desiring rather than acting or doing. She is first trafficked when she is sold by her parents to an abusive village-headman's wife. The sale is meant to ensure Na Ga's survival in the dire economic circumstances of her indigenous community partly caused by the trade sanctions imposed by the Global North. After this experience she is taken to the capital where she serves an American family who treats her like a second daughter. This section of the narrative is defined by her desire to join the family when they return to America. After the family flees back to the US following a nationalist Junta crackdown, the narrative describes Na Ga wanting to leave her work in a rural factory. It is the desire to leave that leads to her being trafficked by a broker to Thailand and into sex work. Eventually she is given a "pink slip" with her freedom, but the novel implies that Na Ga remains in the industry before being detained in a police raid. She is taken by the police to a relocation and repatriation camp on the Burmese border, arguably a kind of sanctioned trafficking itself, where she is once again "rescued," this time by Will, an American who works for the International Committee for Repatriation (ICR). Will fetishizes Na Ga because she is an indigenous "Wild Lu." The narrative describes her feeling pressured into leaving with him and "blindly" signing the release papers. As her sponsor, Will removes her to Bangkok where she serves for ten years as his companion and lover. Many of the flashbacks describe Na Ga wanting her American savior Will to not leave her and marry his American girlfriend, wanting to commit suicide in China, and finally, wanting to leave Wanting. Na Ga's most active decisions as a character lead to a scene in a restaurant when she steals a baby in an attempt to make Will stay with her and, finally, when she returns to Burma¹⁰.

¹⁰ I refer throughout this project to both Myanmar and Burma interchangeably, utilizing Myanmar when referring to contemporary events and Burma as it is described in the novel since that is the language that the novel utilizes.

The narrative of the passive victim has come to define the discourse of sex-trafficking, particularly in the overlap between the economic and the moral. As Wendy Hesford, Juliette Hua and Holly Nigorizawa, and others argue, this narrative draws from and mobilizes a kind of problematic feminism predicated upon universalizing women (particularly third-world women) as oppressed and exploited victims needing to be rescued from all sex work, even consensual sex work (Hesford, “Kairos” 147), or conversely, as individualized and essentialized within certain “backward” cultural contexts (Hua and Nigorizawa 404), neatly setting up the SVS metaphor. Thus, since women are considered the lynch pin for familial, national, and global economic success, they also become the subject (and the site) to be freed and saved by those with rights from the trappings of what is seen as backwards, patriarchal culture. As Hesford argues, the politics of representation in antitrafficking campaigns is predicated on victimization narratives that garner “sympathetic visibility” for the women and children who are represented as “objects to be seen and then rescued” (*Spectacular Rhetorics* 126-130). I argue that the novel resists this narrative of passivity and victimhood surrounding global sex work. However, rather than replace it with an agentic narrative that suggests an individual sovereignty, personhood, and the ability to resist the economic structures that govern not only the industry, but also the rights discourse that protect women from it, the text instead draws attention to the ways in which Na Ga is trapped on both ends as a pawn in transnational global economies of sex work *and* rights.

When Na Ga’s brothel is raided in Thailand she is taken with several women to the border of Thailand and Myanmar while the women await deportation and repatriation—sometimes to a worse fate than that which they left. The women recognize the ways in which the label of “victim” by international aid organizations and human rights instruments strip them of agency:

“Names!” Thaya yawned. “I used to think names were important. But if you worry about names in a place like this, you’ll end up in a lunatic asylum...Are we DPs, displaced persons? Or are we just common refugees? Or are we IDPs, the internally displaced? Are we IIs, illegal immigrants - or LMWs, legal migrant workers? Or are we, God forbid, TVs - trafficking victims?”

“Well, why don’t they just call us what we are?” said another voice from further down the bamboo platform. “Whore 24681, Whore 24682 and so on?” (163)

These legal descriptors that define subjectivity echo Hannah Arendt’s description of the fundamental paradox of the stateless in which arrest by the state actually grants subjects more rights as a person before the law (286). The women recognize their liminal positionality within the economic structure of rights and legal discourse better than any of those offering aid might. It is not surprising that they describe trafficking victim as the worst legal status even though that should be the

designator that receives the most aid. This disconnect between the legal instruments of rights and the actual practice of promoting and claiming rights leads Upendra Baxi to the conclusion that “the violated peoples know, in their lived and embodied experience, the ways in which the reality of their suffering remains *unnamable*,” and “the many ways in which the concreteness of their everyday suffering remains unrelated to human rights texts” (8). Baxi’s argument that the “moral” language of rights is exhausted aligns with my larger claim here that to deny that the discourse of rights operates within a neoliberal human rights marketplace where multinational corporations are considered human and where the state is in the business of protecting capital rather than rights, is to ignore the reality of rights.

Part of the complexity of the discourse surrounding sex work and transnational sex trafficking is that categorizing women as victims in all sex work, even consensual sex work, has the double effect of universalizing women across the world under the category of exploitation based upon sex. While antitrafficking campaigns capitalize upon and construct this universalization so that even legal prostitution or self-employed, online porn content creators become something to save women from, ultimately, this construct flattens the contextuality and complexity of women’s localized lives, depicts them as “radically naïve” (Hesford, *Spectacular* 130), and reduces their ability for agency within exploitative systems, which is always contextual and subject to localized structures of power¹¹. This is akin to the universalizing gestures of western feminism under the oppressions of patriarchy regardless of local operations of power and constructions of gender, and it “does not account for how the economy structures sexual desire and the demand for commercial sex work” (Wilson cited in Hesford, *Spectacular* 132). The scene in which Na Ga is saved by Will activates the trope in the economy of rights described earlier in which a privileged giver of rights (Will and the humanitarian institution he works for) saves a receiver of rights (Na Ga and the other sex workers), often by attempting to “modernize” them. Will’s infatuation with Na Ga’s indigenous ethnicity illustrates this very dynamic. However, when considered within the context of the arc of the narrative, Law-Yone actually undermines several of these normative discourses.

Na Ga lives with Will for 10 years, during which she refuses to let him play the role of savior through modernization. For example, when he first sees Na Ga, he begins speaking to her in her indigenous language, a language she doesn’t speak because she was removed from her home village at a young age. When they return to Bangkok together, she insists on continuing to serve him even when they become lovers. She leaves the house as little as possible and turns down opportunities for education, refusing to let him forget the neoliberal interventionist strategy and the transactional structure of rights upon which their relationship is founded. Most disconcerting to Will, however, is that Na Ga reverses the universalizing and objectifying gaze by staring at Will in an attempt to understand “his kind.” At the breakfast table, while he sleeps, and

11 In the case of trafficking, as Hesford argues, the transnational mobilization of this discourse also creates strange bedfellows of transnational feminists and international women’s rights activists with anti-immigrationists and anti-sex-worker, anti-pornography advocates (*Spectacular* 125)

in moments she knows he isn't watching her, she "studied him as a means of shedding light on the unknowable, unspeakable traits of all men" (178).

When Will decides he wants to marry his American girlfriend, Helen, Na Ga understands this as a threat to her futurity and stability. In a final conflict, Na Ga tries to embarrass Will for leaving her while he is at dinner with Helen and friends by showing up with a baby-for-hire since Na Ga assumes Will is marrying Helen to have children. The plan backfires spectacularly after Na Ga almost smothers the baby and she fails to generate the crowd's and the reader's sympathy. This scene further destabilizes and remakes the narrative of passive victim upon which the savior can project their desires in the rights industrial complex and exposes the instability of her positionality as subaltern within the larger global discourse of rights.

Shortly after this scene, in a thinly veiled metaphor for the structure of rights, as Na Ga is leaving Thailand for China and ultimately Burma via the smuggler that Will has arranged, Will gives Na Ga a "nest egg" to make up for his guilt in forcing her into the very fate from which he saved her in the first place: "I caught the look on his face as I took it out and counted it. The look of a man who seeks atonement by over-tipping" (14). In counting it, Na Ga is not only drawing attention to the structure of rights but also emphasizing it as the economic transaction that it is. In this scene, Na Ga represents the site upon which the liberalizing versions of western feminism and the problematic structure of rights in terms of neo-imperial interventionist strategies converge.

Transnational Feminist Solidarity and Economies of Rights

The previous section demonstrated the ways in which *The Road to Wanting* offers a recognition of the structure of rights and the refusal of the passive "victim" of rights in an economy of rights that, although purporting to do good, perpetuates the disenfranchisement of the vulnerable. In this section I argue that the novel also offers a version of transnational feminist solidarity that is not mobilized by universalizing rights discourses nor does it deny the economic foundations of women's rights as human rights. Instead, Law-Yone offers a version of transnational solidarity through feminist sisterhood that mobilizes economies of gendered rights in service to the most vulnerable.

According to Tamara Ho, Law-Yone is the first exiled Burmese author to write in English and thus, "introduced into the Anglophone literary frame Burmese immigrant characters who negotiate language as a tool of oppression and as a means of resistance" (666). In *The Road to Wanting*, however, Law-Yone uses language less as a means of direct resistance for her characters and more metatextually as a means of slippage, drawing attention to the relationship between the subject and the structures that construct and confine that subject. Although the book is written

in English it is unclear what language the narrative voice speaks¹². The fluidity of meaning as it
12 Often Na Ga clarifies when her dialogue is in English and/or Burmese making the reader question what language her narrative voice speaks.

relates to language leads to some of the more entertaining and insightful passages that describe failed communications in Burmese, Chinese, English, and Thai. For example, Na Ga thinks how strange the term “nest egg” is: “(Now there’s a term that’s never made sense. How is it that the same word can mean ‘savings’ as well as ‘tricking,’ for doesn’t a *nest* egg, in English, also mean a *trick* egg, a lure for a hen to come and lay more eggs in that selfsame nest?)” (13). The English language is depicted throughout as a tricky and ambiguous construct in which the very thing that it provides is, at the same time, a farce. In fact, Minzu, Na Ga’s friend in Wanting and the person who saves her from killing herself at the start of the novel, calls English “Anguish” throughout. This reference to multiple meanings of nest egg also serves as an unmistakable metaphor for the ways in which human rights discourse and global capital functions, in that often what is actually being traded doesn’t tangibly exist, but can still function as a lure for further investment. It also depicts the challenges of translation across borders, not only between languages as Na Ga navigates her translanguaging, but also in the ways in which the normative discourse of rights gets translated not just linguistically but also in different discursive locations and across different global markets. While the language of global capital and human rights as represented by English attempts to regulate, control, manage, and make stable, the language of the novel attempts to destabilize, disrupt, deregulate, and make fluid by pointing to moments in which meaning is not fixed, especially in English¹³.

After an exchange with a male desk clerk that Na Ga can’t understand, a young girl Minzu who also works at the hotel addresses Na Ga as “big sister” (Ma Ma) and Na Ga understands her perfectly: “Ma Ma! Where you go? I worry. I bring you tea...you not there” (49). It is through Minzu’s hailing and recognition of Na Ga as “big sister” that the foundation is formed for the possibility of a transnational feminist solidarity. The juxtaposition of the male clerk, who remains unintelligible to Na Ga and the reader, with Minzu the young girl employee, who Na Ga and the reader understand implicitly, suggests that this solidarity is predicated on being understood as an intelligible transnational subject.

Naming is a device that Law-Yone uses to express the relationship of subjects to language and the larger forces of both national and global discourses. For example, Na Ga stays in “The Friendship Hotel” in “Wanting” China. Na Ga’s name means something ostensibly insignificant—when pronounced as Nah Gah it means “ears-that-stick-out,” and when pronounced N’*gah* it means “the serpent-dragon” (60)—however the name Na Ga is symbolic for its lack of meaning. According to the fictional indigenous Lu tradition, a person does not find out their “real” name until they are old enough to have it drawn out of a name seed by their mother. Since Na Ga was sold by her family at a young age, she was never told her real name and so goes by a provisional

13 As Crispin Thurlow argues, not only is English the standard language of business and transnational corporations, but it is also used as an instrument of regulation for “evaluating, controlling and managing not just ‘products’ but also the people who ‘make’ them” (6). Thurlow uses the examples of call centers in which workers are “policed into particular ways of speaking” (6).

one that is effectively meaningless. This no-name is symbolic of subaltern positionality¹⁴.

It is the disenfranchised that are most affected by the embeddedness of rights within a discourse of global capital, often because it forces them to mobilize under a heading of collective identity that is constructed as outside of or against capitalism. This collective identity only gains epistemological purchase based upon an assumption about the preexisting indigenous subject, which paradoxically must be performed anew as one recognized by rights discourse (Cheah 172). Na Ga, however, suggests that this solidarity can be gained through transnational sisterhood. If the normative discourse in which CEDAW is embedded posits a heteronormative notion of the nuclear family, then Na Ga remakes this notion through her relationship with Minzu. The name Minzu can be loosely translated into “ethnic group” in Chinese. The relationship between Minzu and Na Ga represents a sisterhood that is not tied to normative national discourses on either side of their transnational solidarity. Structurally, the key moments and flashbacks in the novel that propel Na Ga through the coming-of-age narrative are framed by positive encounters with Minzu. For example, Minzu interrupts Na Ga’s suicide attempt, she enables Na Ga to have her first deep sleep in a long time, which signals a turning point in Na Ga’s decision to return home, and she takes Na Ga swimming where Na Ga finally feels healed of her many wounds. It is in her discussions with Minzu that Na Ga finally finds the kinship that she has been desiring that is equal in its transactional nature.

In a twist towards the end of the novel, the reader comes to understand that Law-Yone has named the Wild Lu after the Burmese word for human. This link becomes explicit at the very moment in which Na Ga finally claims her heritage as Lu and decides to return home to Burma. At the end of the novel, Na Ga receives a posthumous note from her trafficking handler confessing his identity as also Lu. When alive, Mr. Jiang had denied his Lu identity in the face of discrimination and subordinated it to the larger cause of the insurgency against the Burmese state. Mr. Jiang’s confession that they are of the same people, the Lu, prompts Na Ga to claim her indigenous identity but in relation to the larger construct of what it means to be human within a structure of rights:

“Mr Jiang...is a Lu!” I howl.

Minzu says, “A Lu...yes, indeed.”

“No! A Lu!” I am shouting to be understood, to emphasize the right tone, not

the tone for the same word that means ‘human being’ in Burmese. “I mean a Wild Lu!”

14 The indigenous group to which Na Ga belongs is intended to represent the smallest minority group in Burma. Law-Yone is clear that she based the fictional Lu on a real Burmese minority group called the Wa, but chose to construct a fictional tribe rather than name the Wa. Law-Yone says, “I don’t name the Wa in my novel; I don’t want to appropriate a culture. I want to respect it; I want to use it as a template” (Bow “Beyond Rangoon” 194).

“A Lu. A Wild Lu.” She is still using the tone for ‘human being’, but I know it

is only her accent now, I know she follows my meaning.

“But I, too...” I am beating my chest to make sure she understands – beating it too, to stop myself tearing out my hair. “I, too, am a Lu! I am a Lu! I am a Wild Lu...and I didn’t know another Lu in front of my face!” (245)

The confusion in the pronunciation of the fictional ethnic identity of Lu with the Burmese word for human being is in keeping with the actual meaning of Lu in Burmese. Lu is widely translated in Burmese to mean human or human being. What Na Ga is grieving here is not the fact that she didn’t recognize Mr. Jiang’s ethnic identity, but that she didn’t recognize his humanity in relation to her own. If we re-read the passage by inserting “human” into the place of “Lu,” the passage takes on a radically different meaning. This textual moment in which the universal human subject is conflated with the individual and indigenous subject is also a conflation between solidarity rights (both gendered and indigenous) and individual rights.

The final scene of the novel depicts Na Ga crossing the Chinese/Burmese border. Minzu tries to come with her, calling to Na Ga in the liminal space between the two borders:

“But who will look after you?” she says, sounding quietly practical now. I point in the direction of the Mizo and the Shan. “They will.”

“No, I mean like a...like a...sister.”

“You will,” I say. “But first you have to learn English, or better Burmese, so we can write to each other. Or I have to learn Chinese. What do you think is best?”

She considers this seriously, then says, “Anguish.”

“Minzu, I have to go now. I have to go.”

“But you’ll come back, Ma Ma?”

I mustn’t lie to her, I mustn’t make any promises I can’t keep. (261)

The final lines of the novel depict Na Ga and Minzu attempting to communicate but not quite connecting “*Never mind...I am trying to mouth the words and semaphore at the same time.*

I'll tell you later! Then I turn and cross the line" (261).

The solidarity between Minzu and Na Ga signifies a friendship and sisterhood that belongs in the liminal space—it is not tied to normative national discourses nor is it a kind of sisterhood that is founded upon a kind of second-wave, global feminist, liberatory discourse that ignores the structural inequities involved in any kind of border crossing. Rather, it is predicated upon a promise of transnational solidarity that may never be realized. It is akin to the notion of friendship articulated by Chowdhury and Philipose in *Dissident Friendships: Feminism, Imperialism, and Transnational Solidarity* wherein “to get to friendship, we would have to unravel our assumptions and clear the colonial and racial debris from our perceptual apparatus to see intimately and to become personal” so that “in friendship, then, is our resistance to the divisive and fragmenting lies of structural power; the seeds of global compassion, generosity, empathy and love; and the foundation of a world that works on behalf of life” (3). This notion of transnational solidarity also echoes Chandra Talpade Mohanty’s concept of transnational feminism as something that is defined by “mutuality, accountability, and the recognition of common interests as the basis for relationships among diverse communities...feminist solidarity as defined here constitutes the most principled way to cross borders” (Mohanty, *Feminism Without Borders* 7). However, Minzu and Na Ga also remake Mohanty’s definition of feminist solidarity since theirs works within the framework of global capital while Mohanty’s is fundamentally opposed to capitalism. Although a solidarity that operates outside of global capitalist structures is the utopian ideal, Na Ga’s friendship with Minzu in the most unlikely of locations suggests that transnational feminism must not ignore the economies of rights if it is to also promote human rights.

The novel represents a nuanced and complex subject of rights: one who at first seems only recognizable within the structures of neoliberal globalization and human trafficking, but who ultimately finds a kind of transnational feminist solidarity that complicates the economies of rights through gendered solidarity. At the end of the novel, standing between borders, the main character Na Ga turns toward Burma and her indigenous subjectivity while still keeping open the promise of transnational solidarity predicated upon a poststructuralist feminist promise. Leaving open this communication with the promise of the future recalls Wendy Brown’s suggestion that feminism should be predicated upon “[a] utopian imaginary that has no certainty about its prospects or even about the means and vehicles of its realization” (“Feminism Unbound” 115). It is this promise that can underwrite the discourse of women’s rights as human rights as they are embedded in and intertwined with global capital. Because “gender...cannot be liberated in the classical sense, and the powers constituting and regulating it cannot be seized and inverted or abolished” (Brown 112), both the feminist movement and human rights discourses, as discourses of critique and activism simultaneously, are both mourning a revolutionary promise predicated on an Enlightenment logic that never really existed. Recognizing the ways in which both discourses are always already embedded within and constructed by global capitalist structures of power that are subjugating is useful since it realigns the goal paradoxically toward a pragmatic normativity that cannot exit out-

side of the economy of rights.

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