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Transformative Activism and Human Trafficking: Towards New Directions in Preventative
Methods and Inclusive Solutions

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Abstract

This research examines the United States response to domestic human and sex trafficking using an intersectional framework with an emphasis on human rights. This thesis seeks to add to the existing literature that consists primarily of radical and post-colonial feminist perspective by incorporating the different theoretical framework of Patricia Hill Collins's matrix of domination paradigm. My theoretical proposition asserts that improving preventative efforts and creating more inclusive solutions requires collaboration with activist and advocacy organizations that focus on human rights and transformative activism. Sex worker rights coalitions will be highlighted as an example of how rights-based movements could prove to be valuable in the combatting of trafficking in persons. This thesis consist of qualitative research of field interviews with two anti-trafficking organizations and one sex worker rights coalition, as well as an analysis of policy implementation and historical construction of trafficking. The shared experiences and statements from the interviewees and the application of an intersectional framework supported my proposition on the need for more collaboration that is not government or radical-centered. My findings include a need for advocacy that is not "top-down" but that is created and led by marginalized communities that are vulnerable to human trafficking and human rights abuses.

Transformative Activism and Human Trafficking: Towards New Directions in Preventative Methods and Inclusive Solutions

Human trafficking is a relatively new and popularized transnational crime involving the illegal transportation and coercion of vulnerable individuals for monetary or material gain. The only comprehensive federal law against human trafficking in the United States, the Trafficking Victims Protection Act (TVPA) of 2000, defines human trafficking as:

- a) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or
- b) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery. (Department of State 2012:8)

The U.S. State Department estimates that there are as many as 27 million men, women, and children who are currently involved in trafficking situations globally. The U.S. Department of Justice estimates that 14,500 to 17,500 individuals are trafficked to the United States for various exploitative purposes annually (Department of State 2012: 8). The domestic estimates include only cases of non-nationals who have been transported from outside of sovereign U.S. borders and known trafficked U.S. citizens. In other words, the domestic estimate provided by the Department of Justice does not adequately describe the depth to which U.S. citizens are trafficked and exploited within U.S. borders. Instead it is a guestimate that is meshed with the more well-known and investigated international trafficked persons.

The United States government has taken what has been called a “tough” criminal justice stance on human trafficking since the inception of the TVPA in 2000. In addition to providing a definition of “human trafficking,” the TVPA was drafted with a provision that monitors and

ranks foreign countries handling and addressing of human trafficking within their own countries and gets published annually in the *Trafficking Persons Report*. This report will be discussed later in this paper. The TVPA was also drafted with the intent to provide rescued and identified trafficking victims access to health and well-being services and, for foreign nationals, a temporary T-Visa with the chance of becoming a naturalized citizen. For trafficked persons to receive both the T-Visa and the subsequent aid services, they must first agree to participate in a criminal prosecution against their trafficker(s) with the Department of Justice. The social services and visa provisions were intended to be the human-rights balm to what was seen by advocates as a tough criminal justice legislation, but the required cooperation in a prosecution eradicates these intentions (Destefano 2007). The TVPA, even when utilized to aid trafficking victims, is strictly concerned with addressing trafficking after it has already occurred and charging the traffickers.

When studying human trafficking two patterns emerge. First, the United States government, media, and academic focus is on – sometimes exclusively – international trafficking, with minimal or no inclusion of domestic trafficking within U.S. sovereign borders. The second pattern is the debate of sex trafficking and sex work and U.S. contextualization and conflation of the two. In this debate there are several elements, including (a) the debate on sex work as “legitimate” labor, (b) the United States’ anti-prostitution stance and bias in drafting of the Trafficking in Persons report, (c) stereotyped media coverage of trafficking and those who are most vulnerable to being trafficked, and (d) refusal to acknowledge sex worker advocate coalitions within the United States and their combating of domestic sex trafficking. This debate, while constantly scrutinized, is important for the United States’ efforts in combating domestic sex trafficking for two reasons: (1) the anti-prostitution stance has negatively affected *who* can

perform anti-trafficking work and (2) the focus on equating sex work and trafficking for sexual exploitation ignored the socio-political factors that can leave U.S. citizens vulnerable to trafficking.

Additionally, sex worker advocacy groups globally have proven to be valuable allies on a number of social concerns, such as HIV/AIDS transmissions and the forced sexual exploitation of children. These advocacy groups are consistently ignored in the United States' reporting on international efforts to reduce and prevent trafficking in persons. In fact, recommendations in *Trafficking In Persons* reports continually press for reducing—and someday completely eliminating—commercial sex sectors in countries with legalized sex industries. At the same time, U.S. officials, from presidents to ambassadors-at-large, lecture about the evils of human trafficking and the damages the sex trade causes women and children while positioning the U.S. government as a leading force against human rights abuses and exploitation both domestically and internationally. Most importantly, in the discourse surrounding human trafficking, the United States government posits itself as a champion pioneer of empowering populations that are vulnerable to this exploitative crime.

What gets omitted in these passionate declarations is where the United States could improve in its efforts to combat human trafficking and what structural factors contribute to the domestic trafficking of its own citizens. By focusing on other nations' handling of trafficking in the global arena—the “source” countries as they are termed in the *Trafficking In Persons* report—and by pushing their own anti-prostitution agenda onto other countries, the socio-political landscape of American life that serves to marginalize and exploit particular groups of people that contributes to trafficking is ignored and improperly addressed. Those particular groups that are represented in this paper are homeless youth and women of color. These two

groups refer specifically to U.S.-born citizens and how their marginalized status leaves them vulnerable to sex trafficking. Laws and so-called remedies to social problems are created by a select and elite minority—individuals who have usually never personally experience what they are legislating against. In the United States, this tends to be well-educated upper-class White men who have little to no experience with being marginalized, discriminated against, and then subsequently exploited. The TVPA and the following aid efforts are no exception, nor are the individuals they sometimes miss.

This thesis will discuss the United States' efforts against sex trafficking in the United States, with a greater focus on domestic actions. Specifically, I will analyze the social and cultural structures that aid in perpetrating human trafficking on U.S. soil, and how potential trafficking victims are targeted, such as racism and a reduction in women's rights. Additionally, I will argue and prove that the United States' efforts are being hindered by its own anti-prostitution bias. Finally, this thesis poses, and justifies, the theoretical proposition that preventative efforts in the United States require more collaboration with activists coalitions that address structural oppressions and inequalities present in U.S. culture. Sex worker rights organizations and their accomplishments, domestically and globally, will be highlighted as an example.

For the purposes of this thesis, "human trafficking" will refer to non-sexual exploitation such as debt bondage and labor abuses. "Sex trafficking" encompasses sex-related activities in which there is no consent and individuals are coerced or forced into engaging in sex-related activities. While the majority of this thesis discusses sex trafficking, at times it will be necessary to incorporate non-sex trafficking in order to fully explain what types of exploitations to which vulnerable communities, such as homeless youth, may be exposed. It is also necessary to

describe how human and sex trafficking is conceptualized in this thesis. For my purposes, human trafficking is a form of violence and a continuous process of violating human rights as defined by the United Nations' Universal Declaration of Human Rights. This is specific to Articles 1, 2, 3, 7, 19, 20, and 23, all of which are concerned with racial and gender discrimination as well as a right to bodily autonomy and integrity.

Historically in the United States, the deprivation of human rights and institutionalized acts of violence has occurred primarily against marginalized communities such as people of color. I chose my two groups because of this historic dehumanization and violence and to prove that these human rights abuses and state-instituted disregard continue to play out in anti-trafficking campaigns. Additionally, this thesis does not consider trafficking to be a modern form of slavery, for reasons that will be discussed in upcoming sections.

I chose the concepts developed by Patricia Hill Collins (1991) to frame and analyze this research. I will be utilizing the "matrix of domination" paradigm, which explains how intersecting oppressions cause denigrated social groups to be dominated by the overarching power structures in our daily lives. In this thesis, the intersecting oppressions on which I focus are race, class, gender, sexual orientation, and occupation. Trafficking is a form of domination, but rescue and anti-trafficking efforts are as well. Moreover, intersecting oppressions from marginalizations not only cause vulnerability but also dictate what narratives are told. Therefore, the matrix of domination is utilized in this research.

This thesis is divided into four parts. Section I is a literature review of the how the United States addresses human trafficking and the criticisms of these practices, as well as the theoretical framework that will be utilized. Section II is the methods discussion detailing my methodology.

Section III discusses how current narratives of trafficking were constructed from early “White Slave” scares and includes a historical analysis on anti-trafficking efforts. This section also details “who” can be trafficked. Section IV details the power of transformative activism and explains my theoretical conclusion. Section V is the conclusion, including recommendations for future research.

Section I: Literature Review

Current academic approaches to sex trafficking and sex work consist of two main disciplines of feminist theory: radical and post-colonial. The radical feminist theory is most often infused with feminist jurisprudence, utilized in gender and law journals, and is concerned with patriarchal power structures that thrive on women’s subjugation and sexual exploitation. The post-colonial theory is most often written by post-colonial feminists, or so-called “Third World” feminists, and focuses on intersections of nationalism, racism, and colonialism as acted out on women’s and other vulnerable groups bodies. This theory is most frequently found in journals and academic bodies that critique the United States perspective, particularly the plight of oppressed “Third World” women and the conflation of sex work with sex trafficking and enforced prostitution.

The radical feminists posit that sex trafficking exists because there is an endless demand for women and girls’ bodies for forced sex (Chuang 2010;Doezema 2010;Hughes 2008 Weitzer 2012). In the arena of sex trafficking (trafficking into non-sex sectors is not discussed by these particular advocates, nor are human right abuses that are sexual violence-specific), both legal and illegal sexual activities are targeted and seen as contributing to the sex trafficking of women and girls and links the modern crime of human trafficking with the transatlantic slave trade of old.

This perspective has been reiterated and pushed by notable Western feminists such as Donna Hughes, Kathleen Barry, Melissa Farley, and Catharine MacKinnon (Hua 2011; Hughes 2008; Kempadoo 1988; MacKinnon 2005; Weitzer 2012). These radical academics and activists stress that prostitution laws need to be strengthened to end the demand for sex work and thereby eliminating sex trafficking (Day 2012; Hughes 2008; Weitzer 2012) and that all forms of sexual commerce—be it stripping, pornography, or escort services—can never be voluntary (Weitzer 2010).

These radical feminists typically use anti-trafficking mobilizations to push their own previously established crusades. For example, MacKinnon (2005) has used trafficking as a new venue for her continued anti-pornography agenda, conflating the two issues. MacKinnon and her ilk claim that pornography is itself a form of trafficking because a sexual service is being bought and consumed, that pornography features victims of sex trafficking, and that pornography “fuels” the demand for sex trafficking. In this vein, MacKinnon has amalgamated the two issues, making sex trafficking and pornography equal. The problem here is that pornography and trafficking situations are too diverse to integrate together to further her pornography battle (Weitzer 2012). MacKinnon is not alone in this agenda pushing behavior. Other abolitionists and conservatives have combined the anti-trafficking movement with other issues they feel are injustices ranging from migration restriction to anti-choice organizations.

The evidence provided to support these claims is overwhelmingly anecdotal but works as a formula: a scenario is described, voyeuristically so, in which a girl or woman is lured into a brothel/strip club/pimp’s apartment, is beaten and raped into submission, and is then forced to sexually service multiple men a day until she is ultimately rescued. Sometimes the girls or women become pregnant (these scenarios frequently feature abortion and are sometimes funded

by the more conservative groups, the majority of whom are heavily religious), sometimes they become infected with HIV or AIDS, sometimes the victims are forced to perform for a video audience. This standardized formula of preferred trafficking experiences undermines anti-trafficking efforts in two ways. First, it not only homogenizes the cultural and social ways in which trafficking is understood, but also scripts victims into passive roles women's movements have been organizing against in the United States for decades. Secondly, the emphasis is on the exploitation and abuse that the girls and women endured; their subsequent rescue and does not provide or explain the social structures that aided the trafficking and exploitation in the first place. By eliminating those social structures, the evidence used by Western feminists to pontificate on the evils of sex trafficking omit a crucial element of all social justice campaigns: prevention. This is not to say that all feminist literature against sex trafficking fails to cite root causes of trafficking; they do, however, they mainly consist of women's unequal status to men in society and miss other equally important inequalities, such as gender being racialized, heteronormative, and nationalized.

In stark contrast to the radical faction are the post-colonial perspectives that hold the opposite view. That is, that sex work can be voluntary, but has become intertwined with sex trafficking to push Western anti-prostitution ideals that are racist and nationalist in their implementation (Doezema 2010; Hua 2011; Kempadoo 2012; Peach 2011). This also includes an "Americanization" of women's human rights, of Western feminists and anti-trafficking advocates being situated as informed authorities on non-Western women's vulnerabilities to trafficking and exploitation, and how those same women need to be "saved" and a guaranteed safe guarding of their human rights (Hua 2011:9). These assertions are informed by cultural stereotypes that are rooted in nationalistic ignorance of one culture being lesser, or just not as

“informed,” as the cultures where these concerned Westerners reside. Donna K. Maeda (2011) illustrates this in her writing criticizing Kevin Bales, the co-founder of the “Free The Slaves” anti-slavery nongovernmental organization, in his assertion on Thai women and girls being socialized into believing their compliance in exploitation are grounded in Thai culture’s required passivity of the female sex:

Bales Orientalized notions of culture and religion...provide explanatory frameworks that rely on representations of difference from, and inferiority to, the ‘West.’ Bales unacknowledged but highly racialized interpretation of culture and his fundamentalist view of religion rely on and perpetuate notions of Asian passivity and lack of normative agency. (p. 56)

Maeda’s critique illustrates the tensions between the post-colonial perspective and the Western rescue paradigm. The concern in the Western paradigm is educating “culturally inferior” nations on the harms of their patriarchal structures without acknowledging their own oppressive patriarchies. Post-colonial theorists and feminists assert that an exclusive focus on the sex work/sex trafficking dichotomy shifts concentration away from the various ways the so-called “developed” countries encourage trafficking, such as continuing demand for cheap labor and goods, and military presences that employ “rest and recreation” activities. Instead, there is misguided information influenced by differences that can seem patronizing with negative consequences.

This literature review is a mere abridged version of the large plethora of academic work done on human and sex trafficking. What is missing from the current literature is a purely United States-focused analysis of how and why human trafficking occurs on U.S. soil and of U.S.

citizens as well as internationals trafficked into the United States for the purposes of exploitation. There are writings on this subject but they are not as numerous or as well investigated as their transnational counterparts. Additionally, most of these works are written from a law and criminal justice perspective and either completely disregard or just barely mention the social and cultural structures that exist in U.S. society that allow human and sex trafficking to be conducted and persevere. The remaining literature is from a social welfare perspective written with the intention to improve existing prevention and restoration efforts and/or to create new solutions. Both the law/criminal justice and social welfare approaches are needed, but they do not provide a complete framework for understanding the depth to which human and sex trafficking flourishes, how trafficked individuals are picked by traffickers, or what makes one vulnerable to being trafficked and exploited initially.

Radical and liberal feminist thought employ their own dichotomizing thought based around sexism that is not inclusive to minority populations, and are the prevailing theories used in the discourse on domestic sex trafficking. However, their rigid binaries based purely on gender inequality leave the most vulnerable groups—poor women, undocumented migrants, youth, especially LGBTQ youth, and women of color—out of the discussion. The radical scholars are correct in asserting that sex trafficking exists because there is a consumer demand, but this oversimplifies the customer base. *Certain* bodies are desired but that desirability is not always the sole reason for vulnerability and being trafficked. Most important, the radical position does not address how non-gender specific institutional oppressions factor into the probability of being trafficked or in the construction of the human trafficking discourse.

The post-colonial perspective is considerably more intersectional but is not an adequate approach for the U.S. domestic context. People of color in the United States—particularly Native

and Chicana/o communities—have been adversely affected from the legacy of colonialism, but there is one key difference: the lack of an imperialist framework. That is, non-European descent communities and cultures indigenous to the United States were targeted for both genocide and forced assimilation, and this mixed legacy of atrocities cannot be sufficiently explored with *only* a post-colonial framework. The imperialist double burden of having both foreign and national governments marginalize and disempower targeted populations that the post-colonial framework analyzes does not reflect experiences of Native communities. Post-colonial theory is compatible in that it discusses human rights and dignity; however Collins's (1991) matrix of domination does as well. Post-colonial and radical scholarships are significant in the literature and discourse on human trafficking, but they alone are unable to complete a comprehensive view and understanding of trafficking in persons. However, their contributions cannot be ignored or disregarded, but instead need to be critiqued and used as a foundation for future academic production.

Theoretical Framework

This thesis will be analyzed and framed using Patricia Hill Collins's theory of "the matrix of domination." The matrix of domination is described by Collins as seeing intersecting oppressions of racism, classism, sexism, and other excluded populations that are dichotomized in "Eurocentric, masculinist thought," and other marginalized groups and individuals experience different dimensions based on their unique identities (pp. 225-226). The emphasis is on interlocking suppressed groups of individuals and how they interact with an oppressive paradigm of patriarchal thought and governing in United States life. Additionally, Collins emphasizes the need for coalitions and "dialogues" across differing groups (p. 36). Because of this intersectional concentration and influence of American ideals, as well as the acknowledgement on the need for

collaborative work, the matrix of domination is utilized to analyze the causes of domestic trafficking in the United States. The emphasis on individual lived experience is essential to not stereotype potential or identified victims or survivors; and I chose black feminist theory because it encourages differences and acknowledgement on individual experiences (Collins 1991). That is not to say this theory or framework is wholly inclusive, because it is not; but for the purposes of this research it is an appropriate incorporation.

Section II: Methods

I conducted this research by analyzing the laws and policy implementations of the United States government—primarily the TVPA, The Mann Act, and VAWA—as well as reviewing and critiquing current academic work on human trafficking. That current academic work rests either in a feminist analysis (radical or post-colonial) but also consists of criminal justice journals, media outlets of magazines and newspapers, as well as serialized cable programming shows and press releases from the State Department. This method was intended to familiarize myself with the literature and how trafficking in persons is constructed in the media. However, what was most telling was what was absent in all the media outlets and academic work: the lack of an intersectional analysis or focus on the violation of human rights within U.S. borders. I also discovered that anti-trafficking research on domestic trafficking of U.S. citizens with an intersectional framework is minimal and supports the abolitionist framework I was attempting to avoid. The absence of intersectional analysis in domestic trafficking research was the most influential in my decision to conduct qualitative research.

Qualitative methodology is difficult to perform when researching human trafficking, mainly due to the vulnerability of trafficking victims, who have already experienced trauma, and

that organizations are limited by what they can do due to the funding structure the United States government has implemented. Knowing this, I still pursued qualitative study because my end goal was to analyze and discuss not just the victims of trafficking, but the dominating oppressions that define and abuse them. This has been a key in previous and current feminist scholarship to “uncover how inequality is reproduced and resisted”(Naples 2003: 64), as well as remaining conscious of how knowledge can be influenced by race, nation, sex/gender, class, orientation, and other privileges that can result in a lack of understanding. That understanding can be harmful in that it has the capacity to misinterpret and further marginalize groups that had less privilege than the researcher, and that misinterpretation can be repeatedly used in academia. Black feminist scholars, specifically Collins, emphasizes reflexivity and constant awareness of unequal privileges in qualitative research, and was another reason I chose Patricia Hill Collins’s (1991) matrix of domination as a framework in my research.

My “field work,” so to speak, involved interviewing three organizations, two in person and one via electronic mail. I was introduced to two organizations located in Colorado through a graduate student in the Sociology department who introduced me to her connections there with email correspondence. My third interview was granted via personal electronic introduction. All three of my interviewees have been given pseudonyms to protect their individual privacy. The names of the organizations and advocacy coalitions have remained unchanged and were not given a pseudonym.

The first organization, Prax(us), is a non-profit anti-trafficking advocacy group dedicated to harm reduction and empowerment. Prax(us) performs outreach and community advocacy in many forms including street-based activism and distributing harm reduction materials to vulnerable individuals, and addressing oppressions that create domestic trafficking. Because of

the interpersonal nature of their work—the staff and volunteers meet the populations they are serving and build relationships and trust with them, they do not “rescue” but aid in empowerment—as well as their commitment to empowerment and dismantling power/oppression dynamics, I included Prax(us) as reliable and informed source for this thesis.

The Laboratory to Combat Human Trafficking was the second face-to-face interview (hereafter Laboratory). The Laboratory is committed to data gathering and researching, and is concerned with discovering what makes certain people vulnerable or unsafe. The Laboratory also does community training in teaching first-responders as well as the general public about human trafficking, and encourages all who encounter potential trafficking victims to re-evaluate, as well as be conscious of, their personal biases and prejudices that may cloud their judgment in interacting with these potential victims. The values of the Laboratory include recognizing the human rights of all individuals in society and the rejection of the strict for/against prostitution debate that is centered in the anti-trafficking movement. The Laboratory focuses on producing honest, intersectional work to help educate about the nuances and complexities that trafficked persons experience that can sometimes be overlooked in anti-trafficking work. Their dedication to intersectional analysis, human rights, and of challenging the strict discourse on trafficking is why I included this interview as a process of my research.

The third interview was conducted electronically with the San Francisco branch of the Sex Worker Outreach Project (SWOP). SWOP is a nation-wide social justice network for and by sex workers. Through activism and mobilization, SWOP has several goals it strives to achieve including ensuring the human rights of sex workers, addressing and reducing violence against sex workers, and ending stigma through education and outreach. SWOP, as well as other sex worker rights coalitions, is very active in mobilizing against legislative and social moves that

further marginalize and dehumanize sex workers—which is constant in this current anti-trafficking and anti-prostitution climate. SWOP also provides referral services to sex workers who have experienced violence, and is more intersectional in understanding the needs of other marginalized groups—such as men and transgender individuals—that most trafficking victim services cannot provide.

I chose to interview a sex worker organization because I do not conflate sex work with sex trafficking. That is, I do not conceptualize sex trafficking and sex work as being interchangeable or comparable; however, this is in disagreement with the majority of the current literature. When sex work is incorporated into the anti-trafficking discussion, it is either to support legalization, decriminalization, or increasing the strengthening of prostitution laws. While this thesis does not advocate for legalization or decriminalization, it also does not support increased criminalization. Sex workers in the anti-trafficking discourse are juxtaposed against sex trafficking victims as either delusional *women* who have not realized they are victims of violence or demonized as immoral women who participate in exploitation that encourages sexual violence against women and children, or are just rendered voiceless. However, sex workers have been just as active in fighting oppressions and trafficking, as well as numerous human right abuses and social ills. One example of these sex worker organizations is COYOTE (Call Off Your Old Tired Ethics) founded in the California.

In its early years, COYOTE advocated against violent pornography (Jenness 1993) much in the same way the radical feminist at the time were and still are. Sex workers have a voice, and I wanted to incorporate a sex worker's perspective on the anti-trafficking movement. I am not a sex worker. I do not have their experiences nor their stigma or discrimination; therefore, I cannot and will not speak for them. Some sex workers are formed into a large and strong activist

community and why I aimed to include them. I did not want to assert my own privilege in speaking for a group that is more marginalized than I am. As this is not an abolitionist framework, and I am not abolitionist, I am grateful SWOP granted me an interview, and have incorporated their perspective in my research.

Limitations of this Research

My research is not as inclusive or as in-depth as it could be. I was constrained by time and by access to other anti-trafficking and harm reduction organizations. Part of my research goal was to not interview the more faith-based organizations because they have strict dichotomous views on victims and trafficking that are already quite prominent in anti-trafficking research. I also chose not to include criminal justice oriented agencies because (1) there is a plethora of criminal justice oriented-literature and (2) these agencies receive the majority of their funding from the government and are thus limited and biased in what they can address or report in their anti-trafficking work. Prax(us) and the Laboratory both work with faith groups and criminal justice agencies, but stand and operate apart from them with their own philosophies. Because I only had access to these two, my research is limited to two perspectives. This holds true for the sex worker perspective.

Sex worker rights organizations proved difficult to get ahold of because (1) these organizations are quite active and in 2012, an election year, there were various measures the organizations were mobilizing against, such as Prop 35 in California, and (2) sex workers are accustomed to being misrepresented or taken advantage of by non-sex workers who wish to interview or incorporate their voices in their work. I reached out to several other sex worker rights organization through electronic mail and phone calls and SWOP was the only reply I

received. I respect SWOP's work and concerns, and really appreciate the organization granting me an interview. Had I been able to correspond with more sex worker organizations, Section IV of this thesis, on the power of transformative activism, would be more expansive. Nevertheless, I am grateful for all the interviews and insights these three interviews provided me and this research.

Section III: The Construction of Trafficking Victims and Challenging U.S. Discourses

The forced movement of bodies for exploitation and abuse is not new to humanity. When President Bill Clinton signed the Trafficking Victims Protection Act (TVPA) into law on October 2000, transportation for exploitation by outside parties was already well documented in the global arena. Now there was just a new reconceptualization of this movement and it was now labeled as "trafficking." Since the implementation of the TVPA, the primary concern of government and activist officials has been the trafficking of women and children for sexual services. Despite the fact that trafficking consists of more than just forced prostitution, since human trafficking became a reality in the United States the spotlight has been on sex. Ironically, some of first cases of human trafficking did not involve sex trafficking. One such case is of human trafficking that involved the smuggling of deaf Mexican men into the United States for begging and peddling in New York, Los Angeles, and Chicago as part of a larger human trafficking ring throughout Mexico and the United States in the early 1990s. The majority of these men consented to crossing into the United States under false pretenses, and are considered victims of trafficking by the TVPA's definition. The men endured starvation, beatings, and were forced to live in filthy conditions. The ring was only uncovered when three of the men escaped and sought help at a Brooklyn police station (Destefano 2007; Fisher 1997).

A second case followed shortly after the revelation of the deaf Mexicans, again involving a large smuggling ring—similarly with consent followed by deceit—run by the Cadenas, a crime family in Mexico who prostituted women and girls in several states. The women and girls were originally told they would work in agricultural or domestic work, not prostitution (DeStefano 2007; Navarro 1998). The Cadena family is still running prostitution and sex trafficking rings in Mexico and allegedly Guatemala, but several have been prosecuted in the United States. Alongside both the deaf Mexicans and the Cadena family prostitution ring, a garment factory in Los Angeles was discovered with over 70 Thai women who were locked in with barbed wire fences for several years (Navarro 1998). By the end of the 1990s, it became clear to governmental officials that the forced movement of peoples for exploitation into the United States was a reality and more prevalent than these three cases.

Until the signing in of the TVPA in 2000, criminal justice officials had to rely on a “patchwork” of various existing crime laws to obtain convictions, such as the smuggling charges, human rights abuses, and the Mann Act of 1910, which is still used today in irregular trafficking situations where coercion or exploitation are difficult to prove (Chuang 2012; DeStefano 2007). The TVPA is a young piece of legislation, having lived through just three presidential administrations, the bulk of which was the George W. Bush administration. Its key drafter, Congressman Chris Smith, was primarily concerned with the transportation of women and girls for sexual exploitation both domestically and internationally. Smith, a Republican with substantial conservative and religious backing, equated all trafficking with the sex trade (DeStefano 2007:35). Another key figure in the emergence of the anti-trafficking legislation was Senator Paul Wellstone of Wisconsin, a Democrat who did not share Smith’s intense conflation; in fact, Wellstone publically condemned Smith’s philosophy and called for equal concern and

attention to all areas in which human trafficking occurs, not just prostitution (DeStefano 2007: 37).

The Clinton Administration initially was leaning towards Senator Wellstone's more inclusive version, but pressure from radical feminist activists and religious conservatives was high. This was also occurring alongside the United Nations instigations of what is now the Protocol to Prevent, Suppress, and Punish Trafficking in Persons. At these multinational meetings, the radical feminist coalition, Coalition Against Trafficking in Women (CATW), accused the Clinton administration of supporting legalized prostitution—a debate occurring between nations, anti-trafficking and violence advocates, and sex worker networks—and of spreading the idea that sex work can be voluntary. That is, CATW asserted that the Clinton administration in domestic drafting and at the Protocol meetings were supporting legislations and definitions that promote the “degrading” position, not occupation, of sex work (Doezema 2010: 129-34). This pressure and sensationalism from CATW and their colleagues was present in the United States' consideration of its own trafficking legislation. Congressman Smith's more conservative model was adopted in 2000. Admittedly, Smith's version was more “comprehensive” in that it included harsher penalties for trafficking offenses (Destefano 2007: 35), and this provided lawmakers with the judicial framework for the initial draft of the TVPA and the act as it is currently manifested.

Ideological differences have been present at every stage of awareness and combating of human trafficking. Despite the best efforts of anti-trafficking advocates who attempted to equally incorporate all sectors that foster trafficking in persons, the Clinton administration ultimately adopted the current framework, which serves to both focus and reproduce images of sex trafficking and passive victims—women and children—in its implementation and circulation

among mainstream media and academia. It was not until the Bush administration that the strict radical feminists, the neo-abolitionists, and the conservative faith-based anti-trafficking and prostitution camps gained much of their political influence. The Bush administration was considerably more faith-based than Clinton's, which proved quite beneficial to the neo-abolitionist crusade. President Bush was ultimately the voice through which neo-abolitionists projected their anti-prostitution stance twisted in anti-trafficking rhetoric globally (Chuang 2010; DeStefano 2007). This standpoint continues to echo in the *Trafficking In Persons* report issued annually as well as government distribution of funds to overseas nongovernmental organizations.

The Office to Monitor and Combat Trafficking in Persons created a tier ranking system on nations' addressing of trafficking within their sovereign borders that has been highly politicized since the first *Trafficking In Persons* report issued in 2001. The tier ranking system is as follows:

Tier 1: Countries whose government fully complies with the TVPA's minimum standards for the elimination of trafficking.

Tier 2: Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards.

Tier 2 Watch list: Countries where governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards, but have either not proved evidence of decreasing the number of trafficking victims or of increasing efforts to prevent trafficking.

Tier 3: Countries whose governments do not fully comply with TVPA minimum standards and are making no efforts to do so. (State Department 2012: 40-43)

It should also be noted that countries can be labeled as Tier 3 when no data or evidence is provided to U.S. investigators. The TVPA's minimum standards include: increasing penalties for crimes of human trafficking; implementing efforts to decrease trafficking in persons (including elimination of commercial sex sectors); cooperation between governments to punish offenders and aid rescued victims who are foreign nationals; and maintaining "vigorous" efforts to investigate alleged instances of human trafficking (State Department 2012). Countries that are placed in Tier 2, 3, or 2 Watch list, are at risk of having U.S. aid withheld until that nation's ranking increases or proves to the U.S. government that it is making efforts to meet the TVPA's minimum standards (Chuang 2006; State Department 2012). There is no minimum standard that suggests ensuring human rights of all citizens. Despite the fact that human rights are mentioned explicitly in *Trafficking In Persons* reports, there is no discussion of the human rights of vulnerable populations or victims mentioned as part of addressing and eliminating trafficking (Chuang 2006). The first *Trafficking In Persons* issue in 2001 was the beginning of international criticism aimed at the United States' handling of human trafficking.

On November 24, 2004, the U.S. Department of State, where the Office to Monitor and Combat Trafficking in Persons is housed, issued a fact sheet titled, "The Link Between Prostitution and Sex Trafficking," that stated sex trafficking and sexual slavery exist because prostitution is tolerated or decriminalized (DeStefano 2007:112). Though it was not explicitly stated which nations this fact sheet was intended for, the language included in this fact sheet—for example, "decriminalized" and "tolerated"—implies that it was not intended to explain sex trafficking into the United States. This is because, save for a few counties in Nevada, sex work is

a criminal offense in the United States and not viewed as legitimate work. This fact sheet was created one year after the State Department began issuing sanctions to countries that earned a Tier 3 ranking in the *Trafficking In Persons* report and did not make “sufficient” effort to either reduce commercial sex sectors or take an official governmental stance against sex work (Chuang 2010). Activists who did not share this abolitionist stance challenged this fact sheet, asking for data and documented evidence to support the fact sheet’s proclamations. Aside from anecdotal evidence, none was provided (DeStefano 2007). This fact sheet is still archived online with the State Department, and is still referenced in mainly Western critiques of countries with either legalized—such as The Netherlands—or decriminalized—such as New Zealand—stance on sex work. Much like the fact sheet itself, methodology and evidence is anecdotal and unreliable in these studies.

Since the implementation of the TVPA, U.S. lawmakers have attempted to allocate resources and time to non-sex trafficking cases. However, it is difficult to do so for several reasons. One reason is that it is easier for law enforcement to find alleged sex trafficking victims and traffickers because law enforcement officials are more likely to investigate vice crimes than respond to allegations of under-paying migrant farmers (DeStefano 2007:83) and patrol areas where sexual commerce is known to take place (Brennan 2008). A second reason is detachment due to tokenized images of victims that are prevalent in media and anti-trafficking campaigns—two venues that law enforcement officials are continuously exposed to—can cause law enforcement to search only for what they think they *should* see (Weitzer 2010). For a trafficked person who does not fit into the beholder’s mold, aid may not be given; instead, there may be arrest, prosecution, and deportation if a non-national (Srikantiah 2007). However, much like the

root causes of human trafficking, reasons for identifying some forms of trafficking but not others is specific to each individual case.

Past and current anti-trafficking campaigns in the United States can also be described as a newer and more socially accepted form of policing sexuality (Weitzer 2010). The neo-abolitionists consist of religious conservatives and radical anti-prostitution feminists. These religious conservatives are against sex work and support the equating of consenting sex work with forced prostitution because “the wrong in prostitution lies in its departure from traditional social values rooted in heterosexual, patriarchal marriage and family, with sexuality expressed only in those confines” (Chuang 2010:1665). Because anti-trafficking campaigns are so intertwined with anti-prostitution rhetoric, they inadvertently support and reinforce archaic notions of men and women’s sexuality— notions that feminist movements in the United States have been mobilizing against since suffrage. The “ideal” victim of trafficking is passive, preferably female and very young, and has suffered tremendous abuse—physical, mental, and sexual—from her captor(s) and is in need of rescue. In addition, a desired victim will make for a believable witness to a criminal prosecution of traffickers and their clients (Srikantiah 2007:187-195). The ideal victim is trafficked and exploited because she is female and there is a demand for the sexual services which only her body can provide. The reductive image of a victim and her circumstances renders invisible other social and cultural factors that can increase an individual’s chances of being trafficked and exploited. Instead, the focal point of anti-trafficking campaigns and movements in the United States has been on protecting the bodies that can manifest the ideal expressions of women’s sexuality—that is, non-existent outside of proper “confines” and controlled by male figures.

There is an additional caveat here, another way in which anti-trafficking movements police sexuality, and institutionalize racism and nationalism. The Mann Act of 1910 was also known as the “White Slave-Traffic Act,” drafted to prevent the movement of White women across state lines (within the United States) for forced prostitution. Historically, it has been racist in its implementation with White women and girls being the protected while women and girls of color were ignored, especially when the pimps and traffickers were White males (Blair 2010:169-90). Short-lived until the re-emergence of the current anti-trafficking paradigm, the Mann Act is used fairly equally today than it has in the past; that is, it is not used for the sole purpose of protecting White girls and women. The paranoia in the early utilization of the Mann Act was the unfounded fear that White women were being violated by non-White men and, in the international context, that White European women were being trafficked to Middle Eastern countries to be sold as sex slaves (Blair 2010; Chuang 2010). One of CATW’s co-founders, Kathleen Barry, wrote a book on this racialized form of sex trafficking, *Female Sexual Slavery*. Barry describes naïve young women from Europe who in various scenarios—from taking a solitary adult vacation to outright kidnapping—are sexually abused by Middle Eastern men in a variety of venues from harems to roadside brothels. *Female Sexual Slavery* was highly influential in the re-opening of the trafficking dialogue in the mid-1980s to the early 1990s, mainly in an international context, as well as its synonymous meaning with “slavery.”

The early paranoia around White women being victimized by lascivious men of color manifests itself differently in the current anti-trafficking climate. There is still racism and nationalism, but it is now directed at the “source” countries for having an inferior culture that allows women and girls to be viewed as sex objects and seen as less than human to their male counterparts (Hua 2011; Maeda 2011). It is in the preference of locating and aiding a Latina

woman working in a border brothel than the able bodied Latino man working in a construction zone, and it is in the belief that a Russian au pair cannot be locked inside an upper-class mansion with a cleaning crew, while another Russian woman willingly works in an escort service. The racism and nationalism now just intersects with gender much in the same way it did in the earliest uses of the Mann Act, the rhetoric and context has just changed.

The anti-trafficking campaigns in the early 1900s and the later 1990s have had two negative repercussions, accomplishments and progress notwithstanding. First, the Mann Act era helped establish recognition of this social problem while reinforcing another. That is, the Mann Act recognized the crime of exploiting women and transporting them against their will or under false pretenses; however, due to its racist nature—it is termed the “White Slave Act”—it demonized men of color, in this case primarily Black men. And the singular concern of White women being sexually violated explicitly ignored the fact that women of color being trafficked for both sexual and non-sexual labor was common and done so with impunity; meaning, the hysteria that was raced/sexed vulnerability to sexual exploitation ignored the fact that this nation was actually founded on this exploitation and human rights abuse of both men and women (Nagel 2003). Second, the later “modern” campaign adopted that same “slavery” language and with it erased the legacy of colonialism and race-specific slavery and its encompassing horror. In other words, the current anti-trafficking movement has erased the cultural implications of “slavery” and have moved European-descended bodies into the position of the abused and exploited, the enslaved.

That the anti-trafficking movement is so heavily infused with religious morals and support only serves to reinforce the reduction and cultural erasure. In addition to seeing sexual labor and sex trafficking as a social ill because it deviates from the nuclear structure of

woman/wife having sex with man/husband, religious motivation in the United States context has also been nationalistic and racist in its implication. For early colonialists, this came in the form of conquering indigenous tribes. Early colonialists viewed Native tribes and way of life as “savage” and in need of salvation via missionization. This missionization included forced placement into boarding schools, mass murders, and sexual assaults of women and children, as well as (sometimes forced) marriages between White men and Native women (Nagel 2003; Smith 2005). The intention was to make the “savage” populations civil enough to be suitable slaves and indentured servants to the European colonizers. Because they were devalued and considered “godless,” the bodies of Native women and children were considered subhuman, while the White women’s virtue and chastity needed protecting from the lust of both Native and White men, particularly the virtue of unmarried women. Native women were not awarded this chastity or virtue and, as such, sexualized violence and abuse was justified and, in some instances, encouraged (Nagel 2003).

When analyzing the abuse and forced migration of Native communities by colonizers, it is impossible not to see the similarities to trafficking. Colonists forcibly displaced and transported Native populations and individuals both for access to resources and to use them as forced labor, sometimes in debt bondage situations that are common for youth today. Native women were raped and exploited; some were even kept against their will by White men in private homes or public locations, such as next to a reservation and in front of their communities (Nagel 2003: 70). As there is no consent given, and that the sexual acts were conducted in violence, these types of scenarios would be considered sex trafficking under the TVPA’s definition. These experiences and narratives are mirrored by their fellow indigenous counterparts in a colonized Mexico and South America.

African communities differ in that slavery has always referred to their experiences during the transatlantic slave trade. The similarities to trafficking in persons of today are obvious: forced labor, child labor, sexual exploitation, and the selling of bodies. *The Trafficking In Persons* reports from the State Department frequently cite how many years it has between the issued report and the signing of the Emancipation Proclamation (this last issue of 2012 marks 150 years), as well as quotes from famed abolitionists and freed slaves like Harriet Tubman and Frederick Douglass. What is omitted is that the history of slavery follows missionization and racist religious overtones in a way that is comparable to the experiences of Native communities. The enslavement of Africans was considered moral because the slave owners and profiteers not only rescued the Africans from the so-called heathen land of Africa, they also instilled the teachings of God into them by civilizing them (Nagel 2003). Even with the Thirteenth Amendment to the U.S. Constitution against slavery, the racial and nationalist tensions are still prevalent in the United States, it is merely not state-sanctioned.

Religion in the United States has not been in a stasis, religious figures and patrons have changed along with ideals and the passage of time. However, in the anti-trafficking movement, some have reverted back to this mission-and-civilization framework of educating the “less developed” countries with their own understanding of human rights and equality. What these activists either do not (or cannot) understand is that that same religious moral foundation reinforces a significant amount of the structural oppressions that allow trafficking to occur such as sexist ideology, marginalization of non-heterosexual and gender-conforming individuals, racism, and the creation and justification of an “Other.” In an international context, this means asserting Western superiority—as was demonstrated with Maeda’s critique of Kevin Bales—over countries that are non-Western. In the domestic context, this manifests itself in a different

manner: the unresolved and lingering legacy of colonialism and the prevalence of racism and racialized sexual bodies that are not usually applied to a trafficking framework. While the U.S. government and criminal justice offices recognize that institutionalized oppressions are central to creating trafficking environments and markets, this has not been analyzed in much depth for domestic victims and survivors.

Furthermore, because the governmental authorities lack an in-depth intersectional analysis—outside of a criminal justice framework—the narratives of human and sex trafficking that mainstream media outlets report are stereotyped and dismiss the nuances and individuality that is present in each trafficking situation. A series on MSNBC, a U.S.-based cable television new channel, “Sex Slaves,” depicts several reproduced narratives of trafficking; there is the naïve college student who thought she would go abroad and work to pay for school, but ends up in a brothel; the runaway teen who was introduced through a boyfriend/friend/stranger who promised money; the Southeast Asian women who thought they would work in nail parlors and instead wound up in a massage parlor. These are definitely real, lived experiences of sexual and human rights abuse, but perpetuate harmful key themes in accepted trafficking narration: naivety, passivity, hope for a better life, relationships outside of the marriage arrangement, adult victims are trafficked *into* the United States while youths are trafficked both *within* and *into*, and most importantly, the desired victims are *rescued*.

These narrow and favored stories of trafficking victims and survivors are indicative, but not wholly illustrative, of the numerous manifestations of domestic exploitation. The conservative abolitionist lobby not only influenced legislation, but their continued presence in mainstream media and academia have defined and constructed the discourse of trafficking in persons in both domestic and international contexts. Therefore, if we are to make the anti-

trafficking movement more inclusive we must first change the discourse by incorporating more voices and analyzing the institutionalized oppressions present within the movement and in the larger socio-political landscape.

“Who” Can Be Trafficked and Changing The Discourse: At-Risk and Marginalized Populations

The United States has developed an in-depth prevention paradigm designed to target root causes of trafficking. According to the Office to Monitor and Combat Trafficking in Persons, prevention involves a myriad of political maneuvers such as “rectifying laws that omit classes of workers from labor law protections,” to “reduction of the demand for commercial sex,” and that “effective law enforcement and protection practices are essential to ensuring stronger prevention policies, which can deter the occurrence of human trafficking.” The prevention measures are lacking in several crucial areas such as ensuring gender equality, combating racial and ethnic biases and creation and support of crisis centers for at-risk populations. The Office to Monitor and Combat Trafficking in Persons is policy and criminal justice-oriented, which, while essential for eradicating human and sex trafficking, compromises only one key component.

The United States government also needs to address the inequalities and dehumanization of its own citizens and acknowledge how institutionalized oppressions contribute to domestic trafficking. While there are numerous oppressed and systematically abused groups in the United States, only two will be discussed here: at-risk youth and women of color. At-risk youth are disenfranchised by virtue of their age, sometimes race and sexual orientation, as well as societal prejudices against displaced and homeless individuals. Women of color are raced, sexed, and classed to the point of dehumanization which gives justification for abuse and exploitation. Basic human needs and rights such as housing, employment, and personal safety are not guaranteed for

marginalized communities. Despite this, these two groups, particularly women of color, are not adequately represented or discussed in anti-trafficking discourse. I have decided to focus on these two groups to address this discrepancy.

At-risk youth

Traffickers target vulnerable individuals, particularly those they know no one will look for if they vanished. For youth on the street, they are prime and easy targets for traffickers and exploiters. Sophie, a staff member and representative of Prax(us) explained, “We’re talking about people who are coming from really abusive families or have gone through abuse and neglect, they know trauma bonds, they know that to be love.” People who know love as abuse, as Sophie stated, is a “push” factor for both domestic migration and runaway youth. Once youth become homeless or displaced, their vulnerability increases because they are in the marginalized fringes of society: homeless or engaged in survival criminal activity. There is an estimated 1.6 million youth who are homeless at any given time every year in the United States (Walsh and Donaldson 2010). It is also estimated that around 40% of these homeless youth identify as lesbian, gay, bisexual, or transgender (Safe Horizon).

Youth on the street are at an increased risk for exposure to violence, criminal behavior, and sexual exploitation. It is not uncommon for these young men and women to engage in survival sex (Rand 2009; Walsh and Donaldson 2010). “For trafficking to occur there needs to be a lack of something in someone’s environment and so, I think that access to basic needs...there’s less access when we’re talking about marginalized populations,” Sophie stated when discussing what additional factors increase vulnerability to trafficking for youth. Except for their bodies, these youths have no commodity; they have nothing to trade for access to basic human

necessities such as food, shelter, and clothes. Some law enforcement officials have seen these youths' actions as a sort of proxy "consent" to engage in prostitution and are arrested and charged (Rand 2009). It has even been reported that these homeless youth, girls in particular, have exchanged sex for a warm place to sleep, even if temporarily (Rand 2009).

According to the TVPA, underage youth engaged in sex work are to be considered victims of trafficking due to their age; if they are under the age of 18, they cannot legally consent. However, it is still common for youth to be incarcerated for prostitution or prostitution-related crimes. Criminalization of a behavior only serves to further marginalize and dehumanize those who are deemed deviant or perpetrators. Sophie asserts that, "with a criminal record, things like housing, employment, and et cetera, are even less accessible. And a lot of the time people are criminalized because of a lack of money and the lack of accesses to begin with." Structural forces are similar to sources of homelessness and poverty, such as insufficient living wages and unsafe home environments, yet are over-simplified in the trafficking movement. Addressing these oppressing forces would also mean opening dialogues that are uncomfortable or are seen as unrelated to trafficking or its causes, such as drug addiction, child welfare, and interpersonal violence. However, these structural marginalizations are all inter-related, but the conservative movement that is anti-trafficking has been slow to realize this, particularly with non-sexual acts of violence such as drug addictions.

Homeless youth are also more likely to use illegal drugs such as cocaine or heroin, often to numb themselves to their current situations, than their non-homeless peers (Walsh and Donaldson 2010). Traffickers have used drug addiction to control their victims and to ease them into compliance. It is an old "pimp trick" to find or create a drug addicted individual and force her or him into prostitution to feed the person's addictions (Rand 2009). A man in New Jersey

was charged in October of 2012 with trafficking young men from his apartment, some of whom he targeted because of their previous addictions, some of whom he himself addicted:

Branch lured the young men—ranging in age from their teens to early 20s—by offering them money, drugs, friendship and—in some instances—shelter. He targeted youngsters estranged from their families. Branch then fed their substance addictions with alcohol and drugs to maintain control over them, authorities said, as clients paid up to \$200 for a sex act. (Green 2012)

It is important to note that although male and female homeless youth are at equal risk for exploitation, studies and prevention efforts have historically focused on female youth. However, recent studies and media stories covering males are starting to emerge.

While the U.S. government prides itself on touting justice and human rights to the women and children of the world, very little progress has been made to address youth exploitation in the United States. There are thousands of organizations that are either referral crisis centers or shelters and education programs directed solely at homeless youth at risk for exploitation; however, funding has been short in the current economic climate of the United States (Brennan 2008; Walsh and Donaldson 2010). The TVPA of 2000 has a provision that mandates government funding be allocated to prevention shelters, but there has been a trend of favoritism for non-citizen oriented organizations and recipients (Brennan 2008: 52) as well as faith-based organizations. Here the anti-prostitution agenda is reproduced, as the focus once again turns towards prostituted youth trafficked in from outside countries or sexually exploited children in other countries.

The common theme is to focus on what is happening outside of U.S. borders by providing public images of horrid human rights groups against women and children in other countries and ignoring those same atrocities being committed in our communities, by people we call neighbors or acquaintances. Sexual abuse of children and the exploitation of runaway and homeless youth in the United States have always been present; what is “new” is the rhetoric of trafficking that has been applied. This rhetoric implies that progress has been made to address these very real and serious social problems when in reality not much has been accomplished. Youth in forced prostitution are still more likely to be arrested and detained rather than being seen as exploited and in need of aid services and adequate funding is still sparse and stretched thin over competing organizations. Moreover, those services are not able to accommodate all potential victims and survivors:

There’s not anything that’s specific to trafficking survivorship. There are people who work with similar populations, and overlap populations...there’s housing for homeless youth, there’s housing for people with substance abuse problems, there’s housing for people with mental disabilities, there’s housing for people leaving sex work, and those generally will take survivors. Unfortunately, these are all female, and so, it’s very hard to place a male survivor, especially in a safe house. We work with trans youth whose counselors will not put them in a men’s group when they’re a trans man, or a female group when they’re trans female.... I also think we need aid re-allocated places, funding is so very involved in the abolitionist efforts to “rescue” people and actually most of that totally overlooks the domestic problem. (Sophie, Prax(us) interview)

For domestic youth in trafficking situations, their options are limited. Non-nationals who are trafficked into the United States have more services provided to them through the U.S.

Department of Health and Human Services, after they have proved themselves worthy to receive said services, than U.S. citizen youth (Wilson and Dalton 2007: 57). Wilson and Dalton (2007) provide a proposal to remedy this: if funding is going to continue to be allocated unevenly in this manner, then there needs to be a shared focus on the present social factors that cause youth to become homeless. Wilson and Dalton (2007: 27) located several factors that pushed youth into forced prostitution, such as “homelessness, physical and sexual abuse and neglect, substance abuse, teen pregnancy, poverty, and gang involvement,” to list a few. Depending on the population, sexual and physical abuse rates against children in the United States have been steadily decreasing (this is not true for Native communities) over the last two decades, but poverty, neglect, gang involvement, and homelessness have not (Goode 2012; Wilson and Dalton 2007).

Youths in the United States are at a disadvantage because of their age. Children below the age of 18 are heavily restricted by parents or guardians who may abuse or neglect their children. This has worked to the advantage of traffickers. For teenagers who have run away from homes where they have felt neglected or unloved, a trafficker will step in and give abused or neglected runaways the affection they are seeking. This has been well documented in teenage girls. A typical scenario involves a pimp or trafficker befriending a homeless or neglected girl, deceives her into believing he genuinely cares about her and gains her trust. Then, he needs her to do a favor, or help him out; he needs money, and quick, which she can make by selling her body. This becomes a repeated process until there is no longer the need for the illusion of genuine affection, the young woman or girl is under the trafficker’s control (Rand 2009; Wilson and Dalton 2007). More cases are emerging of young men and boys being deceived in a similar manner. When the element of sex is removed, this also becomes a standard narrative for debt bondage labor as well.

According to Sophie, in Denver, we see the magazine crews where trafficked persons are deceived into a debt-work situation, where debt is accumulated—usually over small expenses meant to keep the individuals economically bound for extended periods of time—and the victims must work to pay that debt off. These debt bondage situations can be violent and that violence can encompass sexual assault as well.

So the question remains, what can be done to address the factors that contribute to at-risk youth being targeted for trafficking and exploitation? The U.S. government frequently promotes one solution: an education and awareness campaign. Raising public awareness of both the general public and law enforcement officials has been proven to increase the chances of a trafficked individual being identified (State Department 2012). Another solution is to re-evaluate all trafficking situations and factors in an intersectional way, or in the matrix of domination framework. For youth of color and those who are identified as lesbian, gay, bisexual, or transgender they have at least two oppressive labels against them: being classified as “deviant” due to their circumstances and being a racialized “Other” or sexual minority in a White and heterosexual paradigm within which the criminal justice system, and most social services organizations, are institutionalized. Arrest rates have been disproportionately high for young women and girls of color in the sex trade (Rand 2009: 144). If organizations and first responders of law enforcement are not properly educated and sensitized to the needs of racial and sexual minorities, they will only continue to be marginalized. Racialization of gender and sexuality is a fundamental root cause for trafficking and exploitation in the United States and will be explored next.

Women of color: at-risk and trivialized

When people of color are conceptualized by media, anti-trafficking advocates, and lawmakers in domestic sex trafficking cases, they are non-nationals who have been trafficked into the United States. Women and girls of color in the United States have historically had to endure racialization of their sexuality. Black women have carried the “Jezebel” label, the image of an insatiable Black woman as a way to justify rape and situate Black women as morally inferior to White women (those who need protecting, again reproducing the sentiment of the Mann Act) because of their inherently sexual nature. Latina women are viewed in similar ways, as “spicy” sex pots with fiery Latin blood just waiting to be sated. Asian women are seen as passive, meek creatures who aim to please their husbands and lovers and are voiceless with no agency. Native American women are seen as “less-than” U.S. citizens to an even lesser degree than other minority groups, and suffer the highest rates of domestic violence and rape (Amnesty International 2007; Williams 2012). Women of color are more vulnerable to exploitation because they are not fully human (Collins 1991: 43). The anti-trafficking movement also relies on the denial that exploitation and abuse of marginalized and “less valued” members of society happens every day and very close to home (Wolken 2006: 409).

The perverted and graphic descriptions of women of color provided above echo the sentiments of the current patriarchy in which U.S. citizens live. For White men and women—who comprise the majority of both the anti-trafficking and anti-prostitution agenda in the United States—these realities and labels are, for the most part, non-existent because White men and women do not carry the burdens of these racially sexualized labels. I detailed earlier how the Mann Act of 1910 was propagated with false evidence of White women being sold as sex slaves to men of color and was the first anti-trafficking movement the United States had seen prior to

the 1990 cases. Women of color who are also U.S. citizens and are involved in trafficking situations receive much less media attention, public outrage, and political concern, with the exception of the occasional minor victim. Women of color in sex trafficking exploitation are more likely than their White, and sometimes non-national, counterparts to be arrested for engaging in sex work than to be seen as a trafficking victim (Kempadoo 2012; Weitzer 2012).

According to the Department of Justice's Special Report, *Characteristics of Suspected Human Trafficking Incidents, 2008-2010* (Banks and Kyckelhahn 2011), federally funded human trafficking task forces opened 2,515 incidences of trafficking cases, with 82% consisting of sex trafficking. This report is one of the first reports I encountered that included racial/ethnic demographics of detained victims. The report states that "confirmed sex trafficking victims were more likely to white (20%) or black (40%)" (p. 2). This report contradicts itself in that, in the more detailed description, there were 95 confirmed sex trafficking victims of Hispanic lineage compared with the 102 confirmed white victims. Interestingly, there are no data on victims who may be of Native American descent, but there is an "Other" category for multiracial, non-Hispanic individuals. The suspects for sex traffickers states that traffickers tended to be male and Black with a 62% representation of traffickers in confirmed cases. This report also shows that suspected sex traffickers were identified and arrested (279 and 139, respectively) than suspected non-sex traffickers were identified and arrested (64 and 5, respectively).

This report was gathered via information from mainly criminal justice operations, such as law enforcement and, to a much lesser extent, non-governmental organizations and non-profits involved in harm reduction and victim advocacy. Additionally, this was federally funded with the intent to gather evidence for future funding of new and existing human trafficking task forces. As was discussed earlier, studies conducted by abolitionists or governmental bodies are

highly biased in reporting sexual exploitation over labor trafficking. That more than half of the confirmed male suspects were Black is illustrative of the idea of *who perpetrators are supposed to be*; for example, in the few labor trafficking cases, the traffickers were primarily Hispanic (30 traffickers) with Whites being the lowest with two confirmed labor traffickers. I am not saying these men were racially profiled, just that they conform to a cultural stereotype of *whom* is more likely to engage in what criminal behavior, particularly criminal sex-specific behavior.

Stereotypes themselves are powerful in the criminal justice system. I reported earlier that law enforcement officials are more likely to investigate vice-oriented crimes, in this case it would be illicit sexual activity. As Angela Y. Davis (2003) states, “race has always played a central role in constructing presumptions of criminality” (pp. 28-29). The ideal of a dangerous and lascivious Black man who wants to corrupt young (primarily White) women and as a violent predator is still vividly present in the American cultural mind-set. That people of color have higher arrest and detainment rates speaks to this as well. The wording of the *Characteristics of Suspected Human Trafficking Incidents* report gives the impression that White females make up a large portion of identified victims, when the number of White victims (102) and the number of Hispanic victims (95) are almost identical. I am not asserting that White victims do not warrant attention; I am merely stating that the facts being given distort the reality of trafficking, once again reproducing the “ideal” victim that is sexed, classed, and raced. In this vein, the trafficking movement reinforces race, class, and gender ideals befitting the ideal victim, the victim constantly identified by conservative activists.

The oppression and dehumanization of “Other” communities persists; however, there is no denying there has been monumental progress for attempting to ensure equality for all races and ethnicities, but the anti-trafficking movement has back-tracked this progress. The 2012

Trafficking In Persons report prefaced its victim testimonial section, “The Promise of Freedom,” with this Harriet Tubman quote: “Children, if you are hungry keep going; if you are hungry, keep going; if you want to taste freedom, keep going.” This language serves to position the U.S. government as being best prepared to address human trafficking, the modern day form of slavery, because it has already eradicated slavery once and will do so again (Hua 2011: 97-101). Yet, the descendants of those same slaves who are used as an analogy for trafficking victims are still afforded little respect and rights. This language also serves to project the image that the United States currently inhabits a post-racial world where human rights are afforded to everyone equally (Hua 2011). Again, this is not the case. That the anti-trafficking movement has not analyzed domestic trafficking for intersecting oppressions and ignores the history of slavery and racialized exploitation is indicative of the cultural blindness that the movement employs. Claiming “color/cultural blindness” is just as harmful as outward racism/nationalism because the privilege still rests with a dominant few who do not think they *need* to think about social issues and justice in an intersectional way, or the negative ramifications that can occur due to their actions.

For example, there is the on-going struggle over women being paid less for performing the same job duties as men. A simultaneous struggle of women of color being paid less than both men and White women is less known and discussed. Women of color are more likely to live below the poverty line than their White counterparts. Marginalized groups in societies are more likely to work in the least regulated sectors in their particular economy; this leaves them more vulnerable to exploitation and trafficking because safe and fair labor conditions and wages go unchecked (Brennan 2008: 53). Groups of people who are suppressed are also more likely to be

ignored when they complain or raise concerns over their situations because they are not as valued as the dominant groups.

Applying the matrix of domination to trafficking and women of color, it is obvious that women of color are particularly vulnerable due to them being (1) female and (2) a racial or ethnic minority in a White male patriarchy. Additional vulnerabilities can be sexual orientation and socio-economic status, which is heavily tied to race. The conservative anti-trafficking movement plays on the same dominating power and privilege structure that the White male patriarchy operates on, and this includes racialization of sexuality and policing of sexual behaviors (Doezema 2010). That neo-abolitionists are so focused on pushing their own anti-prostitution agenda in their anti-trafficking advocacy onto other countries is quite illustrative of the domestic construction and bias of trafficking. The neo-abolitionists camp is composed of middle-class and highly educated women who have likely never been discriminated against for being an inferior race *and* a woman. How are they qualified to speak to minority and non-Western women about how they are being abused and degraded by a patriarchy? This is one of the questions post-colonial academics have been answering for years. This question has been raised specifically for the United States; the answers are just now being researched. That the anti-trafficking framework has been constructed and propagated in this way renders women of color invisible in prevention efforts.

The anti-trafficking movement also frames the exploitation and abuse of women's human rights in the United States as being a new phenomenon. It is not. In spite of the progress that has been made—rape laws, victim shield laws, creation of domestic violence centers, hate crime legislation, etc.—exploitation and human rights abuses against minorities has never stopped. Mexican women and girls have endured sexual abuse and forced movement for exploitation

along the Mexico-United States border for years. This even occurred alongside the “White Slave Trade” craze of the early 1990s, but Mexican women’s and girls’ situations were not a concern. These Mexican prostitutes, as they were all meshed together, were not capable of being “worthy” of exploitation (Moloney 2011: 268). Border violence and sexual abuse of Mexican women and girls still continues but it is now considered “trafficking,” though, as previously stated, they are more likely to be charged with a sex crime that identified as a trafficked person. Poor women and women of color have turned to sex work to either supplement their incomes or make quick money to support themselves. In areas where sex is commonly sold, police abuse (physical, sexual, extortion) has been present and this has disproportionately targeted Black women who are more vulnerable than White women to arrest and abuse (Brennan 2008; Rieger 2007; Weitzer 2012). Women of color are also more likely than their White counterparts to engage in street level sex work, due to social stratification by race in the sex trade, thus increasing their exposure to crime, abuse from law enforcement, and deceiving clients (Kempadoo 1998; Weitzer 2012).

There have been anti-prostitution and abolitionists’ scholars who have written on the more intersectional dimensions of sex work, such as racism, and the violence that can sometimes accompany that additional marginalization. Melissa Farley (2006) is one of the most prominent of these writers but her methodology and ethics have been called into question on multiple occasions, as have her ethics (Weitzer 2012). For example, Farley is correct in stating that women of color are overrepresented in sex work, but this is true for only street level prostitution, not prostitution as a whole (Farley 2006; Weitzer 2010). Farley is also correct in her assertion that violence occurs at a high rate in sex work, but that violence is most prevalent in street level prostitution, mainly because these sex workers are more visible and more vulnerable to

exploitation and abuse (Kempadoo and Doezema 1988; Weitzer 2012). Moreover, Farley does not ask about police and law enforcement abuse of sex workers, nor does she ask about perpetrators overall—she only includes them if they are immediate family or their race/ethnic profile matches her racist and nationalist claims. Farley’s sole concern is what drives women into sex work while she simultaneously and subtly harbors a victim-blaming attitude because the women sex workers are deluding themselves into believing they are making this “choice” that perpetuates violence against women. While Farley does incorporate an abridged history of the racialization and nationalization of women’s bodies, she ignores the dehumanizing and polarizing construction of the women she claims to represent.

In her article “Prostitution, Trafficking, and Cultural Amnesia: What We Must Not Know in Order to Keep the Business of Sexual Exploitation Running Smoothly,” Farley (2006) states:

The term sex worker suggests that prostitution is a reasonable job for poor women, rather than a violation of their human rights. The words ‘sex worker’ imply ‘order, hierarchy, and accountability...’ In that one word—work—we lose ground in the political struggle to understand prostitution a[s] violence against women. (p. 132)

By implying that “poor women” are deluding themselves into thinking their work is not violence, Farley only reinforces her privileged status—educated, non-sex worker, and not a person of color—by neutralizing any autonomy women may have in making the choices to become sex workers, even if conditions can be violent. Farley reproduces the rescue ideology that can also be harmful. Rescue measures can strip away autonomy and they are disempowering (Peach 2011). Rather than make suggestions on ending racialized violence or improvement on social conditions that can influence one’s decision to engage in sex work, Farley merely reasserts the old

abolitionist adage of strengthening prostitution laws and offering more services for traumatized and abused sex workers. Both are concerned with the after effects of trafficking and exploitation, not how to make sex work and sex workers safer. Furthermore, tightening of criminal laws around prostitution can even increase the amount of violence—both physical and sexual—and extortion—sex workers face from law enforcement because it drives the sex economy further underground where vulnerability to these abuses (Chuang 2010; Peach 2011).

There is no existing credible literature about the trafficking of Native American women and girls. However, most studies do not include demographics for individuals of indigenous descent, so there could either be a significant or insignificant number of Native Americans represented in domestic trafficking. What *is* known is that for any group that is systematically oppressed and dehumanized, there is an increased risk of exploitation and trafficking (Chuang 2010; Kempadoo 2012; Rieger 2007). Native American women especially have seen an increase of race and gender discrimination in the past few years. In its reauthorization in 2012, the Violence Against Women Act (VAWA) of 1994 had provisions to provide protection to Native American women from domestic assault, stalking, rape, and other common crimes against women. VAWA also had protections for sexual minorities and undocumented immigrants. In 2012, the House of Representatives did not reauthorize the protections for Native American women. In particular, House members were concerned about the proposal to allow tribal courts to prosecute non-Native offenders for sexual assault and rape, fearing it would give tribal courts too much authority (Williams 2012). Despite the fact that Native women are 2.5 times more likely than any other race/ethnicity in the United States to experience sexual assault and over 86 % of the assaults are committed by non-Natives and are usually White males (Amnesty International 2007: 14)., and are hardly ever punished for their crimes, the House of

Representatives was more concerned with protecting the “rights” of non-Native men who may be targeted with assault charges.

The House of Representatives refusal to extend tribal jurisdiction to non-Native offenders is illustrative of lingering colonial frameworks and fear and how it can manifest itself in policies that adversely affect already marginalized populations. The dominant group who colonized (as well as instigated a genocide) are allowed to abuse and debase the colonized bodies with near impunity, but those same dehumanized communities are not allowed to take legal or civil action against their abusers. The protections for same-sex partner abuse, sexual minority youth, and undocumented immigrant women were also either completely removed or diluted. In March of 2013, the original VAWA with provisions for Native women was voted in. However, those provisions are on tribal prosecutions for interpersonal or intimate partner violence, such as stalking, domestic abuse, and violation of protection orders. Trafficking, if committed by an unacquainted perpetrator is out of the tribal courts’ jurisdictions and with the U.S. government criminal justice system. Given the lack of funding and complete omission of Native women in both human trafficking task forces data gathering and Department of Justice allocation, it is highly unlikely that non-Native traffickers will be actively sought out and punished.

The U.S. government does not include addressing institutionalized and intersectional oppressions in its prevention model for human trafficking. The prevention model is mainly concerned with community education on migrant worker rights, stricter enforcement laws, buying free trade, and decreasing the demand for commercial sex. The prevention model is classed in that the onus on preventing trafficking situations rests on the upper echelons of society—that is, governmental officials, high-profile scholars, and individuals who can afford to buy “non-slave-made” goods. Yet these same privileged individuals are the ones who create a

materialist need for services and goods to be available for consumption and the ones who create the image of the “perfect victim” that cannot describe every trafficking experience. How can the rescuers save trafficked persons when they are part of the problem? The first step is letting the oppressed communities and vulnerable populations have a voice in the anti-trafficking movement.

Changing the Discourse: On Top-Down Movements and Voice Inclusivity

Marginalized groups that are most vulnerable to exploitation and trafficking have been spoken for by majority groups who have no personal experiences with the types of hardships these oppressed individuals have faced. The anti-trafficking campaign has not made itself intersectional in scope, nor have government and abolitionist officials attempted to address this. When applying the matrix of domination to the anti-trafficking discourse and social construction of sex trafficking, it becomes clear that the anti-trafficking movement in the United States is not meant to speak or represent all vulnerable populations because current legislation, prevention and restoration efforts have not properly evaluated the different systematic oppressions that allow trafficking to occur. Furthermore, the social and cultural reproductions of racism, nationalism, heterosexism, and classism have not been adequately discussed in prevention maneuvers or awareness-raising. Because the current anti-trafficking movement is so closely tied to governmental interventions and definition, there is a need for grassroots efforts and mobilizations. Natalie, a staff member at the Laboratory to Combat Human Trafficking (hereafter Laboratory) located in Denver provides this explanation:

In an ideal situation, advocacy would look like those voices having a space and that would include not only survivors of trafficking, survivors and victims of trafficking,

however they identify, but it would also include those communities who have been impacted by any efforts to curb the issue. Whether they are victims or not, that they have an equal voice because ultimately, our policies are going to affect them.

Natalie is describing what oppressed communities and activist coalitions have always known: the most powerful and privileged in society would rather speak for affected groups or choose an ideal token as a representative experience in the name of social justice, rather than attempt to understand the lived experiences and repercussions of marginalized communities.

Natalie describes the anti-trafficking movement as a “top-down” organization, where the “top” dictates and rescues while the “down” is left voiceless and passive, without autonomy and empowerment. The Laboratory’s mission is to address trafficking at local and global levels through collaboration, research, training, and leadership development. This includes the incorporation of all voices and training first-responders on the reality of trafficking, as well as becoming aware of personal biases and prejudices that may hinder perceptions of potential trafficking victims. The Laboratory’s advocacy work also recognizes the power differentials based on intersecting oppressions and exclusions within the current anti-trafficking movement. Therefore, as an advocate, Natalie has personally experienced how the “top-down” approach has adversely affected those same communities the movement was intending to help. However, rescue is not the answer. Instead the answer lies with empowerment and dismantling the various structures of oppressions that police our daily lives.

Natalie also described the co-opting of the anti-trafficking movement as re-creating the lived experiences of trafficking survivors:

The people who are co-opting the movement and co-opting the language and co-opting the stories and insist on using the word “slavery.” If an individual says, “I was enslaved,” then use that language because that was their experience. But if they say, “I’m a survivor of human trafficking,” one should not respond by saying, “you were enslaved.”

In order for the large and lucrative business that is anti-trafficking to work, the worst-case scenario needs to be introduced, recycled, and re-introduced again. The trafficking movement relies on the emotional responses for action. This is not a harmful strategy in and of itself, the harm lies in the homogenization of individuals who have been trafficked or are likely to be trafficked. This is especially true for children involved in sex trafficking. Children pull stronger emotions than narratives do about adults, so long as those children conform to the “ideal victim” that I detailed earlier. Children are neutral territory, and sexual abuse and commerce of children is condemned because it is an atrocity that is universally horrifying. Natalie shared:

Children are kind of in this veiled place, so it’s safe focus to say we can all find common ground here. It’s the only place we have common ground, we don’t have common ground for adult women, we don’t have common ground for transgender individuals, we don’t have common ground for undocumented workers, we don’t have common ground for someone who’s “Other” than us. But children happen to be in a “safe place,” it’s our entry point into the conversation. And oftentimes, it’s the place that no one ever leaves.

This is especially true since the anti-trafficking movement has been concerned about the sexual exploitation of children since the signing of the TVPA, even more so than for adult women in forced prostitution. This is only natural, as children are beings to be protected and the trafficking vehicle of the United States is built on a rescue paradigm. What is disheartening is that the non-

child sexual trafficking attention has been spread thin. Women and children have come to represent the whole of victims of trafficking in persons when adult men and non-cisgender individuals have been victimized and trafficked alongside women before and after the signing of the TVPA.

The experiences and narratives of trafficking victims who do not conform to the ideal archetype have been recounted and printed in several news venues but almost never receive mainstream attention. In its own *Trafficking In Persons* report, the narratives of survivors who were trafficked in the United States (almost always foreign nationals, and the few domestic citizens are usually youth under the age of 18) consist of women and children in the sex trade. Given there have only been three *Trafficking In Persons* reports for the United States, this may change in future publications. This is unlikely to occur if the discourses and construction of sex trafficking remain as static as they have been since the “White Sex Slave” upheaval of the early 1990s, which state-oriented agencies have given no indication of doing any time in the near future. Although this has been a large drawback in the anti-trafficking movement; merely critiquing the United States’ handling of trafficking is not enough to create change and better preventative efforts.

In order to change the anti-trafficking discourse, more voices and mobilizations of outside of the current conservative movement is needed. The predominant and most influential voices in the anti-trafficking movement cannot speak for everyone caught in a sex trafficking situation or those who are most susceptible to trafficking for sexual exploitation. Only the marginalized groups – women of color, LGBTQ youth and adults, and the ever-controversial sex workers – can speak for themselves and properly inform the public and government officials on their circumstances and what is best for them. To date, the U.S. anti-trafficking movement has

worked almost exclusively with law enforcement agencies and victim advocacy services. To truly improve in preventative measures, the United States governmental authorities on trafficking in persons need to work with activist coalitions that seek to create transformative change in their communities.

Section IV: The Power of Transformative Activism: Benefits and Why Their Efforts Are Needed

There can be no denying the power that grassroots mobilizations have had in transforming and influencing the United States' socio-cultural landscape. Progressive changes in the United States were started in small movements that grew into a force that was so overwhelming and vocal that the government had to listen. This is particularly true for marginalized groups. The oppressed have always had to speak for themselves and mobilize on their own behalf. Grassroots mobilizations are not always inclusive—for example, the feminist movement of today is still very trans phobic and is not very receptive to sex worker rights coalitions. Imperfect as they are, on-the-ground mobilizations are needed because they physically gather and work towards creating change.

The United States has not made itself very amenable to change and has not taken many significant steps toward creating equality. There has been no ratification of the Convention on the Elimination of All Forms of Discrimination Against Women, despite numerous pleas from state officials to do so. This is a largely symbolic gesture to address gender and sex discrimination with the nation's society, yet the United States still has not made any efforts to ratify. In fact, since the George W. Bush administration there has been a steady rolling-back and decrease in women's (and other oppressed groups, such as sexual minorities) rights, that has

occurred simultaneously with an increase in concern of women and children in other nations (Tripp 2006: 53-63). Hypocritically, both the Bush and Obama administrations have been quite vocal of their disapproval on violation of women's and human rights in other nations. The human rights of women and marginalized communities are constantly attacked within the United States, but the government has done little to acknowledge, let alone remedy this. This may be because human rights were originally designed to be intersectional in scope and the dominant movements—including the anti-trafficking movement—and government have made no attempt to understand, let alone incorporate intersecting inequalities and oppressions (Thomas 2000).

Because the governmental structures that are relied on to combat and prevent trafficking also dictates *who* can participate in addressing trafficking in persons, it is not possible to eliminate trafficking and exploitation if that government is the only entity that is working on trafficking and allocating funding. It has been proven that the inclusion of social justice oriented movements have been more effective in creating progressive change than pure reliance on governments does. Mobilizations and movements have been effective in addressing, with success, institutionalized biases and inequalities (Ferree and Tripp 2006). In order to fully understand the complexities of trafficking and vulnerabilities, there needs to be more collaborative work with organizations that work on eradicating inequalities and prejudices that create environments for trafficking to flourish. The sex worker rights movement in the United States is an especially valuable resource and potential ally.

Sex Worker Rights Coalitions: The Misunderstood Potential Allies

People don't really understand [sex work or sex trafficking]. When people think "sex work" they might immediately think of a young woman selling her body on the street

with a *pimp* controlling her, and “forcing” her to do this work, and with trafficking they might think slavery...trafficking is about *consent*, specifically, the lack of consent...sex work is about consensually exchanging sexuality for money, goods, service, etc.

The above quote was provided via an email interview with Alice, a member of the Sex Worker Outreach Project (SWOP), a nationwide advocacy organization dedicated to ensuring the human rights and ending the violence towards and the social stigma of sex workers. In addition to offering advice and services within the sex worker community, Alice reported that SWOP also engages in community building, peer education, and harm reduction. SWOP is also dedicated to the ideas of empowerment, autonomy, and the rights to bodily integrity and personal decisions. Additionally, SWOP aims to challenge oppressions such as racism, trans phobia, and classism—all oppressions that are institutionalized yet remain invisible in domestic anti-trafficking discourse. Within that invisible realm sex workers and their allies are, when not completely ignored, demonized or infantilized (Doezema 2010). Rarely are sex workers presented as human beings capable of making cognizant choices, and they are seldom granted their human rights.

Inside the United States or in the international arena, sex trafficking cannot be discussed without including a debate about sex work and sex workers. This is because both solutions and causes of sex trafficking are continuously linked to forced and voluntary prostitution, and often entail debates on either the harms of prostitution or denigrating efforts that do not employ the abolitionist anti-prostitution perspective. The United States, with its neo-abolitionist ideology, has been the most vocal on the anti-prostitution side during the two terms of the George W. Bush administration. The current Obama administration has not highlighted sex trafficking with the same ferocity, but the debate still continues and the anti-prostitution prejudice remains. In the minds of neo-abolitionists, sex workers are either completely ignored or are seen as suffering

from a “false consciousness” for believing one can consent to sex work (Chuang 2010: 1164; Doezema 2010: 134). There is even a sentiment of victim-blaming present in abolitionist thought; since sex work encourages sex trafficking, the activists attempting to keep sex work safe and legal are essentially advocating for the right to traffic women and girls for sexual exploitation; therefore, when abuse happens, the trafficked women and girls have only themselves to blame. There has been no credible study that has proven this assertion is true; rather, there have been several with flawed methodologies or ethical concerns, yet this has not deterred the abolitionists in citing them (Weitzer 2012).

Abolitionists and the U.S. government choose to ignore the achievements for social justice causes sex worker coalitions have done. A famous social justice cause in India, the Durbar Mahila Samanwaya Committee (DMSC) and the subsequent creation of the Songachi Project, has had a large and positive impact on reduction of HIV/AIDS transmissions by educating both sex workers and clients on the importance of condom use. Condom use among sex workers rose from 3% to 90% in Kolkata (Ghose, Swendeman, George, and Chowndhury 2008: 311). The DMSC also investigates allegations of abuse by clients, police officials, or Kolkata residents at large, and suspicions of underage prostitution and sex trafficking. The Songachi Project has continually been involved in locating and removing underage girls from the areas heavily populated with street-level sex workers as well as aiding adult men and women who have been forced into sex work (Ditmore 2012; Ghose et al. 2008). Prior to the formation of the DMSC, there had been nongovernmental organizations doing HIV/AIDS prevention work, but these organizations were less successful.

Regrettably, there have been attempts to discredit the work the DMSC has done. In the widely praised book *Half The Sky: Turning Oppress into Opportunity for Women Worldwide*,

Nicholas Kristof denigrates DMSC and, by extension, sex workers. Kristof claims to have spoken with a woman within the Songachi district and she admitted “when pressed” that the sex workers did not use condoms as often as the DMSC proclaims they do. Kristof does not elaborate on what “pressed” entailed. Even worse, Kristof makes an assertion that DMSC was a cover for traffickers and pimps to operate in the sexual exploitation of women and girls with impunity because it was under the guise of rights promoted by the DMSC. Kristof again does not provide the details of how he acquires this information, he just mentions an informant woman without providing readers a reason *why* this woman is a credible witness. Kristof has a history of writing rescue-themed news articles, but his savior complex does not include domestic women, particularly poor U.S. citizens on welfare (Marcotte 2012). Kristof does conform to the rescuer ideology abolitionists love (with the exception of his generally less religious views that conservatives traditionally hold); he is White, educated, has a profitable job, and is concerned about women in poverty in other countries. That he misrepresents his facts is irrelevant. The DMSC’s success with addressing HIV/AIDS and violation of the human rights of sex workers was erased and instead smeared with unproven allegations.

Besmirching of images aside, there are similar stories of success in HIV/AIDS prevention in Brazil, Thailand, and Malaysia. These successes are not highlighted in the current anti-trafficking discourse because of the anti-prostitution bias that pervades the anti-trafficking movement as a whole. Despite the proven fact that grassroots mobilizations are fundamental in orchestrating large-scale change, there is hesitancy on the U.S. government’s part to form partnerships with organizations that do not adhere to their strict moral ethics – a moral that is heavily informed by White, heterosexual, and middle-class bias. If sex trafficking occurs most often in areas where sexual commerce is already present, then it would seem logical for law

enforcement officials to work with sex workers in locating them. After all, it is the sex workers who will notice a change and abuse in their work environments, especially since sex trafficking victims are kept hidden to avoid detection (Boyd 2012). The sex worker rights movement has also been more adept to adjust its behavior, with its members more willing to acknowledge their own personal biases and privilege over others (Kempadoo 1998).

In contrast, the anti-trafficking movement in the U.S. has not been receptive to change or privilege and bias acknowledgement in the same way sex worker organizations has.

Additionally, there is a lack of awareness or just complete ignoring of the sex worker movement in the United States. There has been a strong and continuous sex worker activist movement in the U.S. since the 1970s. The first sex worker activist organization, Call Off Your Old Tired Ethics (COYOTE), advocated against discriminatory abuses by law enforcement, the passage of the (failed) Equal Rights Amendment, violence against women, children and minors involved in forced prostitution, violent pornography, rape, and the targeting of sex workers and gay men in the AIDS epidemic in San Francisco (Jenness 1993). COYOTE members and advocates had long been involved in discourse and prevention work with sexual abuse of sex workers, exploitation, and underage prostitutes before the conceptualization of the crime of “trafficking” and when the Mann Act was not as frequently utilized. COYOTE also raised awareness around the racist discrimination in the suspicions and arrests of Black prostitutes and how this also interacted with gender discrimination (Jenness 1993).

While COYOTE’s ultimate goal—decriminalization of prostitution—has not yet been realized, this organization has had a lasting and positive impact. In the late 1990s, activists from COYOTE and other worker organizations created a clinic to service sex workers and named it the St. James Infirmary after COYOTE’s founder, Margo St. James. The St. James Infirmary

serves as a health clinic for men, women, and transgender sex workers, with legal services, outreach and advocacy, and awareness of sex trafficking of women and underage girls (St. James Infirmary). COYOTE, Sex Worker Project, and several other sex worker activist groups joined an international movement of sex worker rights activists (Kempadoo 1998) and gather to discuss their own areas of interest and solutions to problems sex workers experience. The sex worker movement in the United States has been involved in anti-trafficking work before trafficking was deemed a social problem and a crime. Sex worker activists had long been concerned about forced prostitution of women and underage girls before the trafficking discourse of today emerged.

Sex worker activist groups are an untouched resource sitting in the lap of the U.S. government that is being ignored due to moralistic paternalism of the abolitionist influence. Sex worker organizations have submitted concerns and critiques to the State Department's *Trafficking In Persons* report, but they are not referenced or mentioned. Sex workers have greater access to areas where sex trafficking is more likely to take place and, most importantly, sex worker activist groups are more diverse than most anti-trafficking organizations. Sex worker groups tend to consist of the aforementioned most vulnerable groups to trafficking: sexual minorities, previously homeless youth, and people of color (Kempadoo 1998; St. James Infirmary).

Activists who have prior experience and personal knowledge of intersecting oppressions are better situated to address the varying ways exploited and trafficked victims have encountered their own personal hardships. Experience is the best teacher, and sex workers have a background in consenting sex work with a working knowledge of abuses and societal stigma being a member of a marginal community entails. Lastly, sex worker groups have, since their inceptions,

mobilized on numerous social justice issues as relating to human rights, such as equality, the right to migrate, and the right to safe and fair working conditions (Hardy 2010).

Sex worker activist groups are just as concerned about sex trafficking as the U.S. government is, the difference being their ideologies. The anti-prostitution sentiment echoed in U.S. policy, discourse, and the four “P’s”—prevention, protection, prosecution, and partnership—has not made significant progress in reducing the demand for trafficked persons or eliminating the root causes of human and sex trafficking. The United States ranked itself in its own *Trafficking In Persons* report for the first time in 2010 as “Tier 1” because it fully complies with the “minimum standards” set forth in the TVPA guidelines. Obvious bias aside, the United States is still a top-10 destination for trafficked persons and U.S. citizens still comprise over 25% of child sex tourists (State Department 2012), which are just a few ways in which the United States government has failed to make a positive impact in these areas. In a non-trafficking specific fact, the U.S. government also has not guaranteed human rights for all its citizens, only a select few. By sticking to the strict paternalistic moralism that guides the U.S. anti-prostitution ideology, relying on anecdotal evidence that is influenced by personal prejudices, and by refusing to acknowledge the ways in which institutionalized oppressions—racism, nationalism, classism, heterosexism, and sexism—increases chances for exploitation and trafficking of domestic citizens, the United States risks not making a fundamental impact to reduce human and sex trafficking both within its own borders and globally. Because the government, as it currently stands, cannot work from a bottom-up level—it can only work “top-down” as Natalie described—alliances with social justice activist groups are needed.

The *only* way to successfully end trafficking...is for every human on the planet to 1) have basic human rights, and 2) know what they are, and 3) every government [has to] work

hard to enforce those rights. Coalitions and alliances are good because they help the second way mentioned. They help bring the awareness of what human rights we do have [emphasis in original]. (Alice, Sex Worker Outreach Project)

I don't think we'll have better solutions or inclusiveness until those things [realizing that social justice movements are advocating for the same cause: equality] happen and until people really embrace the idea that constituents and survivors should be the ones leading this, and it's not top-down. (Natalie, Laboratory to Combat Human Trafficking)

Preventative efforts will not be improved or made more inclusive if the discourses and construction of “who” can be trafficked continue to exclude communities that are most affected by the United States' actions. These actions include institutionalized oppressions and domination and rescue efforts that focus on a singular idea of victimhood. Unfortunately the voices and stories of trafficked persons and sex workers are told *for* them, by “authorities” or “officials” who are shielded from the circumstances and aftermath trafficked persons face every day. Sex worker activist groups have proven they are willing to let those ignored voices heard, and to be more inclusive to marginalized and vulnerable communities—they thrive where the United States has struggled.

Section V: Findings, Recommendations and Conclusion

Summary and Findings

This research incorporated an intersectional critique of the anti-trafficking movement and governmental responses as well as current literature on human trafficking. When analyzing and critiquing the anti-trafficking movement, the lack of intersectional analysis is obvious but has not been researched without an abolitionist agenda. There is also a distinct absence of a discussion

on human rights abuses of U.S. citizens through institutionalized oppressions and how this is reinforced in the anti-trafficking discourse. The near nonexistence of intersectional analysis on institutionalized oppressions and human rights concerns was analyzed using Patricia Hill Collins's theory on the matrix of domination, which discusses domination in terms of intersecting oppressions as well as the need for collaborative efforts across differing experiences. Additionally, this research sought out the perspectives and experiences of sex worker rights coalitions and non-governmental organizations that combat human and sex trafficking to support the theoretical proposition of the need for more collaboration efforts and advocacy that is led by disenfranchised communities.

My findings consist of statements and recounted experiences provided by the interviewees. Their testimonials supported my deconstruction of how trafficking became a raced, sexed, and classed social problem, resulting in governmental responses and media coverage that reproduced structuralized inequalities that created and still maintain an ideal trafficking victim and experience. The anti-trafficking movement of today is a matured version of the White slave panic of the early twentieth century that excluded, and still ignores, women of color who have been historically marginalized and sexually exploited. The abolitionist consciousness that is the anti-trafficking movement has simply resurrected this racist and nationalist hysteria and created a strict ideal of victimhood and the need for rescue. Ensuring human rights, addressing institutionalized oppressions, and empowering marginalized populations have not been prioritized in the domestic anti-trafficking movement. Indeed, research and analysis of the domestic trafficking of U.S. citizens are not concerns of the anti-trafficking movement; rather, the concern is of other countries' addressing of trafficking and treatment of their own citizens and victims. The hyper-concentration on other nations has proven harmful to U.S. citizen

victims, in the forms of unequal fund allocations to aid services as well as identification of potential victims of trafficking.

Moreover, there has been a hesitancy (or outright refusal) to change the discourse on human and sex trafficking from a rigid and dichotomous crime to a social problem that is multilayered and requires solutions that are intersectional and not homogenized, such as the simplified identify and rescue approach. The statements and experiences of Sophie and Natalie in their respective anti-trafficking and harm reduction work proved the proposition that an intersectional frame work, such as the matrix of domination, is needed to improve both preventative and restorative efforts. Sophie illustrated the damage the strict ideal of what a victim looks “like” when she described the lack of “wrap-around” services for individuals who do not conform to the rigid victim formula, such as trans individuals, individuals with criminal records, and adult men. Natalie elaborated on what advocacy and anti-trafficking activism would look like in an idealized situation. That is, movements led by marginalized populations who are most affected by anti-trafficking measures and efforts.

Alice supported the assertion that the conflation of sex work and sex trafficking serves to only distort the realities of both sex trafficking and prostitution with a glamorized and simplified ideal of how sexual exploitation manifests. By emphasizing the notion of consent, the need for ensuring human rights of all individuals, and governmental responsibility of ensuring aforementioned human rights, Alice supported the intersectional analysis discussed in this thesis. In other words, Alice’s insight validated a core assertion of my research: that it is institutionalized oppressions and inequalities that create environments for trafficking in persons to flourish and be tolerated, and not solely because there is a demand of women and girl’s bodies for sexual satisfaction.

The utilization of the matrix of domination in understanding how exploitation and human rights abuses are justified or ignored, and the contributing experiences and perspectives of the three interviewees, strengthen my argument that inclusive and improved preventative efforts and solutions require collaboration with non-government or abolitionist organizations and coalitions. This is because, as supported and elaborated on by all three informants, anti-trafficking efforts and discourses adversely affect the more marginalized communities that are vulnerable to trafficking, exploitation, and human rights abuses. The anti-trafficking movement has rendered many victims and potential victims voiceless because they do not conform to the desired trafficking experience, and this want for conformity hinders preventative efforts. Rather than reproducing the same narratives and experiences and using them to lead an advocacy movement, a “top-down” movement as Natalie described, the anti-trafficking movement must not only incorporate all perspectives from all communities that are affected by trafficking; those same communities need to lead the movement as well.

Recommendations for Future Study

Future scholarship and anti-trafficking efforts need to analyze the social and political reasons why some individuals are more vulnerable to trafficking than others. An intersectional focus (complete with historical analysis) can and will provide a deeper understanding of the complexities of sex and human trafficking and thus lead to more effective preventative measures and solutions for survivors. It is especially important that the U.S. government and non-government affiliated advocates allocate more time and attention to preventing trafficking from occurring, rather than trying to find victims for rescue. Time, funds, and energy need to be given equally to preventing, addressing, aiding, and recovery efforts for victims of trafficking. Lastly, there needs to be a clear and conscious evaluation of the bias and stereotypes that reinforce the

strict ideal victim, ideal exploitation, and ideal torture. The reductive construction of preferred victim is not, in any way, aiding U.S. efforts to combat trafficking.

Closing Thoughts

Regardless of the views of interested parties about sex worker rights, there needs to be more collaborations and communication between state-based agencies and social justice activists' movements. Activist organizations strive to create a positive social change for the oppressed in society. The government, for all its progress, still perpetuates those oppressions and is ill-equipped to address them and dismantle them. To deconstruct the institutionalized oppression would be to destabilize the government's power because that power is built on privilege—privilege which is created in opposition of and is maintained by the aforementioned institutionalized oppression. Therefore, the government cannot work to eliminate oppressions because it is sustained by them. Transformative activist agencies, while not always ideal in guaranteeing inclusiveness at all levels, can help address the structural inequalities without uprooting a foundational part of the government. Activist mobilizations can even improve governments when they are willing to change. They just first need to work together, closely, and consistently.

Sex workers have had to create their own spaces, networks, and venues through which to voice their lived experiences and build communities. They empower and give themselves the right to speak and to just *be* when those rights were denied to them. Many women of color have, and still, empower themselves and mobilize on issues facing their communities because the larger movements have ignored or are unaware of them. Native women are given no voice and have less bodily autonomy than any other racial/ethnic groups in the United States, yet they still

fight against gender and racial violence that many law enforcement agencies and agents do not care to address. Marginalized communities are incredibly strong in that they work under multiple dominations and are more willing to work across their differences in solidarity than the larger, more mainstream movements have been. The criminal justice and legal frameworks are necessary components for eradicating trafficking in persons, but they are not sufficient to combat human and sex trafficking. If there was more collaborations and community-building with those most affected by anti-trafficking efforts, prevention and solutions would be more inclusive and thus, more beneficial in the war of trafficking in persons.

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