

Running from the Rescuers: New U.S. Crusades Against Sex Trafficking and the Rhetoric of Abolition

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This article analyzes recent developments in U.S. anti-sex trafficking rhetoric and practices. In particular, it traces how pre-9/11 abolitionist legal frameworks have been redeployed in the context of regime change from the Clinton to Bush administrations. In the current political context, combating the traffic in women has become a common denominator political issue, uniting people across the political and religious spectrum against a seemingly indisputable act of oppression and exploitation. However, this essay argues that feminists should be the first to interrogate and critique the premises underlying many claims about global sex trafficking, as well as recent U.S.-based efforts to rescue prostitutes. It places the current raid-and-rehabilitation method of curbing sex trafficking within the broader context of Bush administration and conservative religious approaches to dealing with gender and sexuality on the international scene.

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“Our job under this statute is to end trafficking. If America fails to take the lead in rescuing the victims, there’s no other nation that will.”

—John R. Miller, Director of the State Department’s Office to Monitor and Combat Trafficking in Persons (quoted in Morse 2003)

“[Sex trafficking] just jumped off the pages of the newspaper.”

—Richard Cizik, National Association of Evangelicals
(quoted in Shapiro 2004)

Two years ago an undercover team comprised of an MSNBC *Dateline* producer and a sex-trafficking investigator scouted the streets of Phnom Penh, Cambodia, for evidence of child prostitution. After inquiring among locals and an unwitting American doctor who thought he had met a kindred sex tourist, a Cambodian boy finally led them to an impoverished area just outside Phnom Penh where they found a rickety house teeming with children. When one small girl offered them oral sex for 30 U.S. dollars, it became apparent that what appeared to be an extended family or some kind of makeshift orphanage was in fact a brothel. The team had learned earlier that police receive kickbacks from brothel managers in return for not interfering with the sex rackets operating in and around the city. One police officer even guaranteed to protect the investigators-

turned—"sex predators" from arrest for 150 dollars. In light of widespread corruption among the police, the undercover team enlisted Gary Haugen of International Justice Mission (IJM), a Christian human rights group, to help them free the young girls being sold for sex in this brothel.

With the consent of the Cambodian government, MSNBC and IJM put together a self-styled American posse to fill the vacuum left by local law enforcement. In their role as surrogate police, the group conducted a dramatic raid on the house. Guns were drawn, sirens blared, children wailed, and panicked men and women ran in every direction. The IJM investigator rounded up as many children as possible in the midst of the ensuing chaos. A listless crowd assembled outside the house, watching as the drama spilled onto the street. Raids were conducted throughout Svay Pak that day, leading to the capture of 37 women and girls, the arrest of madams and pimps, and the barricading of many of the shantytown's brothels. At the day's end, the women and children under the investigator's charge were taken to a safe house. They would be tabulated and referred to as "37 victims rescued" in subsequent International Justice Mission (IJM) accounts of the raid (IJM 2004). The whole event was documented by a hidden digital camera and brought to U.S. television audiences in a January 2004 *Dateline* episode called "Children for Sale." Over the last year, this MSNBC/IJM tape has been widely cited as proof of an insidious global sex trade that often preys on small children. It serves by extension as an implicit endorsement of the tactics used by newfangled abolitionists in their quest to free the world's sex slaves.

Running from Rescue

In the current context, no practice or set of relationships is referred to more often as slavery than that of sex trafficking. It is commonplace to hear trafficking referred to as "modern day slavery" or "virtual sexual slavery" by activists, nongovernmental organizations (NGOs), and journalists. Like Progressive era anti-prostitution social reform movements, early 21st century anti-trafficking movements draw on the rhetoric of abolition to underscore the urgency of their cause. Central to such rhetoric is the construction of captivity and freedom as diametrically opposed states of existence. Yet in current sites and practices of abolitionist intervention the line between rescuers and captors has become increasingly blurry. While the stories abolitionists tell about their interventions tend to focus on the moment of the raid and the successful delivery of the rescued slaves to safe houses, events that occur in the aftermath of raids often belie the claim that all of the rescued women are sex slaves held captive and against their will in brothels. Reports from sex worker rights organizations and testimonials from individuals who manage shelters suggest that rescue

escapes are exceedingly common throughout India and Southeast Asia. It appears that while some women use brothel raids and closures as an opportunity to leave the sex industry, others perceive the rehabilitation process itself as a punitive form of imprisonment thereby complicating the captivity/freedom binary asserted by abolitionists.

Journalist Maggie Jones's interviews with safe house managers indicate that shelter escapes are commonplace in areas where anti-trafficking groups are currently targeting their efforts (2003). The manager of the Phnom Penh home that took in the 37 prostitutes after the *Dateline*-initiated raids reported to Jones that at least 40 percent of the women and girls taken to his shelter escape and return to work in Svay Pak's brothels. Indeed, six of the teens taken by MSNBC/IJM had run away from the home within a week of the televised busts. When Phil Marshall of the United Nations Project on Human Trafficking in Southeast Asia's Mekong Region was asked by Jones what he thought of current rehabilitation strategies, he said he had "never seen an issue where there is less interest in hearing from those who are most affected by it" (Jones 2003,1). In 2003, Empower,¹ a sex workers' advocacy program, issued a report documenting a brothel raid in Chiang Mai, Thailand conducted by International Justice Mission in which several of the 28 arrested (or "rescued," in abolitionist parlance) Burmese women escaped from a local institution in the first 24 hours. According to Empower, the raid—conducted ostensibly for humanitarian purposes—took on many of the same features as a criminal arrest:

As soon as they had their mobile phones returned [the] women contacted Empower. They are only permitted to use their phones for a short time each evening and must hide in the bathroom to take calls outside that time. They report that they have been subjected to continual interrogation and coercion by Traficord [an anti-trafficking NGO formed in 2002 with U.S. financial support]. Women understand that if they continue to maintain that they want to remain in Thailand and return to work that they will be held in the Public Welfare Boys Home or [a] similar institution until they recant. Similarly, they understand that refusing to be witnesses against their "traffickers" will further delay their release. (Empower 2003)

By the end of the month, more than half of the women had escaped from the shelter. What does it mean that so-called sex slaves often thwart rescue attempts? Is it intellectually and ethically responsible to call every instance of a practice "slavery" when many women involved demonstratively reject the process of protection and rehabilitation, and when they escape from supposed rescuers who aim to force them out of a life of prostitution ("captivity") and into a life of factory work or employment in the low-paying service sector ("freedom")?

This article analyzes recent developments in U.S. anti-sex trafficking rhetoric and practices. It traces how legal frameworks to combat trafficking

have been redeployed in the context of regime change from the Clinton to Bush administrations. At the time of writing, the United States is fighting two concurrent wars: one a declared war in Afghanistan against the Taliban and the other an illegitimate occupation of Iraq committed under false pretenses. In such a context, combating the traffic in women has become a common denominator political issue, uniting people across the political and religious spectrum against a seemingly indisputable act of oppression and exploitation. It is commonly assumed that only the most callous would criticize efforts to free the world's sex slaves from the clutches of organized and brutal trafficking networks. Yet I hope to demonstrate here that those who seek a more humane and equitable world should in fact be the first to interrogate and critique the premises underlying many claims about global sex trafficking, as well as the U.S.-based efforts to "free sex slaves" justified by these claims.

This analysis focuses on one increasingly influential node within a complex and diverse transnational movement characterized by activism and policy creation at every level. While its scope is limited to the U.S. context, anti-trafficking and anti-prostitution campaigns are by no means unique to this country. Like other social movements, efforts to regulate commercial sex possess different histories, meanings, and political agendas that are linked to the distinct national and local contexts in which they emerged (Gerull and Halstead 1992; Kuo 2002; Outshoorn 2004; Pearson 2002), even as current policy implementation on the national level is often deeply informed by and becomes the object of transnational debates and global activism (Bernstein 2005/in press; Gal 2003; Keck and Sikkink 1998; Kempadoo and Doezema 1998).

The United Nations (UN) is the largest global regulatory institution to declare global sex trafficking a violation of women's human rights. However, in the last three years the United States has positioned itself as an equally significant force in the anti-trafficking arena. Combating sex slavery has become a key Bush administration priority and its most championed humanitarian cause. The Department of Justice under John Ashcroft has spent an average of 100 million dollars a year to fight trafficking domestically and internationally, a sum that overshadows any other individual nation's contributions to similar efforts.² The current administration's attempt to assert global moral leadership on this issue by staging interventions in any country it deems weak on trafficking sets it apart from other countries. In what follows I explore the genesis and hidden political dimensions of current U.S.-based anti-sex trafficking initiatives. I trace the process through which sex trafficking came to occupy its current position in the Bush administration's pantheon of international causes by examining how social movements and protectionist media discourses have produced sex slavery as an object worthy of governmental intervention.

The Return of Raid and Rehabilitation

Scenes of Anglo men raiding brothels in Cambodia, India, Thailand, and other developing nations have become increasingly common since faith-based human rights groups applied pressure on the Bush administration to more vigorously enforce the 2000 Trafficking Victims Protection Act (TVPA). Passed by Congress and signed into law by President Clinton, this Act was the product of a tenuous alliance between evangelical Christian groups and contemporary secular feminist anti-trafficking crusaders. Religious conservatives, particularly evangelical Christians, had seized on the issue of sex slavery in the late 1990s in a self-conscious effort to expand their base and political power through the vehicle of human rights (Hertzke 2004; Shapiro 2004). They were joined by such feminist organizations as Equality Now and the Protection Project which aligned themselves with the faith-based groups in the name of saving the world's women. Laura Lederer, editor of the famous *Take Back the Night* (1980) collection and a current State Department appointee, functioned as a major link between feminists and evangelical organizations. In defense of this alliance, Lederer stated that religious organizations had introduced "a fresh perspective and biblical mandate to the women's movement. Women's groups don't understand that the partnership on this issue has strengthened them, because they would not be getting attention internationally otherwise" (quoted in Crago 2003).

Measures that couple Christian-based forms of rehabilitation with traditional law-enforcement-style brothel raids have emerged as the dominant institutional means through which U.S. organizations now interface with sex workers domestically and internationally. Efforts along these lines have been enabled and amply rewarded by the Bush administration in the wake of the 9/11 attacks, in part because the feminized war against trafficking functions to give a human face to the war against terrorism while bolstering Bush's popularity among his base by offering their organizations lucrative opportunities to spread their variant of Christianity internationally. Indeed, in the last three years, groups affiliated with this coalition have ascended to the top of the anti-trafficking milieu, gained control of most federal anti-trafficking funds, and become the most prominent media and policy spokespeople on the topic. In light of this reallocation of resources and shifting discourse about trafficking, it appears that organizations critical of state-sanctioned law-and-order campaigns against commercial sex workers are emerging as the losers in the battle to define such phenomena as trafficking and prostitution and to implement programs that they feel best respond to both domestic and migrating sex workers' needs. How did we arrive at this point? How did a faith-based and feminist coalition succeed in mobilizing governmental and public

support for a U.S.-led international campaign against sex trafficking? How have discourses about the traffic in women, which for many of us are a phenomenon we only know of secondhand, circulated in the context of U.S.-based institutions? What role did journalism and news media play in the proliferation of these discourses?

At various historical moments, victims of sex trafficking have commanded sufficient public attention that key state institutions have mobilized resources on their behalf. The most recent period of intensified attention to international sex-trafficking began in the mid-1980s and became visible in two interconnected arenas: in a broad-based campaign to introduce women's sexual and reproductive rights into traditional human rights doctrine and in media attention to the plight of sex trafficking victims. Activist and journalistic discourses have influenced each other's way of understanding and making claims about sex trafficking. The strategies women's human rights advocates used to advance their agenda resonated with a set of conventionalized journalistic images and associations that gathered around the traffic in women as early as the 1880s. The convergence of these two discourses played a role in galvanizing legislative and public support for government-sponsored campaigns to end global sex slavery.

At the intersection of gender, human rights, and foreign policy, no pre-9/11 issue was as prominent or contentious as sex trafficking. The issue became a priority of the United Nations in the 1990s when a diverse set of activists organized to bring gender and sexuality into the purview of traditional human rights doctrine (Bunch 1990; Wijers and Lap-Chew 1997; Pearson 2002; Singh 2003). This coalition was characterized by a unity of purpose over bringing concerns specific to women—including abuses not directly attributable to state actors like domestic violence—into the broader fold of human rights (Keck and Sikkink 1998). The women's rights campaign ultimately coalesced around the notion of violence against women, concentrating particularly on abuses suffered by third-world women. For some advocates, the adoption of violence against women as the focal point of the campaign derived from a deep-seated conviction that women's exposure to multiple forms of physical harm was the most pressing problem for human rights in the late twentieth century. For others, violence against women appeared as the most exigent approach toward gaining recognition from international bodies. In her analysis of the 1990s' movement, Alice Miller explains that "sexual violence was effective in this cause because it seemed to provide a means to make the gender-specific content of the violence visible to key human rights bodies and actors" (2004, 18). Activist strategies centered around the "victim subject"—often embodied in personal testimonials from the most abject sufferers—are not only more likely to draw governmental and media attention to a cause, but also serve as a point of commonality

“from which women of different cultural and social contexts can speak” (Kapur 2002).

Violence against women dominated the campaign for women’s rights at such international conferences as the 1993 Vienna World Conference on Human Rights and the 1995 Beijing Conference on Women. Within this already narrowed focus, sex trafficking and prostitution surfaced as the most egregious form of violence against women imaginable, and thus trafficking emerged as the centerpiece of the campaign. However, despite its high profile, sex trafficking proved to be a highly controversial issue among feminists and human rights activists. If debates surrounding pornography exposed significant political fault lines among feminists in the 1980s, controversies over sex trafficking served that function in the 1990s. Many activists utilizing a violence-against-women framework in their campaign for women’s rights were uncomfortable about the framing of sex slavery as the lynchpin of women’s oppression. Activists who saw campaigns against sex trafficking as a step on the path toward eradicating all forms of sexual commerce clashed with those who viewed forced trafficking as an exploitative practice that could encompass but was ultimately distinct from the commercial sex act itself.

As the “trafficking debates” raged, the two sides further developed their positions on the issue. While the former perspective adhered to a strict abolitionist model considering all prostitution “sex slavery” and thus by definition violence against women, the latter camp could itself be divided into those who believed forced sex trafficking was a worthy object of political intervention and those who felt intensive campaigns against trafficking necessarily undermined efforts to secure sex worker rights (Doezema 1998; Kempadoo and Doezema 1998). Groups like Coalition Against Trafficking in Women (CATW) argued that trafficking was a unique and particularly abhorrent sexual violation of mainly female victims (CATW-Asia Pacific 1996; Barry 1979; Raymond and Hughes 2001). Other groups, particularly the Global Alliance Against Trafficking in Women (GAATW) and the Network of Sex Work Projects (NSWP) argued that the phenomenon rested along a continuum of forced migrant labor (Kapur 2003; Kempadoo and Doezema 1998; Saunders and Soderlund 2003; Ulcarer 1999; Wijers and Lap-Chew 1997). For some activists the trafficking of women into the sex industry is morally wrong and exploitative because of its association with commercial sex, while for others forced prostitution is inseparable from global inequities of capital and labor that leave women in the global economy with few viable options aside from sweatshop labor or the typically more lucrative sex industry work. From this latter perspective, an obsessive focus on sex trafficking ultimately distracts from drawing connections between gendered poverty and forced prostitution and presumes a moralistic approach that is unlikely to consider poverty, hunger, and low wages as equally pressing

forms of violence against women. Subtle differences in the definition of trafficking, its causes, and effects, lead to decidedly different institutional responses to these phenomena, as exemplified by recent policy developments in Sweden and the Netherlands that have reshaped the social organization of prostitution in these countries. However, Elizabeth Bernstein's analysis of Sweden and the Netherlands' divergent regulatory approaches to commercial sex suggests that both policies—criminalization and legalization—have strikingly similar effects on migrating sex workers (2005/in press).

Increased attention to trafficking in the news media may provide a clue to the puzzle as to why, of the many shapes gendered violence may take, sex trafficking topped the list in human rights and formal governmental discourse. By the late 1980s, stories about Latin American and Asian women illegally trafficked into Western Europe to work in brothels began to proliferate in the U.S. news media. The collapse of communism in Eastern Bloc countries intensified the focus on trafficking as stories of Eastern Europeans sold into prostitution in Western Europe, the United States, and parts of the Middle East circulated widely. It is likely such stories reflected a visible increase in the number of women migrating to work in distant sectors of the sex industry, although as Kamala Kempadoo points out, globalization in the sex trade is by no means a new phenomenon (2003). While the early stories focused on the movement of women from one country to another for the purposes of prostitution, in recent years trafficking stories have increasingly focused on the rural-to-urban movement of Asian women and girls allegedly lured, coerced, or kidnapped by traffickers and forced into prostitution. The focus also has shifted to the trafficking of foreign women and children into the United States. Whether or not stories of "modern-day sexual slavery" represented a real increase in the traffic in women, they also constituted prurient and cautionary tales of women unmoored from family contexts. As such, these stories are frequently selected by journalists because of their sensationalistic qualities rather than their status as exemplary stories of women in the global economy.

The Campaign for Women's Human Rights

Despite the resilience of the sex-slavery framework, narratives that resist and complicate the basic trafficking story emerged in the second half of the twentieth century. The most vocal challenges to the underlying assumptions of trafficking discourse were usually tied to autonomous sex worker rights movements, which were gaining institutional traction in the United States in the 1990s in part through their work to curb the spread of HIV/AIDS among certain at-risk sex worker populations

(Saunders 2004). Such groups emphasized harm reduction as opposed to abolition and developed around the goals of unionizing prostitutes, supplying commercial sex workers with condoms, instructing them in safe sex, providing HIV counseling and legal services, and working to end police harassment, brutality, and extortion through the decriminalization of the trade (Overs and Longo 1997). Underlying such efforts was an understanding of commercial sex and sex work that avoided victimization frameworks, which so often wrest autonomy from women and places it in the hands of states configured as masculine protectors.

In 1998 the UN and the United States appeared to be on the verge of taking formal positions on trafficking after nearly a decade of anti-trafficking activism, media reports, and women's human rights campaigns had put the issue on the international and domestic policy agendas. Up to this point, the crusade against sex trafficking within the larger women's human rights movement had largely been spearheaded by a collection of feminist organizations, most notably the Coalition Against Trafficking in Women (CATW) whose call to create trafficking laws broad enough to encompass all acts of prostitution incited the debates between anti-trafficking feminists and sex workers' rights proponents. These often-fractious interchanges generated competing claims about the nature of the sexual contract, where (and in whom) power resides in the commercial sex exchange, and what the appropriate regulatory response is to prostitution.

In light of recent developments in combating trafficking, the 1990s' trafficking debates, carried out in secular academic and policy contexts, almost seem "quaint," to lift an adjective from Attorney General Alberto Gonzales (2002). The faith-based/feminist coalition that coalesced around trafficking in the late 1990s managed to bypass traditional anti-trafficking groups, including longstanding organizations like CATW. Current anti-trafficking discourse and initiatives carry few traces of the trafficking debates or their key institutional players. Such new social actors as Linda Smith of Shared Hope International, Gary Haugen of International Justice Mission, and Kevin Bales of Free the Slaves have entered the scene. Prostitutes' rights and harm reduction advocates are routinely described and dismissed as the "pro-prostitution mafia" (Morse 2003) or the "pro-prostitution lobby" (Hertzke 2004) and described as champions of teaching child prostitutes to use condoms. The hegemony of this new anti-trafficking coalition did not arise in a vacuum: to some degree anti-trafficking feminists' discursive victories in the 1990s paved the way for the ascendancy of this neoabolitionist movement.

The Trafficking Victims Protection Act of 2000

Intensified concern around sex trafficking in the 1990s led to the creation of two U.S. bills to combat the problem. While the Trafficking Victims Protection Act (TVPA) focused primarily on sex trafficking with a few gestures toward other forms of forced labor, a second bill sponsored by Senator Paul Wellstone and favored by the Clinton administration understood sex trafficking as one of many forms of coerced labor (Committee on Foreign Relations 2000). The Wellstone-sponsored bill included provisions to prosecute forced labor in all its guises, stressing that involuntary servitude was not exclusive to segments of the sex industry but was also liable to occur in the agricultural, domestic labor, garment, food service, and many other industries. Sex worker rights groups and members of Clinton's State Department largely supported this bill, which conceived of prostitution as a form of labor whose characteristics were linked to the conditions under which it was performed. Thus the relative autonomy or dependency of the worker was an important gauge in assessing whether a particular incident constituted voluntary migration, a form of debt-bondage, or outright slavery.

An alternative bill was drafted by Republican Congressman Chris Smith with considerable input from Laura Lederer of the Protection Project and Gary Haugen of the Christian-based International Justice Mission.³ The abolitionist feminists and religious activists who supported this bill conducted a forceful lobbying campaign against Wellstone's proposed legislation, claiming its focus on a range of labor issues would distract from combating sex slavery. The anti-Wellstone campaign included threatening to publicly label the Clinton administration "pro-prostitution" (perhaps a potent move in the wake of the Monica Lewinsky scandal) should the bill be signed into law. Ultimately the Republican-sponsored Trafficking Victims Protection Act (TVPA) was passed despite State Department opposition.

The TVPA, which is Provision A of the larger Victims of Trafficking and Violence Prevention Act of 2000, created the Office to Monitor and Combat Trafficking in Persons within the State Department to oversee its enforcement. The Act contains provisions to protect victims of trafficking from criminal charges while strengthening domestic laws against trafficking by trying perpetrators as rapists. It provides a mandate to set aside funds for the rehabilitation of victims by providing proper shelters, education programs, and a few financial grants to victims for starting small businesses. The Act also sets international standards to which governments must comply in order to continue receiving nonhumanitarian aid from the United States. In this latter effort, it establishes a

three-tier system that ranks nations according to their efforts in fighting trafficking.

The TVPA and another legislative document also adopted in 2000, the United Nations *Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, together determine anti-trafficking policy on an international scale. Reflecting the fractious context in which they were conceived, both documents offer multiple definitions of trafficking. In some instances, the term refers to all forms of forced labor. At other points it is a synonym for the exploitation of all women and girls in systems of prostitution. The TVPA offers no category for unforced prostitution, while the UN *Protocol* is the more liberal document and vacillates between referring to all commercial sex exchanges as forced and making distinctions between voluntary and involuntary prostitution. The UN *Protocol's* inconsistent definition of trafficking suggests that the views of groups arguing against a monolithic understanding of trafficking as prostitution were also registered, albeit indirectly.

In the last instance, however, both documents constituted a decided victory for neoabolitionist forces. Both label the objects of anti-trafficking interventions "sex slaves," a term that functions to obliterate distinctions between involuntary and voluntary sex work. Such language was bolstered by the violence-against-women campaign as well as print and broadcast media exposés featuring sordid stories of global trafficking networks and the women and children ensnared in their web. In this context, sex worker rights advocates were cast as supporters of child prostitution and the institutional relationships government agencies like the State Department had established with groups supporting harm reduction and decriminalization were threatened with public exposure as supporting child molesters and their advocates.

It appeared that scandal generating as an activist strategy would be put to rest when George W. Bush took office. The faith-based coalition against trafficking strongly believed Bush's moral convictions and "born-again" background would lead him to more vigorously enforce the TVPA and prosecute prostitution rings. Much to the abolitionists' chagrin, the Act got lost in the transfer of power and the State Department initially dragged its heels on its enforcement. Furthermore, many of the same institutional relationships the State Department had established under Clinton were maintained in the first year of Bush's presidency. In 2002, the groups behind the TVPA mobilized their constituencies to pressure the Bush administration to change its handling of the Act. In a threatened reinstatement of the shaming tactic used during the Clinton era, Michael Horowitz, a senior fellow at the Hudson Institute and a key figure in establishing the coalition that got the TVPA signed into law, wrote to a fellow advocate that he did not believe the Bush administration would like to see itself as the subject of television exposés alleging that its State

Department supports programs teaching “seven-year-old girls how to get their customers to use condoms and to use techniques that make sexual penetration less painful” (Hertzke 2004, 331).

During this episode, the coalition lobbied to have former U.S. representative John Miller appointed as director of the U.S. State Department’s Office to Monitor and Combat Trafficking in Persons. While Bush’s chief strategist Karl Rove initially balked at this idea—in large part because Miller had been an avid supporter of McCain’s bid for the presidency—he eventually conceded and recommended placing Miller in the post to much fanfare among other conservatives and many feminists. As Ann Morse reported in the evangelical publication *World Magazine*:

“Mr. Miller’s fans—including Vice President Dick Cheney and Congressman Tom Delay, Henry Hyde, Frank Wolf, and Chris Smith—believe he has the guts to take on what Miriam Bell, national director of public policy at the Wilberforce Forum calls ‘the pro-prostitution mafia’—people who are, anti-slavery activists charge, deliberately subverting the mandate of the Trafficking Victims Protection Act.” (2003)

The War Against Trafficking

It is a truism that the September 2001 attacks on the World Trade Center and Pentagon radically reshaped the cultural and political landscape in the United States and abroad. Seemingly overnight, the concerns and priorities of the earlier period—the deepening of trade relations with Mexico, the prosecution of freewheeling executives at Enron, and the giddy projections in government and academia about the triumph of globalization—seemed to disappear along with the Twin Towers. From the vantage point of the women’s rights movement it seemed plausible that the global realignments wrought by 9/11 would displace concern about sex trafficking that had been mounting throughout the 1990s. Depending on where one stood in the 1990s trafficking debates, this potential displacement of sex trafficking from the governmental agenda was construed as cause for relief or grave concern. From the immediate post-9/11 vantage point, some critics of anti-trafficking legislation adopted in 2000 suggested that trafficking—with its emphasis on the unsanctioned movement of people—might mesh with pervasive fears of terrorism and become a powerful tool with which to curb immigration, while anti-trafficking lobbyists suggested that it would be a grave mistake if wartime led the Bush administration to forget the scourge of trafficking.

Attention to sex trafficking has neither disappeared nor have its laws simply become instrumental mechanisms through which the administration can hold back immigration. Under considerable pressure from its faith-based constituency, the Bush administration has taken up the

anti-trafficking cause as a key humanitarian initiative in the post-9/11 period. Spurred on by Miller's office, the TVPA became one of Attorney General John Ashcroft's most heavily enforced legislative acts. In 2003, Ashcroft allocated 91 million dollars in appropriations for anti-trafficking initiatives while awarding million-dollar grants to evangelical groups like Shared Hope International and International Justice Mission ("Report to Congress" 2004). The State Department now produces an annual *Trafficking in Persons Report* that monitors the progress of the United States and other countries in breaking up trafficking rings, arresting their ringleaders, and rescuing their victims.

Like the war on terrorism, what abolitionists have called the global "War Against Trafficking" is decidedly U.S. directed.⁴ The United States is also using its status as a superpower and major donor nation to force other countries to allow its citizens to raid brothels and send prostitutes into rehabilitation programs as well as to create domestic legislation that further criminalizes sex trafficking (and by extension other forms of prostitution). A centerpiece of the TVPA is its provision to rank nations according to their status as importers or exporters of trafficking victims and announce these rankings in an annual *Victims of Violence and Trafficking in Persons Act of 2000* (TIPS Report). Tier 3 countries are deemed to have the worst trafficking track records; Tier 2 are borderline cases; and Tier 1 nations are seen to have complied with the U.S. government's anti-trafficking recommendations. From the vantage point of many abolitionists, the TIPS Report constitutes an example of the United States exerting moral leadership in the world. However, there is a strong correlation between the Bush administration's larger foreign policy goals—that have little to do with morality—and its willingness to place countries on Tier 3 status.

The 2004 TIPS Report accords Tier 3 status to ten nations, three of which are perceived political threats to the United States: Cuba, North Korea, and Venezuela. In 2002 the United States was embarrassingly exposed supporting a coup against Venezuela's democratically elected leader, Hugo Chávez. Chávez, a notorious populist and critic of U.S. imperialism, is president of the fourth-largest oil-producing country in the world. At a time when the fate of Middle Eastern oil reserves is unclear, the Bush administration was hoping opponents of Chávez would install a leader with friendlier attitudes toward the United States (Harvey 2003). When Chávez handily survived a referendum in August 2004, the United States retaliated by pulling support for \$250 million in loans that Venezuela had requested from international finance institutions. Venezuela's record on trafficking in women and children was cited as the reason for this diplomatic maneuver. The country's absence from the 2003 TIPS Report and incredulous statements from international human rights observers signaled to Venezuela and other Latin American nations that the United States was using anti-trafficking laws to gain leverage in

this oil-rich region (Shifter 2004, A19). This case suggests that the tools anti-trafficking laws put at the administration's disposal can be used to further other geopolitical ends and are inseparable from the larger arena of international politics. Indeed, in recent years the TVPA has been used to justify both continued economic sanctions in Cuba and the continued freeze on diplomatic relations in North Korea.

When the President Speaks, the Media Parrot

President Bush also went on to generate much publicity for anti-trafficking crusades in the last years of his first term. Oft cited in news reports is his 23 September 2003, annual "Address to the United Nations." Well aware that his international audience was deeply suspicious of his handling of Iraq, Bush devoted the last third of his 18-minute speech to global sex trafficking, which he described as a clear-cut violation of "moral law." In moving effortlessly from the war on terrorism to the evils of global sex trafficking, he took strides to symbolically link his nation to the broader moral agenda embodied by the new "War Against Trafficking." Bush claimed the United States was supporting, and even spearheading, many global initiatives to combat the traffic in women. "Each year," he stated, "an estimated 800,000 to 900,000 human beings are bought, sold, or forced across the world's borders. . . . The victims of the sex trade see little of life before they see the very worst of life" (2003). His oratory was laden with nineteenth- and early twentieth-century anti-prostitution rhetoric, describing sex trafficking as a "spreading but hidden evil," an "underground of brutality and lonely fear," and a "special evil" (2003). An amplified mood of public sentimentality on the part of U.S. audiences in the post-9/11 era guaranteed the domestic success of this rhetoric. Bush's public speeches on trafficking had widespread reverberations in the journalistic field. The tone and substance of his UN speech was subsequently adopted by a cadre of male journalists in high-profile and controversial *New York Times* and *New York Times Magazine* exposés on sex slavery in the United States and Cambodia (Kristof 2004; Landesman 2004).

Bush's rhetoric drew on historically and institutionally embedded ways of telling stories about trafficking. Indeed, if news reports and policy documents are any indication, there appear to be few ways to talk about sex trafficking that do not include dramatic readings of the captivity narrative's well-rehearsed scripts: the prison-like brothel, the lured or deceived female victim, and her heroic rescuers. These features not only become ritually invoked and necessary aspects of such narratives by indexing sex slavery, but they also define the rhetorical limits of what can be said about the phenomenon on a popular level. If prisons are physical structures meant to keep evil away from good, then melodramatic sex

trafficking captivity narratives that equate brothels with prisons invert this symbolic order by representing good locked away in an evil world. Such narratives necessitate the introduction of a third party that not only witnesses but takes decisive action to end the sex slave's suffering and restore moral order to the world.

Such rhetoric characterized the September 2004, colloquium at the Chicago Cultural Center titled "For Sale or Rent—the Captive Daughters of the Ukraine." This public forum featured Melanne Vermeer, chair of Vital Voices; Amy Heyden, coordinator of the Global Human Trafficking Prevention Program; and Victor Malarek, a zealous Canadian investigative reporter and author of *The Natashas: Inside the New Global Sex Trade* (2004b). Malarek's fire-and-brimstone oratory was straight out of earlier eras (indeed, had he not lambasted UN peacekeepers as rapists and traffickers and derided the internet as "the steamiest whorehouse on the planet" [2004a] one might have guessed he had traveled, via time machine, to the colloquium from the late nineteenth century). The panelists collectively affirmed that although numbers were hard to come by, sex trafficking is the "fastest growing crime in the world" and "the most egregious human rights violation" imaginable (2004a). Trafficking constitutes "a modern-day slave trade of epic proportions" that is not unique to one country but in fact spans the globe. It is an "unimaginable nightmare" for its desperate victims who in Malarek's words are "sold like cattle and then discarded like used dishrags" (2004a).

Consider also the case of *New York Times* columnist Nicholas Kristof's series on buying the freedom of two young sex slaves in Poipet, Cambodia, that originally ran in January and February 2004, and which he revisited in January 2005. In the original three-part series, Kristof describes purchasing two Cambodian teens from brothels and returning them to their families, all the while casting the journalist as swashbuckling hero, castigating feminists, and lavishing praise on the Bush administration for its actions on behalf of women. A year later Kristof visits the slaves whose freedom he allegedly secured and finds that one of them had returned to Poipet and her old brothel. Rather than altering his paradigm regarding prostitution, he rationalizes Srey Mom's return to the brothel by appealing to her drug addiction, her "eerily close relationship" with the brothel owner, and her low self-esteem. In this anniversary column, Kristof writes: "Aid groups find it unnerving that they liberate teenagers from the bleak back rooms of a brothel, take them to a nice shelter—and then at night the kids sometimes climb over the walls and run back to the brothel." Kristof goes on to state: "It would be a tidier world if slaves always sought freedom. But prostitutes often are shattered and stigmatized, and sometimes they feel that the only place they can hold their head high is in the brothel" (2005, A15). Rather than questioning the efficacy of abolitionist strategies, he ends his story by affirming anti-prostitution

campaigns: “this 21st century version of slavery has not only grown in recent years but is especially diabolical—it poisons its victims, like Srey Mom, so that eventually chains are often redundant” (2005, A15). The false consciousness thesis, which has stalked sex workers since they became configured as victims (as opposed to public nuisances), continues to be evoked with equal enthusiasm today as a paradigm-saving technique, one that encourages activists to dodge potential pitfalls in their own interventionist strategies.

Enforcing Procreative Sex

When liberals and some radical feminists laud the administration for its handling of the sex-trafficking issue they engage in a dubious act of legislative formalism that fails to recognize the overall context in which anti-trafficking efforts occur. If we cannot isolate the TIPS Report from larger geopolitical interests, we similarly cannot bracket the administration's efforts to abolish prostitution from its broader campaigns against women's reproductive rights. The Bush administration's fight against global sex trafficking conveniently dovetails with its quest to dismantle public health efforts that support women's reproductive rights and champion condom use as a viable means to control pregnancy and the spread of HIV/AIDS (Saunders 2004). Efforts to curb prostitution in the name of rescuing sex slaves are deeply intertwined with attempts by the Bush administration and its faith-based constituency to police nonprocreative sex on a global level. This stance betrays a deep moral aversion to women's engagement in nonreproductive, family-based sexuality, leading Alice Miller to ask: “How do we ensure that our interventions focused on stopping harm against women do not unknowingly reinscribe and reinforce the idea that the most important thing about a woman is her sexual integrity (formerly known as her ‘chastity’)” (2004, 39).

During the 1990s, sex worker rights groups promoting harm-reduction strategies were actively working in conjunction with AIDS/HIV outreach programs globally and domestically to deliver legal, medical, and other services to sex workers. Although the TVPA constituted a symbolic threat to groups working with sex workers, there were no provisions within the legislation itself that actively prohibited harm-reduction activities. This has not gone unnoticed by the Bush administration, which has since 2001 created new policies and legislation to stem the (very small) flow of federal funds that were channeled toward international sex worker advocacy. Its reinstatement of the Mexico City Policy (also known as the 2001 Global Gag Rule), which bans NGOs from receiving federal funding if they provide abortions, discuss abortions with their clients, or advocate changing a nation's abortion laws, provided the template for two subsequent policies

that have curtailed all funds to nonabolitionist groups that interface with sex workers.

In 2003, as part of the Trafficking Victim's Protection Act Reauthorization Act, the administration announced that the U.S. Agency for International Development (USAID) would stop funding any group perceived as encouraging sex work. The new policy stated that groups "advocating prostitution as an employment choice or which advocate or support the legalization of prostitution are not appropriate partners for USAID anti-trafficking grants or contracts" (Hill 2003). This rule meant that nonabolitionist groups doing AIDS/HIV outreach or offering other harm-reduction services to sex workers were no longer eligible for funds from USAID. Among the international programs partially funded by the United States was a sex workers' literacy class run by Thailand's Empower, a group that since 1985 has advocated for the rights of women in the entertainment industry in that country.

Policies surrounding the Global Gag Rule led many activists to worry that sex worker empowerment projects operating in conjunction with AIDS outreach programs would be next in line to be axed. Indeed, in 2003 the Bush administration passed a Global AIDS bill that prohibits international agencies from receiving funds unless they explicitly sign an oath that they do not support or condone prostitution in its many manifestations and that no funds will be going toward harm prevention among sex workers (Saunders 2004). In a *Seattle Times* editorial titled "Fight AIDS, Of Course, But Also Fight Prostitution," TVPA enforcer John Miller states

the worldwide fights against AIDS and slavery are both worthwhile, uphill battles. However, well intentioned people seeking to limit the spread of AIDS in at-risk populations, especially in the commercial sex industry, often ignore a larger challenge: helping to free the slaves of that industry. (2004)

He goes on to warn that groups distributing condoms to sex workers "run the risk of being judged the same way as some of their 19th century predecessors: health reformers who sought to improve health conditions for slaves on ships while ignoring the slave trade" (2004).

In light of widespread brothel escapes and other thwarted attempts at rescue, it seems particularly cynical that the Bush administration, under guidance from its faith-based constituents, has cut off all U.S.-funded condom distribution and harm-reduction programs for active sex workers, all the while stating that death from HIV/AIDS is a primary hazard of the trade. In neoabolitionist theory, all prostitutes are innocent victims who will naturally accept aid groups' attempts at rescue and rehabilitation, which sometimes include furnishing women with sewing machines or proselytizing to them about Jesus. In neoabolitionist practice, however, as in earlier Christian-based attempts to rehabilitate fallen women, pity

and assistance extend only to those sex workers who are repentant and can be held accountable for their sins. By offering this dubious yet morally rigorous aid to sex workers, abolitionists can comfort themselves that they were not responsible for any deleterious effects caused by their elimination of harm-reduction programs. The abolitionist logic seems to run: "We did offer them a way out, after all."

The Politics of Rescue

Global sex trafficking, conveyed through a Manichean lens, has become a nonpartisan issue in part because the demarcation between victims and villains seems clear and the offense ghastly, particularly when perpetrated on the young. Yet innocence carries a particularly heavy burden in the realm of sexuality. In the United States it has been a consistent trope in journalistic accounts of sexual crimes and, in the case of rape, prostitution, gay hate crimes, and AIDS/HIV, a criterion for public sympathy (Benedict 1992; Miller and Vance 2004). But it is a nearly impossible standard against which to hold living, breathing human beings, except perhaps children. Indeed, in their pamphlets and on their websites, neoabolitionist organizations tend to emphasize those raids that involved the rescue of children. President Bush has remarked that "the victims of the sex trade see little of life before they see the very worst of life" (2003) and many anti-trafficking activists see it as their calling to restore childhoods to young children exploited by sex traders. Linda Smith, a former Republican congresswoman who now directs Shared Hope International, created a humanitarian spectacle in 2001 when she took one rescued Indian girl to Disney World. But in more than a few cases, innocence is an adult fantasy, a fictive state of being projected onto women and youth by 21st century, anti-trafficking crusaders.

Setting aside the politics of taking girls to undisclosed locations for rehabilitation and likely proselytizing, if rescuing children from brothels was abolitionists' only focus, their agenda might appear less worrisome. But clearly the agenda of U.S. organizations stretches beyond ending the exploitation of children and ventures into legislating against nonprocreative sex and using law enforcement strategies to combat all forms of sex work in the name of protecting women. The federal government has furnished these groups with enough resources to ensure that they will become a significant presence in sex workers' lives. These faith-based human rights organizations treat prostitution as an issue of conscience and morality rather than of income possibilities and labor, a stance that emphasizes protection over autonomy and empowerment. Gary Haugen of IJM puts it succinctly: "trafficking is not a poverty issue, it's a law enforcement issue" (Landesman 2004, 30).

Too often Western feminists have participated in producing the victim subjects that state actors step in to protect through the deployment of military, legal, or law enforcement strategies. Victim discourse has been implicated in the creation of feminists' sometimes patronizing attitude toward nonWestern women onto whom victim status is projected (Mohanty 1991). Such a dynamic "encourages some feminists in the international arena to propose strategies which are reminiscent of imperial interventions into the lives of the native subject and which represent the 'Eastern' woman as a victim of a 'backward' and 'uncivilized' culture" (Kapur 2002, 6). Drawing on the case of Nepal—which has recently criminalized the movement outside the country of women under 30 without a husband or male-guardian's permission as a means of combating trafficking—Kapur suggests that solutions in the realm of law enforcement are an essential component of such logic: "The construction of women exclusively through the lens of violence has triggered a spate of domestic and international reforms focused on the criminal law, which are used to justify state restrictions on women's rights—for the protection of women" (2002, 6). As we have seen in the case of Western-sponsored brothel raids, the United States is using the protection of women as a rationale to import its law enforcement tactics and project its power internationally, while conveniently merging these interests with a crackdown on the sexuality and rights of women.

The emphasis on victimization in the West is historically linked to the exigencies of activist publicity around race and gender issues in the context of a masculinist state that exalted and protected only those victims whose innocence—and distance from state-based oppression—could be established or asserted in sympathetic terms. At some historical moments these representations of innocent victims dovetail with the territorial interests of political actors, ushering in what Iris Marion Young has recently referred to as a "security regime" (2003), in which the state takes on the seemingly benevolent role of protector. Focusing primarily on abuses like violence against women and organizing around them as though they were the only distinctly gendered form of human rights violation, ultimately casts women as victims in need of protection from harm rather than as subjects deserving of positive rights. Emphasizing the most abject victims, while often an important and efficacious activist strategy, runs the risk of mobilizing media and governmental institutions in protectionist scenarios that overshadow demands for other forms of social and economic rights (and, in this case, the creation of laws that do not construe sex as inherently dangerous for women).

This is not to say that states have no duty to protect their citizens from harm and provide other basic forms of security. However, in the security regimes to which Young (2003) refers, protection is offered selectively and at a cost: it only stretches to those deemed innocent, while it persecutes,

criminalizes, or ignores those who are seen as complicit in their victimization. Not only are security regimes in the business of offering an illusory form of security to particular subjects, but they often engage in the production and provocation of their own enemies to justify their actions. This security is underwritten by a disavowal of autonomy or agency in favor of a childlike dependency on typically masculine protectors. As Young emphasizes, such dependent citizenship confers few privileges other than offering shelter from a scary, threat-filled outside world.

Rejecting Rescue, Reconsidering Liberation

Feminists should seek to understand the effects of anti-trafficking legislation within the broader context of Bush administration and conservative religious approaches to dealing with gender and sexuality on the international scene. It is only when considered alongside the Mexico City Policy (the "Global Gag Rule") and the Global AIDS Bill that the material effects of anti-trafficking legislation become apparent. While the Bush administration's sponsorship of the War Against Trafficking functions to give a feminized, human face to the War on Terrorism, the politically motivated Trafficking in Persons Report rankings suggest that even this example of national moral leadership is implicated in the strategic geopolitics of oil procurement and strategic power projection. On the level of strategic intervention, it appears we may be witnessing the introduction of U.S. policing efforts in poor countries using humanitarianism as both a motivating force and rationale. Indeed, anti-trafficking initiatives have historically played a key role in expanding the federal government's legal reach (Langum 1994; Soderlund 2002).

The current security regime tends to exalt those victims who can talk back only with difficulty: Iraqi and Afghan women, the unborn, the brain dead, and so-called sex slaves. As largely silent victims, they are neither in a position to make public claims about changing the social system nor to stipulate the conditions under which they might feel free or secure. In the case of trafficking victims, freedom is configured as an escape from "the bleak back rooms of a brothel" and into a ready-made outside world where former sex-slaves can return to sometimes oppressive family structures, work in factories, or serve as nannies and maids for the global bourgeoisie (Ehrenreich and Hochschild 2002). Freedom, as either utopian quest or bedrock of democratic thought, has apparently been downgraded to the ability to engage in wage labor. It seems to me that rather than participating in conservative projects that criminalize either indigenous or migrant prostitution or remove existing medical and legal support, feminists should be working toward creating conditions where all women and men can envision and ultimately participate in their own liberation.

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Notes

1. Empower states that its members abhor the “trafficking of any persons; forced labor including forced sex work; and the sexual abuse of children, whether for commercial exploitation or not” yet it also lambastes groups that “have little or no experience on issues of migration, labor, sex worker or women’s rights and have been created to take advantage of the large sums of money available to support anti-trafficking activities” (1).
2. The federal government allocated 91 million dollars to the Department of Justice to fund its anti-trafficking efforts in FY 2003, a figure that increased to 120 million dollars in FY 2004 (see its “Report to Congress,” May 1, 2004).
3. For a detailed account of the coalition building that went into passing this Act, see Allen Hertzke (2004). A problem with his account, however, is that he adopts the language and perspective of his objects of study, using their rhetoric to account for the opposition to the TVPA in the Clinton administration and effectively writing sex worker rights proponents out of the debate. In this sense, he contributes to the extensive retelling of the history of the trafficking debates that is currently underway.
4. Linda Smith considers her group, Shared Hope International, the founder and leader of the War Against Trafficking Alliance (WATA).

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