

William & Mary Journal of Race, Gender, and Social Justice

Volume 23 (2016-2017)

Issue 1 *William & Mary Journal of Women and the Law: 2016 Special Issue: Combating Human Trafficking Through Law and Social Policy*

Article 2

November 2016

Introduction

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Repository Citation

Kate Price, *Introduction*, 23 Wm. & Mary J. Women & L. i (2016),
<https://scholarship.law.wm.edu/wmjowl/vol23/iss1/2>

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INTRODUCTION

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I am honored to write the introduction for this special edition on human trafficking. In addition to being a Ph.D. student in sociology at the University of Massachusetts, I am also a survivor of the commercial sexual exploitation of children (CSEC), specifically child sex trafficking and child pornography. “Escaping” into books and thriving in school were my childhood coping tools while I was being exploited by a family member to support his drug addiction. I am proud that my academic passion can now be utilized to address the horrors of exploitation.

I was particularly grateful to be asked to write for this special edition of the *William & Mary Journal of Women and the Law* because state-level CSEC legislation is my primary research focus. My article, *Voting to End Vulnerability: Understanding the Recent Proliferation of State-Level Child Sex Trafficking Legislation*, written with Professor Keith Gunnar Bentele, examines factors associated with the passage of comprehensive state CSEC legislation. First responders, such as local law enforcement and service providers, are often the first point of contact for human trafficking victims, thus state laws directly inform victim response protocols.

My fellow authors also address critical anti-trafficking legislative issues. Bonnie Shucha’s *White Slavery in the Northwoods: Early U.S. Anti-Sex Trafficking and Its Continuing Relevance to Trafficking Reform* focuses on the history of the anti-trafficking movement in the United States and its effort to garner national trafficking law reform. *When Sex Trafficking Victims Turn Eighteen: The Problematic Focus on Force, Fraud, and Coercion in U.S. Human Trafficking Laws* by Julianne Siegfriedt addresses the how current legislation fails sex trafficking victims once they legally become adults. And, finally, Rachel Marshall’s *Sex Workers and Human Rights: A Critical Analysis of Laws Regarding Sex Work* examines how national and international laws address sex work.

The role of power in defining “human trafficking” is a central theme of these articles. Each piece examines how current conceptions of what *is* what *is not* considered trafficking are interpreted. For example, Siegfriedt explores how commercially sexually exploited children are primarily considered human trafficking victims, yet these very same individuals may be deemed criminals on their eighteenth

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birthdays. This distinction highlights the unfair assumption that the affected adults voluntarily engage in sex work whereas any such presumption with minors would be justifiably disparaged.

The current debate of whether sex work is the result of empowered choice or patriarchal domination is another issue within defining human trafficking. Sex workers may be deemed victims by the anti-trafficking movement, but do not experience themselves as objectified. The essence of sex workers' rights activism is reclaiming personal and bodily agency and power in a patriarchal society predicated on controlling women's bodies.¹

Conversely, the anti-trafficking movement seeks to resist the patriarchal notion of a woman's body as "a 'body for others' . . . [,] which is objectified via other people's gazes and discourses."² Such subjectivity drains women (and men) of the agency required to make the cultural and structural changes necessary for personal and political freedom. Therefore, feminists situate the sex industry within the larger context of the subjugation of women within patriarchy.

However, proponents of sex work as a chosen occupation refute the notion that they are victims without agency, and position sex workers as being harmed by the anti-trafficking movement. "The central claim is that workers do not actively make choices to enter or remain in prostitution The notion of consent is deemed irrelevant, and activists have pressed governments to criminalize all such migration [for sex work], whether consensual or not."³ Such criminalization, sex workers' rights activists argue, then make sex workers vulnerable to violence because they have no rights when harm is done against them (i.e., being raped, physically assaulted, or robbed by a sex buyer).⁴ These activists advocate legalizing prostitution as a way to legitimize the right to choose sex work and to keep sex workers safe.⁵

Taking all of these issues into account, the central conflict regarding sex work seems to be a power struggle of who gets to *decide* how the issue is framed, rather than arguing over whether a person can choose to be a sex worker or if sex work should be decriminalized.

1. See Ronald Weitzer, *Human Trafficking and Contemporary Slavery*, in 41 ANN. REV. OF SOC. 223, 239 (2015).

2. Margaretha Jävinen, *Immovable Magic—Pierre Bourdieu on Gender and Power*, 7 NORDIC J. OF FEMINIST AND GENDER RES. 6, 12 (1991).

3. Ronald Weitzer, *The Social Construction of Sex Trafficking: Ideology and Institutionalization of a Moral Crusade*, 35 POL. & SOC. 447, 452–53 (2007).

4. Laura Brace & Julia O'Connell Davidson, *Minding the Gap: General and Substantive Theorizing on Power and Exploitation*, 25 SIGNS, 1045, 1045–50 (2000).

5. Mac McClelland, *Is Prostitution Just Another Job?*, N.Y. MAG. (Mar. 21, 2016), <http://nymag.com/the-cut/2016/03/sex-workers-legalization-c-v-r.html> [<https://perma.cc/UW6TJATM>].

The very ideation of power and control that surrounds prostitution and sex trafficking can then, therefore, be seen as ingrained in the very movement hoping to end exploitation. Ultimately, this power struggle over meaning is a fight over who controls the dominant narrative surrounding the sex industry.

While sex workers' rights activists may vehemently disagree with this statement, one could argue sex workers are economically benefitting from the objectification and control of women's bodies within patriarchy because they are paid large sums of money in exchange for sex. I assert that if our culture did not objectify and degrade women's bodies, women would make large amounts of money in other ways—not sex work—because women would be valued differently. Therefore, sex work may not even exist outside a patriarchal culture.

This introduction also does not seek to come to any specific conclusions or stance; rather the intention is to utilize this forum to explore these complex issues in a thoughtful way. These ideas may seem theoretical on paper; however, the outcomes have real-life implications for people involved—either voluntarily or involuntarily—in the multi-billion-dollar sex industry. Ideas about sex trafficking, its societal role, and personal effects strike at core beliefs of equality and personal autonomy. Victims face a deep-seated loss of self while society risks an overall loss of humanity whenever we subject and objectify individuals.

My journey from child sex trafficking victim to survivor advocate has been incredibly long and, at times, deeply painful. Reconciling that an adult who was charged with my well-being betrayed that trust for his own personal gain has been particularly challenging. My exploiter told me that the abuse I endured was my fault, and I believed him. Sadly, I now know these tactics are common ploys by exploiters to control victims. I had done nothing wrong, and neither have the millions of people who are exploited every second of every day.

Please know that I am profoundly moved by the knowledge that these words will be read by fellow scholars, advocates, and activists who are dedicated to interrupting the cycles of human trafficking. I have worked incredibly hard and persevered through numerous challenges to become an academic, and to be able to contribute to this special edition on human trafficking is deeply humbling. I hope you find the work by myself and my fellow authors to be thought-provoking and helpful in your own work toward disrupting the cycles of human trafficking.