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4 Strange confluences

Radical feminism and evangelical Christianity as drivers of US neo-abolitionism

Crystal A. Jackson, Jennifer J. Reed and Barbara G. Brents

Introduction

In this chapter, we explore the politics of neo-abolitionism in the United States. Neo-abolitionism is the newest incarnation of movements to abolish prostitution, exemplified by model legislation from Sweden that criminalises the buyer of sex but not the seller. The beginnings of abolitionism in the United States can be traced to feminist efforts in the 1830s through to the passage and subsequent revisions to the Trafficking Victims Protection Act (TVPA). What has distinguished abolitionist efforts in the United States at the turn of both the nineteenth and twentieth centuries has been the parallel activism of feminists and conservative religious organisations.

This chapter will explore similarities and differences between these two surges in anti-prostitution advocacy to illustrate the shift from abolitionism to neo-abolitionism in the United States. First we discuss the first surge as nineteenth century U.S. women's groups joined with religious moral reformers to campaign for anti-prostitution laws. This first prostitution abolition movement drew parallels between abolishing the African slave trade and slavery in the U.S. and efforts to abolish prostitution to free women. We then discuss late 1900s abolitionism and its turn to neo-abolitionism AFTER anti-prostitution feminists, Christian evangelicals, and the political right created a coalition to pass the Trafficking Victims Protection Act (TVPA) in 2000. Today, neo-abolitionist politics in the U.S. is couched in public concerns about a growing market economy commodifying more aspects of life, middle class concerns about race and immigration, feminist concerns about male sexual exploitation of women, conventional religious beliefs about proper gender roles, virtue, the family and sexual morality, and neoliberal ideologies which blame individuals rather than structures for social problems (see Bernstein 2007, 2010; Hoang and Parreñas 2014; Kerodal, Freilich and Galietta 2015; Kleemans 2011; Koken 2010; Sanders 2009; Weitzer 2011, 2014; Zhang 2009, 2012; Zimmerman 2012).

The TVPA and its subsequent reauthorisations during conservative political administrations helped institutionalize neo-abolitionism in the United States and

extend the reach of neo-abolitionist policies internationally. Neo-abolitionist frames have been embraced by politicians, other feminists, faith-based communities, social service workers, and policing organisations across the country. Their collective focus on punitive and protectionist criminal justice initiatives (rather than preventive social protection) to human trafficking echoes broader neoliberal governance trends in the U.S. toward increased surveillance and criminalisation of people of color, poor people, and trans identified individuals (Bernstein 2010, 2012; Lerum 2014).

HISTORY OF US PROSTITUTION REGIMES AND FEMINIST PROSTITUTION REFORM

Anti-prostitution reform in the U.S. today reflects longstanding politics of race, class, gender and religion that began to play out against prostitution in the U.S. as early as the 1830s. Prostitution in the U.S., like Europe, was not a distinct offense through the 1800s. Laws instead sought to maintain social order, targeting poor individuals and ‘loose’ women for nightwalking, vagrancy, disorderly conduct or lewdness. Brothels were regulated by public nuisance laws, which meant neighbors’ complaints could shut them down (Luker 1998; Lucas 1995).

Early in the nineteenth century, a coalition of women’s organisations and clergy came together in the social purity movement to fight individual immorality, equally including prostitution and alcohol consumption. One tactic included “rescuing” fallen working class women from lives of ruin and instructing them in middle class rules of piety, respectability, and family (Pivar 2002). Later in the century, during what historians call the “first wave” of feminism in the United States, these reformers focused more directly on prostitution through “new” abolitionism, a reference to nineteenth-century American anti-slavery abolitionism. Many first wave feminists drew on their own experiences fighting the African slave trade, ending slavery in the U.S. and fighting for the rights of Black men to vote as they fought for women’s voting rights from the late 1800s-1920. For some of these first wave feminists, fighting for women’s freedom by abolishing prostitution and like evils seemed a parallel cause. Some of these feminist organisations joined with the purity crusaders to fight red light districts appearing in increasingly crowded cities in the late 1800s, and were later joined by the medical profession seeking to fight venereal disease (Halley et al. 2006; Pivar 2002).

Several elements are important in understanding the place of feminism in these prostitution reform movements and abolitionism in the United States. First, feminists at the turn of the 20th century (as now) were not united in their stance against prostitution. Many associated with socialist and anarchist movements of the time and fought for women’s sexual liberty, rejecting institutions, including marriage, that held women and men to reproductive sex as the only appropriate avenue for sexual expression and supported the right to sell sex (Laité 2012).

Second, early feminist organisations who opposed prostitution were not successful in passing anti prostitution policies using a women’s rights or equality frame until joined by other moral, gendered or racially motivated groups.

Foreshadowing the focus on male behavior in contemporary neo-abolitionism, feminist groups pushed for a “single moral standard” of sexual piety and devotion to family *for men* as the path to women’s full equality. They succeeded in passing laws raising the age of consent and some rape reform. It was not until they joined male physicians and public health reformers in the social hygiene movement did they succeed in passing policies extending the state’s reach to patrolling dance halls and roadhouses for promiscuous and unhealthy sexual behavior of both sexes (Luker 1998). By the start of World War I, however, with pressure from the military, social hygienists ended decided to support prophylaxis and treatment for male soldiers in fighting venereal disease as opposed to punishing promiscuous behavior, effectively ending that organisations efforts in fighting for a single moral standard (Luker 1998).

That said, laws against prostitution specifically did not emerge until a third concern inspired action -- the reaction against a large immigration wave in the early 1900s. Mimicking a similar panic in Europe in the 1880s, social purity and social hygiene inspired journalists stoked fears of innocent young white women sold into slavery by sexually uncontrollable and criminally inspired immigrant men. Women’s bodies were situated as tools of citizen-building and as pillars of familial patriotism to be protected. This white slavery panic resulted in the nation’s first (and only) prostitution related law in 1910, the Mann Act, criminalising the transportation of individuals from one state to another for the purpose of prostitution (Donovan 2006; Lucas 1995).

This collection of values and coalitions that included anti-immigration, feminist and public health reformers helped push through a number of state level laws aimed at eliminating red light districts, punishing third parties involved in transporting or tolerating prostitution. Contrary to what original feminist activists sought, laws criminalized prostitutes and framed as them as diseased, immoral or delinquent. [prostitution.]

Third, then, these early abolitionist movements individualized and feminised prostitution, helping to frame prostitution as problem of women’s individual morality and character rather than a problem of patriarchal power and women’s equality (Brents and Sanders 2016; Luker 1998). They codified individual prostitutes as both victims and offenders, their crime a problem of individual malleability, or self-control and morality. Campaigns against women with loose morals inspired unprecedented surveillance of working class young girls, including public recreation in saloons and dance halls, seeing them as both victims and offenders. Third parties were criminalised under pandering and pimping laws as they were seen as threats to individual prostitute’s self-determination. In this feminisation and individualisation of prostitution, male prostitutes, while small in number, disappeared completely from the characterisation of the ‘problem’ of prostitution. By the end of World War I, most every state in the union had made prostitution illegal.

Fourth, it wasn’t until the tail-end of the second wave feminist movement in the 1970s and 1980s that U.S. feminists successfully made prostitution an issue of women’s rights. Early 1900s conflicts about women’s sexual rights solidified into the 1980s “sex wars” between, on one hand, pro-sex feminists and sex

worker rights movements who saw women's sexual rights as including the right to sell sex versus, on the other hand, abolitionist radical feminists who saw prostitution and pornography as male domination over female sexuality writ large, akin to slavery and violence.

Although radical feminist opposition to the sexualisation of culture in general and sexual commerce in particular resonated briefly with the conservative, religious right on pornography, it wasn't enough to forge political alliances during the 1980s. Groups such as Focus on the Family, Concerned Women for America, and the Moral Majority remained opposed to broader goals of women's empowerment, and fought feminists on reproductive rights and abortion. And feminists remained unwilling to support the institutions of patriarchal, heterosexual marriage (Bernstein and Jakobsen 2010). It was tricky for abolitionist-leaning feminists to find common ground with conservative, religious organisations, even if they agreed that prostitution was problematic.

SEX TRAFFICKING, FEMINISM AND THE RELIGIOUS RIGHT

What catapulted prostitution control back onto the national public agenda at the turn of the twenty-first century has been the reemergence of concerns over sex slavery, now called "sex trafficking," as a global social concern. Just as "white slavery" fears gripped the U.S. at the turn of the twentieth century, now at the turn of the twenty-first century sex trafficking fears gained attention at the same time as immigration re-entered the media (Doezema 1999). While concerns over trafficking began as a fight against international organised crime in both sex and non sexual labor, by 2010 a significant shift occurred as trafficking became a "woman's" issue, and the federal government focused on local women (citizens and noncitizens alike) forced by individuals to sell sex. Neo abolitionism emerged in this context in a way that simultaneously incorporated the women's rights framing of the earlier feminist sex wars with the conservative sexual politics of the religious right. Two movements helped bring sex trafficking and neo abolitionism into the limelight, radical feminist anti-prostitution activists, and Christian evangelicals. In this next section we discuss the reasons for this shift and the rise of neo abolitionism.

By the late 1980s, abolitionist radical feminists seemed to be losing the fight against prostitution and pornography. Globally, sex worker rights movements made significant gains as a number of countries around the world began to decriminalise prostitution, including the Netherlands and parts of Australia. Sex worker organizations were active in international conferences on criminal trafficking in labor and sex work and were making gains in making sex worker rights part of the anti criminal trafficking agenda. While not successful in changing prostitution laws in the U.S., the pro-sex and sex worker rights movement was slowly growing as the sex industry was becoming more mainstream in an increasingly sexually liberal climate (Brents and Sanders 2010).

In 1988, Women Against Pornography (WAP), one of the key anti-prostitution radical feminist organisations in the 1970s sex wars, made a strategic change of direction. Laura Lederer, one of the founders of WAP and of Take

Back the Night,¹ helped fund and organise a 1988 conference that defined trafficking as “globalized prostitution” and urged feminists to shift the fight from their focus on domestic censorship of pornography to international sex trafficking. They could shift the attack away from the sex lives of Western feminists to humanitarian concerns over third world women. This strategy was a way to respond to anti-censorship, sex worker-inclusive feminists (sometimes referred to as sex positive feminists) who critiqued anti-pornography efforts as essentialist and simplistic, and even sexist for stigmatizing women’s labor, and pitting women-against-women.

Through this conference, Lederer convinced activists that they could frame sex worker rights activists as protecting themselves while poor women in other countries were being exploited. Lederer joined with WAP leaders, Janice Raymond and Doris Leidholdt, and in 1988 created the Coalition Against Trafficking in Women (CATW) and WAP eventually faded as an organisation. A few years later, Lederer founded The Protection Project as a campaign under CATW to specifically address sex trafficking internationally. Other organisations emerged in the early 1990s to fight sex trafficking and prostitution using this frame. Many of these organizations, including Equality Now, shared members on their boards of directors. This laid the foundation for what would become neo-abolitionist feminism in the United States (Soderland 2004, Bernstein 2007, 2010; Milivojevic and Pickering 2013).

At the same time, these anti-pornography/anti-prostitution feminists were joined, and in some ways eclipsed by, faith-based anti-trafficking organisations (Soderland 2004). During the 1990s, Christian evangelical organisations began investing resources to fight international “human rights” violations through UN agencies, finding common ground with a range of groups on issues such as the environment, HIV/AIDS, and sex trafficking. For the Christian groups, this interest in trafficking reflected a new strategy to stand apart from the divisive domestic politics of leaders like Jerry Falwell and the Moral Majority during the 1970s and 80s. These largely white evangelical Christian groups embraced a conservative sexual politics. They saw a wide variety of social ills that could be solved through the promotion of traditional gender roles, anti-abortion activism, opposition to premarital sex, and early moral training. But they took a “leftward sweep” in articulating these concerns through the language of social justice and women’s rights (Bernstein 2007, 2010; Bernstein and Jakobsen 2010).

As Evangelicals for Social Action founder, Ron Sider, said, the anti-trafficking movement’s focus on sexual violation does “fit with the evangelical concern for sexual integrity” (Shapiro 2004). They came to the fight against trafficking by focusing on rescue, in which they positioned powerless third world

¹ Take Back the Night is an annual anti-violence against women event, usually raising awareness of sexual assault. Early TBTNs were often women-only marches and vigils, sometimes protesting pornography or other forms of sexual labor as symbols of violence against women. Today, TBTN is common on college campuses as a way to raise awareness of sexual assault and other forms of gendered violence.

women as needing protection from “bad men” (Bernstein 2007, 2010; Bernstein and Jakobsen 2010, Shapiro 2004). Their goal of abolishing prostitution could not be clearer. As a spokesperson for Concerned Women for America wrote in 2005, “the U.N. blames social and economic disparities for fostering trafficking,” but “the demand for prostitutes is the driving force behind sex trafficking,” a demand which the United States Congress is “working to end” (Berman 2006: 276).

Unlike in the 1970s and 1980s, these two groups, radical feminist organisations and Christian Evangelicals, worked in tandem. Feminist abolitionists subsumed their fight for women’s equality in other arenas to support the heterosexual middle class family and a reformed moral asexuality. They did not challenge the gender norms embodied within conservative religious morality. The work of abolitionist feminist and evangelical religious groups led to the creation of the main piece of contemporary abolitionist legislation in the United States, the Trafficking Victims Protection Act (TVPA) of 2000. In the next section, we will discuss the development of the TVPA, and how it has come to provide institutional support for neo-abolitionist end-demand politics.

INSTITUTIONALIZING NEO-ABOLITIONISM: THE FEDERAL TRAFFICKING VICTIMS PROTECTION ACT

No law has done more to provide institutional support to the abolitionist movement than the Trafficking Victims Protection Act (TVPA) of 2000. The TVPA has institutionalised the ideology and provided a material support for anti-prostitution advocacy and narrowed the fight against international labor trafficking to a punitive approach to both domestic and international sex trafficking. The TVPA helped propel the U.S. into a major role internationally through funding anti-sex trafficking efforts.

Creation of the TVPA

In the mid-1990s, President Clinton oversaw the creation of a President’s Interagency Council on Women (PICW), headed by Madeline Albright and Hillary Clinton as co-chairs, to spearhead the administration’s trafficking efforts (Stolz 2005). While centralizing this into a “woman’s” office, the efforts reflected left-liberal trafficking frames involving NGOs concerned with human rights, migrant labor protections, and the trafficking of women and men for a wide range of labor (including agriculture and domestic work). These groups were less concerned with whether prostitution was legal or not. However, these concerns about broad trafficking issues were quickly and quite successfully “captured” by feminist abolitionists who had been absorbed into the anti-trafficking efforts of Christian evangelicals and well-placed Christian conservative Republican Congressional leaders (Chuang 2010; Berman 2006; Bernstein 2007, 2010) as we describe below.

The creation of this coalition is often credited to moral entrepreneur Michael Horowitz, a Fellow at the conservative Hudson Institute, who had just successfully spearheaded the International Religious Freedom Act, which passed in 1998. That bill, forged of a left-right coalition of human rights and religious NGOs (including Amnesty International, Human Rights Watch), granted U.S.

agencies power to sanction nations and to protect individuals defined as being persecuted on account of their religion (Bromfield & Capous-Desyllas 2012; Stolz 2005; Bernstein 2007, 2010).

Horowitz saw trafficking as a “natural follow-up” to this bill, and worked with Representative Chris Smith (Republican-Washington) to write a bill modelled on the same approach vis empowering the U.S. to sanction governments seen as complicit in trafficking (Ragan 2013, Soderlund 2005). Three general groups were brought together in this new coalition. First, the trafficking coalition included a wide range of religious groups: newly formed evangelical religious NGOs (the International Justice Mission,) conservative religious groups founded in the 1980s (Family Research Council and Focus on the Family), long time religious NGOs (the National Association of Evangelicals, the Southern Baptist Convention), and even left leaning NGOs such as the Religious Action Center of Reform Judaism. Second, the coalition also included politically connected moral conservatives such as William Bennett, the former Education Secretary and Drug Czar under the Reagan administration, and Chuck Colson, convicted Watergate conspirator, former Nixon administration attorney and born again Christian. These moral conservatives were finding new political power under an increasingly reactionary, Republican US Congress. The third group brought into this coalition included feminist neo-abolitionists, primarily Laura Lederer of the Protection Project and CATW, Jessica Neuwirth of Equality Now, and eventually, Gloria Steinem from the National Organization for Women (NOW) (Stolz 2005; Chapkis 2003).

The feminist abolitionist agenda would have failed without this relationship with religious groups, and it changed the tenor of feminist arguments. Gone were the disagreements over abortion. Former anti-pornography crusader Laura Lederer bridged the two organisations, saying that the religious organisations brought a “biblical mandate to the women’s movement” and that feminist abolitionists “would not be getting attention internationally otherwise” (Soderlund 2005; Chuang 2010; Weitzer 2007). In 2002 she became an evangelical Christian herself. This new coalition of abolitionists kept their goal of abolishing prostitution subtle in discussions with left-leaning Clinton administration officials, and instead articulated an explicit goal to end trafficking. While representatives from CATW, and the growingly-vocal Donna Hughes, did not hide their desire to abolish prostitution, one informant involved in TVPA discussions told Bromfield and Capous-Desyllas (2012), “We all knew what we were about [in favor of abolishing prostitution] but we weren’t ever having these discussions out loud” (p. 256). Given this approach, the later conflation of trafficking and all sexual labor as one and the same, rather than different phenomenon requiring different legislative solutions, is not surprising.

With support of this coalition of three disparate groups, Republican House Representative Chris Smith introduced ‘The Freedom from Sexual Trafficking Act of 1999’ (HR 1356) which reflected the perspectives of conservative and religious interests. It had a narrow focus on sexual trafficking and prostitution, defined voluntary prostitution as trafficking, provided for new and increased criminal penalties for sex trafficking, and, in so doing, ignored labor trafficking

and male victims of any kind of trafficking. At the same time, liberal Democratic Senator Paul Wellstone introduced a bill called ‘The International Trafficking of Women and Children Victim Protection Act’ (S. 600) that reflected the Clinton Administration’s definition of trafficking as forced or coerced labor in the sex, garment, food service, domestic service and agricultural industries, and focused on preserving the autonomy of workers (Stolz 2005).

Fearing that the Wellstone bill’s definition of trafficking limited to ‘force, fraud, coercion and deception’ might prevail as these bills were heard and compromises negotiated in Congress, powerful conservatives and faith-based organisations viciously attacked the Clintons in a number of prominent op-eds in newspapers. President Clinton had been embroiled in a high-profile sex scandal with a White House intern. Seeing a political weak spot, Republican conservatives William Bennett and Chuck Colson did not attack the trafficking bills in Congress, but rather accused the Clinton Administration, the PICW and its co-chair Hillary Clinton, of supporting a change in trafficking definitions in UN protocols (similar to the ‘force, fraud and coercion’ language in Wellstone’s bill) that they claimed legitimised prostitution and hardcore pornography. Groups from the right and left, from NOW and Planned Parenthood Federation of America to the Ethics and Religious Liberty Commission; Campus Crusade for Christ, Institute on Religion and Democracy, and the right wing Heritage Foundation, protested with letters and op-eds claiming that the bill weakened protections against women and girls. A *New York Post* article attempted to link Clinton with prostitutes, labelling the PICW the ‘Hooker’ Panel for weakening international laws protecting women and children (Stolz 2005).

The Trafficking Victims Protection Act (TVPA) was passed in 2000 as a compromise and constituted a blending of the two bills, one conservative (Smith), one liberal (Wellstone). The TVPA created a new federal crime of trafficking with stiff penalties (similar to the conservative Smith bill) and provided special visas to foreign nationals found (through a fairly strict set of criteria) to be victims of trafficking. The bill created the Office to Monitor and Combat Trafficking in Persons within the State Department to monitor and sanction governments that did not take steps to eliminate trafficking. The original bill was hazy in its general definition of trafficking, but limited visas to those who experienced only severe trafficking induced by force, fraud, or coercion, or any person under eighteen years of age found to perform commercial sex.

While happy with the law generally, abolitionist feminists were not happy with limiting trafficking to forced labor, and believed that the Clinton Administration did not go far enough in institutionalising their view that no prostitution was voluntary and that all prostitution should all be defined as trafficking (Weitzer 2007). With the entry of a new more conservative President in 2001, anti-prostitution feminists did not remain unhappy for long.

Neo-abolitionists Transform the TVPA

The election of born-again Christian President George W. Bush in 2001 (elected with unprecedented support from an increasingly political evangelical Christian base) allowed unrivaled access of faith-based organisations into federal government. These organizations and their abolitionist feminist allies took over

TVPA administration and subsequent amendments, and secured for their agenda a large proportion of federal funds and foreign policy access, thus institutionalising the material basis of what would become neo-abolitionism (Weitzer 2007). In what follows, we highlight a number of such organizations and the inter-related networks of key players to illustrate the emergence of the neo-abolitionist approach to prostitution in the U.S. This approach a) explicitly conflated trafficking and prostitution by arguing that all prostitution is coercive and violent against women and that any sexual labor is ripe for trafficking, b) demanded aggressive criminalization of prostitution and trafficking, particularly targeting males seen as victimizing women, c) prioritized efforts against sex trafficking over other forms of labor trafficking, and d) expanded the scope of the bill to include domestic and international trafficking. In so doing, prostitution was further feminized and individualized -- women were situated as victims in need of protection, a discourse that resonates with normative gender ideology.

The Bush Administration appointed anti-prostitution feminist leaders and conservative Christians to key positions in the TVPA offices. For example, former Women Against Pornography now CATW and Protection Project founder Laura Lederer was hired in 2001 as Senior Director for Global Projects on Trafficking in Persons at the U.S. Department of State (Weitzer 2007) and from 2002-2009, as Senior Advisor on Trafficking in Persons in the State Department. Horowitz and Colson reportedly strong-armed Bush aide Karl Rove into appointing John Miller, former three term Republican Congressman from Washington and head of a think tank pushing creationism in public schools, to take over the State Department's Office to Monitor and Combat Trafficking in Persons in 2002 (Soderland 2005). As head of that office between 2002-2006, Miller worked closely with faith-based and feminist organisations including CATW to establish an "abolitionist outpost" in the State Department. As Miller commented to a *New York Times* reporter in 2003 about these neo-abolitionists, "They're consumed by this issue. I think it's great. It helped get the legislation passed, it helped spur me. I think it keeps the whole government focused" (quoted in Weitzer 2007, p. 460).

Miller's office institutionalised the view that "sex work" was "slavery," effectively silencing both advocacy groups and social services engaging in domestic and international harm reduction efforts around prostitution (Bernstein and Jakobsen 2010; McKelvey 2004, Shapiro 2004; Weitzer 2007). It also created the Trafficking in Persons (TIP) Reports that are published annually. The TIP Reports evaluate foreign countries efforts to fight trafficking and place each country onto one of three tiers. Countries that are deemed Tier Three are not doing enough, according to the U.S. government, to fight trafficking. This includes, "whether the government of the country has made serious and sustained efforts to reduce the demand for (A) commercial sex acts; and (B) participation in international sex tourism by nationals of the country" (U.S. Department of State 2011).

In the U.S., federal policies such as the TVPA must be periodically "reauthorised" by a new vote in Congress. This vote determines any changes to the language of the Act, and also approves funding, support, and directives.

Subsequent reauthorisations of the TVPA accomplished two outcomes that further institutionalized the neo-abolitionist approach and silenced opposition, 1) they directed more and more funding to neo-abolitionist groups, and 2) further narrowed the definition of trafficking to domestic sex trafficking with a focus on ending demand. Originally, “trafficking” assistance focused on coercion in connection to the movement across nation-state borders. Subsequent reauthorisations institutionalised the concept of *domestic* trafficking (within a nation-state, of citizens or noncitizens), meaning resources and support could be directed within the U.S. as well as internationally.

Through the funding redirected in these reauthorisations, the U.S. has spent an estimated \$771 million between 2001 and 2010 on domestic and international anti-trafficking efforts (Siskin & Wyler 2013: 57). The bulk of these funds went to organisations which espoused a neo-abolitionist stance (Chuang 2010). Among the organisations receiving funding from the U.S. State Department, Justice Department, and Department of Health and Human Services, are prominent neo-abolitionist feminist organisations such as CATW, Protection Project, SAGE (Standing Against Global Exploitation); faith-based organisations (Catholic Conference of Bishops, Salvation Army, International Justice Mission, World Vision, and Shared Hope International) and their allies around the world (Soderlund 2005).

In 2003, TVPA insiders were able to limit funding to outsider organizations through an “anti-prostitution loyalty oath” attached to the President’s Emergency Plan for AIDS Relief (PEPFAR). The “loyalty oath” prohibited the use of U.S. funds for programmes that promote, support or advocate “the legalisation or the practice of prostitution” or for organisations that did not have a policy that explicitly opposes prostitution. This prevented funds being allocated to health services for “known prostitutes.” Administration officials credited Donna Hughes, who has a PhD in genetics and is a University of Rhode Island Women’s Studies Professor, with helping identify international organisations in receipt of funds who were believed to be ‘supporting prostitution’, including groups providing HIV/AIDS services.

PEPFAR’s anti-prostitution loyalty oath also impacted federal research grants for scholarship. Research funding on human trafficking from the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), and National Institute of Justice (NIJ) has been disproportionately awarded to neo-abolitionist and anti-prostitution groups. Many scholars have criticised research about the extent of sex trafficking used by anti-prostitution and neo-abolitionist groups in policy advocacy citing poor data sources, unverifiable global generalizations as well as muddy definitions of trafficking (see critiques by Chuang 2014, Fitzgerald 2015b, Hoang and Parreñas 2014; Kerodal, Freilich and Galietta 2015, Klemans 2011, Lerum and Brents 2016; Weitzer 2011, 2014, Zhang 2009, 2012,). In 2006, the U.S. Government Accountability Office (GAO) distanced itself from its own widely cited 2003 and 2004 international estimates and TIP reports citing weak methods, data gaps and discrepancies and concluding that country-level data are generally not reliable or comparable (U.S. GAO 2006; Fedina 2015; Heineman, MacFarlane and Brents 2012).

The second outcome embedded in TVPA reauthorisations was to further narrow the focus of anti trafficking efforts toward voluntary prostitution and to turn attention to the “demand” for prostitution. This turn to “end demand” policy solidified the neo-abolitionist approach, and these groups used new found funding and attention to focus on passing new legislation at the federal and state levels. In 2005, leading neo-abolitionist feminists and religious activists came close to passing a national bill criminalising demand, the “End Demand for Sex Trafficking Bill” (H.R.2012). The bill would have required federal measures to combat commercial sexual activities including lap dancing, pornography and legal-brothel prostitution. The bill was referred to a subcommittee for consideration in June of 2005, and died from lack of action. But several of its provisions were incorporated into the 2005 TVPA reauthorisation. The most important was to shift attention from international trafficking (where proponents were having trouble finding actual victims, Brennan 2008) to, instead, target domestic traffickers and customers. The focus now went to “domestic trafficking” and child sexual exploitation where anyone under age eighteen who sold sex in the U.S. was defined as a trafficking victim. This move allowed a host of criminal justice efforts to focus on combating domestic commercial sex acts, less thinly veiled as trafficking, and has, arguably, done little to help youth (Young Women’s Empowerment Project 2012, Bernstein 2010).

In 2005 alone, the TVPA allocated \$50 million for law enforcement and social service agencies to focus their activities on demand for commercial sex in the United States. It appropriated \$25 million for state and local law enforcement agencies to educate, investigate, and prosecute persons who purchased commercial sex acts, and \$10 million for NGOs to assist citizens and permanent-residents who were victims of both sex trafficking and severe forms of trafficking. Today, at least forty-seven states in the U.S. have such “demand reduction” programs related to prostitution (Showden and Majic 2014). Thus the TVPA helped institutionalize a powerful neo-abolitionist approach in the U.S. largely through empowering key neoabolitionist organizations and furthering local law enforcement efforts against prostitution demand. However, neo-abolitionists were not able to get national legislation and as we will see, since the Bush years there have been important challenges to neo-abolitionist stronghold on prostitution policy and discourse. In the following section, we delineate current neo-abolitionist trends and efforts.

NEO-ABOLITIONISM IN THE UNITED STATES: PRESENT AND FUTURE

Since George Bush left the U.S. presidency in 2009, neo-abolitionist rhetoric coming from the federal government has lessened, largely because neo-abolitionist groups no longer have the same access to government. But the movement certainly has not gone away. Below we discuss the long-lasting effects of the TVPA on the neo-abolitionist movement. We offer seven examples of what neo-abolitionism looks like today, including fractures in the stronghold of neo-abolitionism where social justice efforts have fought back.

First, for example, the anti-prostitution loyalty oath in PEPFAR was overturned for U.S. based organizations in 2013 and for foreign organisations receiving U.S. funds in 2015, finally removing a decade of restrictions and lack

of access to funds. This win was the result of multiple organizations and governments showcasing how the oath negatively impacted their abilities to provide basic services to marginalized communities. However, U.S. funds still cannot be used for specific programs that are perceived as promoting prostitution (e.g., a sex worker rights organization). Additionally, the ideology behind the oath has had a profound effect on service provision, disproportionately continuing financial support for neo-abolitionist NGOs, and limiting other organizations' abilities to do research, and provide HIV services.

Second, the millions of dollars allocated under the TVPA go largely to criminal justice and related social services efforts, keeping anti-prostitution, anti-sex trafficking efforts well-funded. Today, many domestic and international organisations rely on TVPA monies to keep staffing levels and to maintain their programs. This is what scholar Laura Agustín refers to as the “rescue industry” (2007), a well-established, multi-organization industry with over a decade of TVPA funding supporting anti-sex trafficking efforts. These trafficking dollars have helped fund the rise of a number of well-organized, well-funded neo-abolitionist organisations like the Polaris Project and Demand Abolition.

Polaris Project is a federal non-profit organisation with religious roots (see Weitzer 2013) that receives substantial U.S. government funding. Since 2007 Polaris Project has maintained a National Human Trafficking Resource Center Hotline used to gather statistics on human trafficking with a focus on sex trafficking (Polaris Project N.d.). These statistics are based on calls made to report a tip about potential cases (which has now expanded to include webform, email, and textline versions). Even though no follow up is done to verify the credibility of reports, hotline data is used to promote harsher prostitution legislation (Reed 2013).

In 2010, Demand Abolition played a key role in a U.S. planning meeting that served as a foundation to combat demand for commercial sex (see Abt Associates Inc. 2010). Several stakeholders convened in Cambridge, Massachusetts to strategize a large scale, long-term national campaign. Demand Abolition has since begun funding public awareness around “National Day of Johns Arrests” that were conceived of in 2011 by the Sheriff of Cook County, Illinois, Thomas Dart. This includes replicating thousands of “johns schools” DVDs and distributing them to police departments nationwide. According to the Demand Abolition website, these DVDs aim “to deter men from purchasing sex by educating them about the harms and consequences of prostitution on themselves, on the people they purchase, and on the community” (Hunt Alternatives N.d.). In early 2015 during one such two-week U.S.-wide sting operation that targeted sex buyers and coincided with the Super Bowl, 570 would-be sex purchasers were arrested and twenty-three men were taken into custody on charges of pimping, trafficking or promoting prostitution (Alter 2015).

Interestingly today, however, some of the anti-prostitution language has shifted from incarceration to social services as the best way to combat sex trafficking and end prostitution. Recently in the U.S., the rescue industry has grown to include the “treatment industrial complex,” with mandatory “alternatives to incarceration,” often under threat of jail or imprisonment for both

clients and sex workers who choose not to participate (Chen 2015, Ray and Catherine 2014). Women arrested for soliciting may find themselves in one of the new “Trafficking Intervention Courts.” Judges mandate “johns’ schools” for men (clients who have been arrested) and a range of alternatives to incarceration for women (who are arrested on a prostitution charge). While john’s schools were first implemented in the 1990s, there has been an increase in using these alternatives to jail for men who are arrested for soliciting prostitution and who are first time offenders. According to Chen (2015), although on the face, such programmes seem to make “corrections” less punitive, “they maintain the political framework of ‘redeeming’ bad people, rather than dismantling anti social systems.” While shifting the consequences of an arrest from prison to programmes offered by public and private NGOs, the focus on “treating” their problems as a result of individual behaviors still shifts attention away from a lack of living wage jobs or wider economic inequalities (Chen 2015, Ray and Catherine 2014, Sered 2015).

Fourth, because of a decline in social service funding generally over the last 20 years, neo-abolitionism has contributed to a landscape where state and local governments must compete for federal anti-sex trafficking funding to support social programs generally. Across the country, law enforcement and social services in a variety of regions now clamour to be identified as the next “sex trafficking hotspot.” In fact, almost every state in the union, and numerous cities within those states, have been identified as a trafficking hotspot by some combination of governments at the federal, state, and local levels, who, along with social service stakeholders, identify a mix of infrastructure (e.g., international airports, major highways, major ports) and geography (proximity to major cities like Los Angeles or a shared international border with Mexico or Canada) as justification.

Fifth, the lasting impact of the TVPA is evident in changes to state laws. The neo-abolitionist organizations like Demand Abolition have helped fund and promote a number of state level anti-trafficking bills that increase penalties for individuals accused of sex trafficking. The definitions of trafficking vary from state to state and often are quite vague (Reed 2015).

Further, neo-abolitionism has led to the re-branding of many criminal and criminalized activities as trafficking. This narrows the ways in which we could potential situate prostitution as a complex and varied criminal justice issue. In 2015 the federal government passed the Justice for Victims of Trafficking Act. This comprehensive neo-abolitionist inspired bill situates any buyer of sexual service to be one-and-the-same as a trafficker, as noted by sex worker activists themselves (D’Adamo 2015). Because the bill is so new, states and localities are figuring out how to interpret the directives and what implementation looks like.

Finally, neo-abolitionism within the United States has begun to be challenged by activists, sex workers, and academics. The consequences of the TVPA and its subsequent reauthorizations are continually challenged. For example, the growth of the U.S. anti-sex trafficking movement has served to mobilize resistance from sex workers. Growing out of sex worker rights organizing efforts from the 1970s, activists like Carol Leigh and Robin Few have helped bring a younger generation

of sex workers activists into a number of new and existing organizations. Their work since the TVPA is often entrenched in neo-abolitionist debates, engaging in critiques of the conflation of trafficking and consensual prostitution, challenging the assertion that sex work is inherently violent at the same time as fighting for recognition, fighting for visibility and freedom from state violence (Jackson 2016).

Groups include the Sex Workers Outreach Project (SWOP-USA and local chapters), Helping Individual Prostitutes Survive (HIPS) in Washington, D.C., Red Umbrella Project in New York City, St. James Infirmary in San Francisco, all provide outreach to sex workers, engage in public education, and advocate for political change. Numerous organisations also offer outreach and assistance to people who have engaged in the sex trade for survival, like Women with a Vision in New Orleans that addresses HIV/AIDS in communities of color with a focus on African-American women, and Streetwise and Safe in New York City who assist homeless LGBTQ youth of color (Lerum et al. 2012, Majic 2011). In addition, scholarly research has greatly expanded and, despite the lack of—or great difficulty in—accessing federal research funds, a growing number of feminist and non-feminist academics conduct research on the complexities of sexual labor, the intersectional realities of prostitution, and the collateral damage of anti-trafficking policies (see Brents et. al. 2012, Chuang 2014, Hoang and Parreñas 2014, Kerodal, Freilich and Galietta 2015, Lerum and Brents 2016, Kleemans 2011, Weitzer 2011, 2014, Zhang 2009, 2012).

The hardline in criminalizing prostitution to end trafficking may be softening. On March 4, 2015, the nonprofit organisation Erotic Service Providers Legal, Education, and Research Project (ESPLERP) filed a federal lawsuit to challenge the criminalisation of prostitution in the state of California. The lawsuit argued that banning prostitution is unconstitutional because it violates the U.S. Constitutional First Amendment by hindering the right of adults to engage in consensual, private activities (Burke 2015). In 2016, three female lawmakers introduced bipartisan legislation to decriminalise prostitution in the state of New Hampshire. The legislators cited the global human rights organisation Amnesty International's August 2015 recommendation that governments across the world decriminalise all aspects of consensual prostitution (Brown 2016). And while women are permitted to work in licensed brothels only in particular rural counties, the state of Nevada has managed to maintain the only current legal model for prostitution in the U.S. (Brents, Jackson, and Hausbeck 2010).

So while the “rescue industry” and “treatment industrial complex” deploy anti-prostitution tactics, the shiny façade of neo-abolitionism may be cracking. On one hand, the neo-abolitionist focus on individual victims and individual perpetrators has been a key component of neoliberal culture and politics, rebranding various social problems connected to poverty, migration and labor rights as individual moral problems while expanding the criminal justice system (and now social services) to increase monitoring and control of marginalized populations (Bernstein 2012; Chuang 2014; Brennan 2008). While sex worker rights movements cast prostitutes as responsible, self-sufficient, sex *workers*, neo-abolitionist movements and their military humanism and carceral feminism

(Bernstein 2010) have placed the prostitute back into the category of victim (Fitzgerald 2015a). On the other hand, the sexual politics of neoliberalism are contradictory, and it remains to be seen how the political power of religious, feminist (pro- and anti-prostitution), and conservative groups will continue to impact prostitution politics in the United States.

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