SEX TRAFFICKING AND SCANDAL

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In this chapter I consider the concept of scandal as it relates to sex trafficking. I have argued elsewhere that sex trafficking scandals constitute a subset of sex scandals which has its own logic (Soderlund 2013). A century ago, the issue of sex trafficking had the capacity to generate what I call “surplus scandal.” That is, sex trafficking controversies, played out in the print media, were marked by such extremes of belief and skepticism that they turned on and transformed the messenger itself. But what about today’s sex trafficking scandals? The media are accustomed to discussing sexuality and prostitution. Earlier allegations of sex trafficking were scandalous in part because a handful of English and American journalists and editors insisted that sex and gender were legitimate areas of public discourse. In this chapter I consider the present day and ask the following questions. At what point does an issue of public concern like sex trafficking rise to the status of full-blown scandal? Which institutions, public actors, or social movements stand to lose or gain by these scandals? And how does a sex trafficking scandal differ from a moral panic? I use two recent attempts to initiate sex trafficking scandals in the United States, the 2009 ACORN scandal and the 2016 Pizzagate conspiracy theory, to make the case that scandal is an important, if under-utilized, framework for understanding sex trafficking claims, particularly in the United States. I argue that sex trafficking’s power to scandalize is rooted in the space between fact and fiction. It is a framework imposed on two already misunderstood and often demonized practices, prostitution and immigration; sex trafficking’s association with sex and the underworld of organized crime make it a prime vehicle for scandal and conspiratorial thought. Before turning to the issue of sex trafficking, however, I discuss the importance of scandal to political communication more generally.

Scandal as political communication

Scandals are a recurring feature of U.S. political culture. They ensue when “private acts that disgrace or offend the idealized, dominant morality of a social community are made public and narrativized by the media, producing a range of effects from ideological retrenchment to disruption and change” (Lull and Hinerman 1997, 3). Their essential ingredients are media exposure, public censure, and social repercussion, and they can be triggered by misbehaviors of varying magnitude. An extramarital affair or offensive remark caught on a hot mic can generate as much or more public disapproval as embezzlement or rape. As a means of policing morality, their
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Consequences can range from personal embarrassment to loss of legitimacy to broader institutional or political fallout. As Joshua Gamson notes, though, personal setbacks are rarely permanent as the attempted comeback is part of the scandal logic (2001). Further, political scandals are not always death sentences. They can simultaneously strengthen opponents’ convictions and shore up partisan support.

In the pre-digital era, breaking a scandalous story conferred a measure of success on a journalist or news organization (which could also catch flak or be accused of sensationalism if the publicized transgression was perceived as unseemly or petty). The gap has narrowed between publicity and privacy with the rise of user-generated media, and the rate at which moral failings are exposed and censured has intensified. Today’s scandals are as likely to break on social media as they are via mainstream journalism but are no less an accomplishment. They hold audience attention, lead to re-posts, media attention, public commentary, and memes. Internet/social media scandals can have severe repercussions, as with some #MeToo cases, but are often confined to social embarrassment. What remains unclear is whether the routinization of scandal serves any larger protective or normative function.

Despite the ubiquity of scandals, their importance and influence are not cultural universals, even in highly mediated societies (Tumber and Waisbord 2004). Scandals are more common in countries with strong libertarian underpinnings that attribute broken institutions to bad social actors. In nations like the United States, conspiracy theory has historically stood in for social theory. Sex trafficking stretches at the limits of America’s capacity for abstract, structural thinking, becoming a moral litmus test in a society with few morals at all. Political cultures that view social problems through a structural lens are less prone to scandal. In countries like France, for example, individuals are often understood to be products of the institutions they occupy, and their imbrication in institutions guarantees their complicity in perpetuating a broken system.

Until quite recently, French print and broadcast media deemed “explanation more important than investigation and exposition,” and the interplay of investigative reporting and scandal so prevalent in the American and English press was absent (Chalaby 2004, 1205).

Investigation and exposure-based efforts in journalism and on social media rely on scandal for their efficacy, a point often overlooked in scholarship on media and political communication. Because scandals engage audiences and can have real-world consequences, generating scandal should be viewed as a key objective in news work and an important element in audience response. To overlook scandal is to diminish our understanding of the relationship between media and political processes. We need look no further than the 2009 American Association of Community Organizations for Reform Now (ACORN)/sex trafficking scandal to see this principle in action.

Sex trafficking scandals and U.S. elections

In 2008, presidential candidate John McCain warned American voters that a little-known advocacy group called ACORN might steal the election. The group, he claimed, was “on the verge of maybe perpetrating one of the greatest frauds in voter history in this country, maybe destroying the fabric of democracy” (Holan 2008). Associating Barack Obama with ACORN became a central pillar of McCain’s election strategy as November neared. Republican strategists drove home connections between the candidate and the community organization in a conspiratorial style. They cast ACORN as an all-powerful entity with the capacity to steal elections and attempted to link Obama’s political trajectory to its “shakedown,” machine-style politics.

ACORN, of course, neither rigged the 2008 election nor did racially tinged attempts to tie Obama to ACORN win McCain the presidency. Nonetheless, a poll conducted in late 2009
found that 52 percent of Republicans believed ACORN had stolen the election (Connolly 2009). Conservatives, unable to abandon a theory they tirelessly promoted during election season, had a score to settle with ACORN. Swift and effective retribution arrived in the form of a sex trafficking scandal that was based on an idea conservative activist and college student, Hannah Giles, had while jogging.

Giles and fellow activist James O'Keefe spent the summer of 2009 posing as prostitute and pimp and visiting ACORN offices from New York to California. Equipped with a hidden camera, the pair detailed a fictive scheme to traffic El Salvadorian girls into the United States and use proceeds from prostitution to finance a congressional run. At each site, they sought advice on how to evade law enforcement and outsmart the Internal Revenue Service (IRS)—and O'Keefe’s camera caught ACORN employees giving it to them in spades. The videos appeared on Breitbart.com in September of 2009. They were heavily edited and elided important details, but there is no reason to doubt that most ACORN staff willingly provided this information (Hoyt 2010). The videos inflicted damage that excuses and apologies could not undo. ACORN supporters and donors fled. Congress froze federal funding. ACORN leaders pushed back to no avail. The organization shut down in 2010, bankrupt and politically ostracized.

James Lull and Stephen Hinerman argue that generating a scandal is “an accomplishment with real ideological, cultural, and material winners and losers” (1997, 2). Indeed, the ACORN take-down was the first big Obama-era victory for conservatives. The Right hailed Andrew Breitbart, O'Keefe, and Giles as heroes, modern-day muckrakers, and fearless exposers of truth. The videos raised Breitbart.com’s profile and helped transform the link aggregator site into a creator of alternative news. During the ensuing media tour, the normally straight-laced O'Keefe often appeared in a sleek silver fur coat, dark sunglasses, jaunty hat, and walking stick (it was later revealed that he did not wear this outlandish get-up in ACORN offices, though the videos were edited to suggest he did).

It is important to note that this was never a scandal about real sex trafficking. In this case, an organization staffed primarily by people of color, whose practices were already under scrutiny, was caught appearing to condone sex trafficking and prostitution. In at least one case an ACORN employee humored Giles and O'Keefe and then called the police. However, through a complicated process of rhetorical substitution and symbolic slippage, the sting gave credence to the Right’s election-year allegations and overall Obama cosmology. That mainstream news organizations failed to investigate ACORN themselves served as proof, in conservatives’ eyes, of widespread collusion around media-darling Obama.

In reality, Obama’s connections to ACORN were limited (Holan 2008). But community organizer and community organization were cemented together in the conservative imaginary. The videos confirmed what the Right already believed about Obama: that underneath his charming, articulate demeanor was a conniving windbag hellbent on bringing ghetto-style politics to the White House. In their view, Obama was something of a pimp himself, all surface charm and inner wickedness.

**Sex trafficking: Scandal, moral panic, or modern-day slavery?**

The 2009 ACORN sting is one example in a long history of strategic efforts to scandalize institutions, organizations, and political figures by associating them with sex trafficking. It is an instructive case because the focal point of sex trafficking scandals, past and present, often lies elsewhere. The ACORN case lacked identifiable traffickers or victims. In their stead was a fictitious rendering of sex trafficking for the sake of an investigation into broader claims. This is important because sex trafficking as practice and sex trafficking as scandal-object are
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rarely commensurable. Often, the national and local media spotlight practices and incidents that are not actual examples of trafficking. However, they come to stand in for actual trafficking and serve as alarm signals for broader targets of outrage such as conspiracies about voter fraud or immigration. To be clear, not every insinuation of sex trafficking is a cynically minded smear tactic intended to topple a political foe. A limited number of sex trafficking cases have been identified and prosecuted. Yet, despite a paucity of arrests, sex trafficking has become the predominant framework for understanding and policing commercial sex in regional, national, and international contexts over the last 20 years. In part this is because anti-trafficking organizations and activists greatly exaggerate the prevalence of these cases and conflate sex trafficking with a wide range of sexual/economic arrangements that may or may not be coercive.

Aside from my work and that of anthropologist Denise Brennan (2014), scandal has rarely been employed as a concept in studies of sex trafficking. Trafficking discourses have dimensions that transcend media representations and their public and/or institutional effects, and not all scholarship considers media as a key site for the production and reproduction of trafficking discourses. Studies that do consider media representations tend to focus on how the news media frame sex trafficking, the gaps between media claims and available empirical data, and anti-trafficking rhetoric. There is also a body of work that approaches the topic as a mass-mediated social construction and draws on a moral panic framework to account for the social and political effects of sex trafficking narratives (e.g., Blanchette and da Silva 2012; Cree et al. 2012; Weitzer 2007). The concept of moral panic was developed to account for the kind of social paranoia and anxiety that often accompanies rapid social change. In these cases, socially constructed “folk devils,” in the form of deviant identities and acts, emerge that give shape and form to vague social paranoia, channeling angst (Cohen 1980). Moral panics are sometimes fantastical, as in the case of the satanic ritual abuse scare in the United States (Jenkins & Maier-Katkin 1992). Whether the moral panic is about satanism or violent crime, the public response is often disproportionate to the actual prevalence of the alleged deviance. The panic gets stoked by mass media and moral entrepreneurs, who work in tandem to keep attention focused on the folk devil. Everyday citizens add their voices to the chorus of people demanding that legislators and law enforcement do something to fix the problem. New laws are created. Sweeping law-and-order crackdowns initiated, all because of a social boogeyman.

In many respects, moral panics and scandals are conceptual cousins. Both erupt around perceived breaches of social norms and hold audience attention longer than standard news fare. Both have contours or an “anatomy” that scholars can trace, as well as a fairly predictable life cycle. For Lull and Hinerman, the difference lies in the number of people involved and the content of the transgression. Scandals, they argue, “must be traceable to real persons who are held accountable for their actions” (1997, 4). Scandals are tangible and ensnare specific people. Moral panics are sometimes fabricated and can affect whole classes of people.

Lull and Hinerman provide helpful guidelines for distinguishing between moral panics and scandals. However, their formulation leaves some scandals unaccounted for. The ACORN scandal, for instance, strategically deployed the specter of sex trafficking as a means to take down an organization and cast doubt upon the president. Topics like sex trafficking symbolically taint their object, and thus fall outside Lull and Hinerman’s schema. Sex trafficking is a phenomenon that exists on the borderlands between the abstract and the concrete, fact and fiction. In moral panic, the center of outrage is the misdeed, crime, or behavior itself. In scandal, indignation is directed toward a person, group, or institution. Sex trafficking must neither
be real nor even perpetrated by the politically motivated target. It must only be expedient in kindling the outrage of a specific polity.

Sex trafficking as scandal

When I was researching my book on the history of the sex trafficking exposé, I searched for a framework that would explain the production and reception of a number of high-profile salacious and controversial investigative reports on sex trafficking that were published in the late-nineteenth and early-twentieth centuries. Exposés like William T. Stead’s 1885 “Maiden Tribute of Modern Babylon” and George Kibbe Turner’s 1907 “Daughters of the Poor: A Plain Story of the Development of the White Slave Trade of the World, Under Tammany Hall” played a major role in forging the concept of sex trafficking (or white slavery, as it was often referred to during that era), and they simultaneously seized upon and produced anxieties about urbanization, immigration, race mixing, and shifting gender roles. These historic pieces, and the public response to them, shared many features of moral panics: they focused on sexual and criminal deviance, they cast sex trafficking as ubiquitous, hiding in plain sight, and they spawned social reform movements and legislation like the Criminal Law Amendment Act in England and the Mann Act in the United States that exceeded their original intention. However, at a certain point the moral panic framework lost its explanatory power, and I searched for a concept that was more closely linked to the print media and investigative reporting, an emerging form at that time.

It was clear that the authors of these exposés were attempting to generate scandal and had specific targets in mind. In addition to selling newspapers, Stead hoped to raise age of consent laws in England and believed that only a sensationalist story about sex slavery would rouse the public and Parliament into action. Turner wanted to increase subscriptions to McClure’s Magazine, but he also sought to weaken Tammany Hall’s grip on New York City politics. Scandal was encoded in their projects from the beginning. Audiences, shocked by what they read, wanted to find and root out traffickers. But the exposés did not point to specific individuals. Instead, public disapprobation fell on specific institutions that were suspected of condoning and creating the conditions under which the crime could flourish.

Both exposés generated widespread belief that sex trafficking was a significant social problem around the turn of the last century. Social reform movements developed in relation to them, and activists formed alliances with other newspapers and magazines willing to print their own stories about the traffic in women. But there was another element to these scandals that was neither as clear-cut nor unidirectional as the first, and that had to do with the nature of the claims being made. The scandals turned back on the print media because of their transgression of allowable (and at times credible) discourses, and because the journalists frequently violated ethical boundaries in investigating the stories. The controversies surrounding both pieces generated what I call “surplus scandal.” That is, the scandals they generated were marked by such extremes of belief and skepticism that they turned on and transformed journalistic practices, taking a few journalists down in the process.

Conclusion: sex trafficking, scandal, and conspiracy

What about today’s sex trafficking scandals? Earlier stories of sex trafficking scandalized, in part, because key journalists and editors insisted, against the prevailing practice, that sexuality and gender were legitimate areas of journalistic discourse. Today’s media are accustomed to discussing sex and prostitution. It is unlikely that even the most egregious account of sex trafficking would generate the same level of outrage that Stead and Turner’s exposés did over a century ago.
Nonetheless, sex trafficking has resurfaced as an object of public concern over the last three decades. For some, it is the most heinous human rights violation imaginable, a clear-cut form of abuse that is beyond critique (Soderlund 2005). The U.S. is increasingly politically polarized, but sex trafficking is an issue that still has the capacity to unite liberals and conservatives. The bipartisan nature of anti-trafficking efforts was on display in April 2018 when the House passed its Fight Online Sex Trafficking Act and the Senate passed its Stop Enabling Sex Traffickers Act. Both bills garnered support from Republicans, Democrats, and the White House. No one in this climate wants to be associated with sex trafficking. Plus, being seen combating this seemingly ubiquitous evil is an easy way to look good.

If most anti-trafficking legislation and activism has been bipartisan, the topic has very subtly been taking on a partisan edge. Anti-trafficking activism has emerged as a key mandate of the evangelical Right, for whom traveling to places like Cambodia and Honduras to assist local law enforcement in brothel raids has become something of a modern-day pilgrimage. And it is increasingly becoming a central theme in rightwing conspiracy theories and scandals. The Right may or may not still find sex trafficking narratives titillating, but for some followers these scandals clearly maintain their tried-and-true political efficacy, regardless of their veracity. Such was the case during the 2016 election when WikiLeaks published a trove of John Podesta emails at roughly the same time as the New York Police Department seized Anthony Weiner’s communications. Trump supporters on the internet set about decoding secret messages in these Democrats’ missives, and the product of their cryptographic handiwork was a scandal/conspiracy known as Pizzagate. Pizzagate believers were convinced Hilary Clinton had a secret life as a child sex trafficker, and the epicenter of her nefarious activities was a Washington DC pizza place called Comet Ping Pong. The restaurant’s owner was subject to harassment and intimidation as the story circulated on social media. The episode seemingly peaked in December of 2016 when Edgar Welch fired shots into Comet Ping Pong’s walls. Welch, an evangelical, had traveled to DC from North Carolina to rescue the children he imagined were captive inside. If Giles and O’Keefe’s deployment of sex trafficking proved highly effective, Pizzagate attempted fewer layers of mediation between the crime and Hilary Clinton, with less obvious results.

Pizzagate was one of the stranger episodes of 2016. The conspiracy theory seemed to fade away save as a relic from a strange election cycle. But it turns out it never died. It was still alive on Reddit and has recently made a comeback. Roseanne Barr alerted the outside world to Pizzagate’s ongoing influence when, in March of 2018, she attempted to contact a shadowy figure called QAnon on Twitter. QAnon, or Q, which refers to this figure’s “Q” level security clearance, claims to be privy to inside Trump information routinely censored by the mainstream media. QAnon has a growing number of followers, who have held Q rallies, purchased billboard space, and are often seen at Trump events wearing “Q” shirts. For these followers, Pizzagate was real, and busting Clinton’s pedophile ring was one of Trump’s first acts as president. But Trump did not stop there. According to QAnon, he has spent much of his first 18 months as president rounding up traffickers and pedophiles the world over and sending them to prison. This intel inspired the following Roseanne Barr tweet: “President Trump has freed so many children held in bondage to pimps all over this world. Hundreds each month. He has broken up trafficking rings in high places everywhere. notice that. I disagree on some things, but give him benefit of doubt–4 now” (Sommer 2018).

All evidence suggests additional sex trafficking scandals are on the horizon. The Christian Post reports that Planned Parenthood is the next target. After the success of FOSTA/SESTA, Republican members of Congress are urging an investigation into the family planning and women’s healthcare organization for “covering up and not reporting the sexual abuse and trafficking of minors,” and “operating a nationwide pedophile protection racket” (Showalter 2018). ACORN, President Obama, Hilary Clinton, and now Planned Parenthood. This suggests to
me that there are two principles operating here. Sex trafficking is a social practice, but it also exists as an idea. A set of images and associations that are ready-made and are deployed at various moments precisely to generate scandal and insinuate conspiracy. It is therefore worth asking: which institutions, public actors, or social movements stand to lose or gain by these scandals? Rarely, it seems, do alleged victims of trafficking gain by anti-trafficking efforts.

Notes

1 This dynamic was at work during the Monica Lewinski scandal in the 1990s. Similarly, the near-daily scandals encircling the current White House appear to galvanize Trump’s base while providing his opponents with continuous fodder for moral outrage.

2 See Horowitz (2009) for an example of such rhetoric used in reference to ACORN.

3 Indeed, the ACORN videos and the O’Keefe–Breitbart alliance are depicted as foundational in the 2012 hagiographic documentary Hating Breitbart.

4 ACORN was already mired in scandal when it got pulled under the electoral spotlight. The group raised eyebrows in 2007 when Washington state arrested seven part-time employees for falsifying 1,762 voter registration cards (Ervin 2007). The next year, a whistleblower revealed that the brother of ACORN’s founder, Wade Rathke, had embezzled nearly a million dollars a decade earlier. ACORN had handled the breach internally, allowing Rathke to receive ongoing paychecks and slowly repay the stolen funds (Strom 2008b).

5 Juan Carlos Vera, an ACORN employee in California, humored Giles and O’Keefe but immediately called the police after their interaction. A later court ruling made O’Keefe pay Vera $100,000 for damages (Ungar 2013).

6 See Hating Breitbart and any Stephen Bannon documentary for evidence of this rhetorical move.

7 An example of this popped up in my Twitter feed minutes after revising this sentence. In an article from CSP Daily News, a convenience store industry newsletter, a store owner in Bend, Oregon tells the reporter that a sticker supporting a local anti-trafficking nonprofit had been repeatedly torn off his shop window, even though he had it framed. Both the shop owner and the journalist take this act of vandalism as evidence that they “do in fact have human trafficking here [in Bend]” (Baltazar 2018).

8 There is an abundant literature that demonstrates the problematic nature of anti-trafficking campaigns. For a sampling of this literature, see Agustin (2007), Bernstein (2010), Kempadoo et al. (2005), Soderlund (2005). See also Open Democracy’s series of online essays, “Beyond Trafficking and Slavery.”


10 Sex trafficking provided the impetus for the first successful piece of legislation censoring portions of the internet. Passed in April 2018, FESTA/SOSTA replaces an earlier law stating that website owners and server hosts are not accountable for the content others put on their website. The legislation was designed to shut down sites where advertisements for prostitution flourish, and it has certainly succeeded in this goal. Critics point out that FOSTA/SESTA will drive prostitution further underground by stripping sex workers of web-based advertising venues. There is also fear that FOSTA/SESTA will have a chilling effect on other forms of online discourse (Romano 2018).

References


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