

# Why the ‘Ideal Victim’ Persists: Queering representations of victimhood in human trafficking discourse

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## Abstract

The image of a young, victimised woman bound and gagged for implied sexual exploitation persists in the imagination, promotional material, and reports of the anti-trafficking sector. She is presented as the ‘ideal’ victim, and while people who have experienced this undoubtedly exist, many victim accounts deviate from this prescriptive path. Why then does the image of a universal, ideal victim endure? This paper argues that the idealised subject of contemporary trafficking law is not merely a symptom of uncritical representation, but intrinsic to the formation of anti-trafficking law. Often feminised, she becomes a tool for maintaining heteronormative and white nationalism, but one which never existed beyond her confines of anti-trafficking law. To unearth her production, I present a queer genealogy of the human trafficking subject from British campaigns against white slavery in the late nineteenth century to contemporary law. A queer reading of this history demonstrates that rather than preceding laws, the ideal victim serves to personify cultural anxiety over race and gender housed in anti-trafficking policy. This is essential because without contending with this history and restrictive definition of victimhood, it would be impossible for current trafficking law in developed countries to adequately protect LGBTQ+ and irregular migrants who often do not conform to idealised forms of victimhood. Furthermore, a critical analysis of the ideal victim is essential to moving away from a hierarchical evaluation of victimhood altogether.

**Keywords:** victim, white slavery, genealogy, queer, human trafficking, subjecthood

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## Introduction

Bound white hands, women's bodies partially obscured, an ominous dark figure in the background, are all images that appear repeatedly in anti-trafficking awareness campaigns. Despite evidence that such images can be harmful to identifying and supporting survivors<sup>1</sup> of severe exploitation,<sup>2</sup> they stream into political, academic, and public discourses. Their hold partially derives from their emotive potential. Seeing images of people under the implied threat of sexual exploitation is emotionally jarring. It plays on a genuine human impulse to help those who are suffering. However, the particular construction of a young woman who has come to be a stand-in for an 'ideal victim' of trafficking serves a purpose that goes beyond assisting others.

I argue that the persistence of such imagery is not for lack of evidenced critique,<sup>3</sup> but rather because the ideal victim is a subject both created by and constrained within discourse on human trafficking as a tool to maintain heteronormative and racial hierarchies couched within national borders. A queer genealogy of the ideal victim reveals how British anti-white slavery campaigns, a social reform movement against trafficking for the sexual exploitation of women at the turn of the nineteenth century that employed racialised and gendered narratives,<sup>4</sup> continue to shape anti-trafficking discourse today. Since then, depictions of the ideal victim have been used as signifiers of racial and national borders wherein

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<sup>1</sup> The terms 'victim' and 'survivor' can both refer to people who are currently in or have exited situations of abuse and exploitation. I will use 'survivor' instead of or in addition to 'victim' where possible as the term 'survivor' denotes a recuperation of agency for people leaving controlling situations. The exception here being the concept of the 'ideal victim' wherein passivity is an inherent trait.

<sup>2</sup> C Hoyle, M Bosworth, and M Dempsey, 'Labelling the Victims of Sex Trafficking: Exploring the Borderland between Rhetoric and Reality', *Social & Legal Studies*, vol. 20, issue 3, 2011, pp. 313–329, <https://doi.org/10.1177/0964663911405394>; E O'Brien, 'Ideal Victims in Trafficking Awareness Campaigns', in K Carrington *et al.* (eds.), *Crime, Justice and Social Democracy*, Palgrave Macmillan, London, 2013, pp. 315–326; J L Small, 'Trafficking in Truth: Media, Sexuality, and Human Rights Evidence', *Feminist Studies*, vol. 38, issue 2, 2012, pp. 415–443, <http://doi.org/10.1353/fem.2012.0025>.

<sup>3</sup> *Ibid.* See also R Andrijasevic and N Mai, 'Trafficking (in) Representations: Understanding the Recurring Appeal of Victimhood and Slavery in Neoliberal Times', *Anti-Trafficking Review*, issue 7, 2016, pp. 1–10, <https://doi.org/10.14197/atr.20121771> and C Gregoriou and I A Ras, 'Representations of Transnational Human Trafficking: A Critical Review', in C Gregoriou (ed.), *Representations of Transnational Human Trafficking*, Springer International, Cham, 2018, pp. 1–24, [https://doi.org/10.1007/978-3-319-78214-0\\_1](https://doi.org/10.1007/978-3-319-78214-0_1).

<sup>4</sup> L Lammasniemi, 'Anti-White Slavery Legislation and Its Legacies in England', *Anti-Trafficking Review*, issue 9, 2017, pp. 64–76, <https://doi.org/10.14197/atr.20121795>.

the threat of sexual exploitation to the female body represents a threat to the national body itself.<sup>5</sup>

This paper binds together two existing areas of research, one pertaining to the idealised victim in human trafficking discourse and the second a historical production of anti-trafficking law and border enforcement, to present a queer genealogical analysis of the ideal victim. Queer studies is the methodological backdrop necessary to demonstrate how these fields inform each other. Their shared history has been smoothed over, as dominant discourse on victimhood is repeated over time. Because queer studies is attuned to ruptures and deviations, it is uniquely situated to identify sites of discord between idealised victimhood, lived experience, and the production of anti-trafficking law.

There is a push in critical migration and trafficking studies to move away from binary, prescriptive modes of analysis because of their inability to contend with the complexities of such processes. For example, Eithne Luibhéid calls for queer migration studies to integrate with critical trafficking studies using heteronormativity as a joining theoretical framework when studying the separation and reunification of migrant families in the US. She demonstrates how immigration and anti-trafficking law are levied to maintain heteronormative family structures, which in turn reinforce racial and geopolitical hierarchies.<sup>6</sup> In prefacing her analysis of global migration law, Anne Gallagher offers a comprehensive list of ‘some of the more traditional and either/or modes of analysis and description (e.g., forced/voluntary, skilled/unskilled, regular (documented)/irregular (undocumented), origin/transit/destination, internal/cross-border, North/South)’ that are being upended.<sup>7</sup> This push to move away from binary logic is distinctly queer in its approach, yet current law requires these divisions to make sense of criminality, exploitation, victimhood, and human movement. A queer historical analysis of the anti-trafficking subject questions its existence as an isolated figure,

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<sup>5</sup> E A Faulkner, ‘The Victim, the Villain and the Rescuer: The Trafficking of Women and Contemporary Abolition’, *Journal of Law, Social Justice and Global Development*, issue 21, 2018, pp. 1–14, <https://doi.org/10.31273/LGD.2018.2101>; K Kempadoo, ‘The Modern-Day White (Wo)Man’s Burden: Trends in Anti-Trafficking and Anti-Slavery Campaigns’, *Journal of Human Trafficking*, vol. 1, issue 1, 2015, pp. 8–20, <https://doi.org/10.1080/23322705.2015.1006120>.

<sup>6</sup> E Luibhéid, ‘Heteronormativity: A Bridge Between Queer Migration and Critical Trafficking Studies’, *Women’s Studies in Communication*, vol. 41, issue 4, 2018, pp. 305–309, <https://doi.org/10.1080/07491409.2018.1544001>.

<sup>7</sup> A T Gallagher, *Migration, Human Rights, and Development: A global anthology*, International Debate Education Association, New York, 2013, p. 8. For more studies on moving beyond binaries in law, see J Musto, ‘Transing Critical Criminology: A Critical Unsettling and Transformative Anti-Carceral Feminist Reframing’, *Critical Criminology*, vol. 27, issue 1, 2019, pp. 37–54, <https://doi.org/10.1007/s10612-019-09434-y>.

one detached from larger systems of power and the binaries listed. Instead, queer analysis of the ideal victim within human trafficking law presents an opportunity to contextualise its current use and its origins within broader discourse on race and identity. Drawing from a queer of colour critique, it is impossible to separate the construction of gender and sexuality from the creation of race and national borders because these categories are co-constructive tools of white patriarchal supremacy.<sup>8</sup> The binary distinctions that Gallagher identifies fall away, as it is revealed that they are not 'either/or' categories, but rather ones which reproduce each other.

Queer analysis, with its ability to suspend multiple temporalities, histories, and flowlines of power, which assemble into the immediately foregrounded subject,<sup>9</sup> is an opportunity to deepen ongoing projects attempting to construct a genealogy of human trafficking law across geographic and temporal boundaries. To pursue this, I begin by identifying who the 'ideal victim' in anti-trafficking law is commonly understood to be, paying particular attention to how race and gender converge in her<sup>10</sup> embodiment. Often represented as a young woman, the ideal victim is part of a longer history of anti-trafficking campaigns. While she has been examined extensively from a feminist and gendered perspective, I turn towards queer genealogy. Queer studies reveals that power does not merely exist, but rather must continually reproduce itself through repetition, which can culminate in systems of power like the state, or figures of enforcement, like the ideal victim. As such, a queer genealogy demonstrates how this history is not necessarily a linear progression,<sup>11</sup> but one where the ideal victim is continually being reproduced to serve changing political agendas. I then argue that because anti-trafficking legal frameworks rest on the need to maintain national borders, the ideal victim was created to support these narratives and cannot exist beyond

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<sup>8</sup> *Ibid.* See also: G Anzaldúa, *Borderlands/La Frontera: The New Mestiza*, 4th edition, Aunt Lute Books, San Francisco, 2012.

<sup>9</sup> E Luibhéid, 'Queer/Migration: An Unruly Body of Scholarship', *GLQ: A Journal of Lesbian and Gay Studies*, vol. 14, issue 2–3, 2008, pp. 169–190, <https://doi.org/10.1215/10642684-2007-029>; J K Puar, 'Queer Times, Queer Assemblages', *Social Text*, vol. 23, issue 3–4, 2005, pp. 121–139, [https://doi.org/10.1215/01642472-23-3-4\\_84-85-121](https://doi.org/10.1215/01642472-23-3-4_84-85-121).

<sup>10</sup> I use the gender pronoun 'she' here because the ideal subject of trafficking policy is often represented as a cisgender woman, in alignment with the heteronormative association between victimhood and femininity. Additionally, as it was first conceptualised, anti-trafficking legislation only applied to women as victims. Take, for example, the 1921 League of Nations *International Convention for the Suppression of the Traffic in Women and Children*, which was applicable specifically to women and children. Still today, the UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* adopted in 2000 draws special attention to women by setting them apart in its title.

<sup>11</sup> For a discussion of queer temporalities see E Freeman, *Time Binds: Queer Temporalities, Queer Histories*, Duke University Press, Durham, 2010.

them. Without her, anti-trafficking law loses its focus and she is unmade when removed from conventional, idealised anti-trafficking narratives. What is necessary, then, is a reimagining of how victimhood is understood within anti-trafficking law. I conclude by suggesting that this reconfiguration must resist hierarchies of victimhood and centre itself around the agency of survivors.

## Who Is the ‘Ideal Victim’?

The ideal victim in anti-trafficking law is a constraining representation of victimhood. Her presence reduces varying experiences of exploitation into a singular narrative and yet endures. Erin O’Brien, in her deft analysis of ten anti-trafficking campaigns in Europe and the United States, posits that there is a concrete focus on youth, femininity, innocence, and sexual exploitation in the images chosen to represent human trafficking.<sup>12</sup> These findings are echoed in Carolyn Hoyle’s scoping study of interviews with human trafficking survivors who challenge these constructs by widening the reasons for a person’s involvement with trafficking such as economic need, labour shortages, or unrecognised migration status.<sup>13</sup> Both of these works draw on the criminological conception of the ‘ideal victim’ proposed by Nils Christie, which argues that the image of the victim is socially constructed as weak, innocent, and respectable.<sup>14</sup> In the context of anti-trafficking discourse, this construction has coalesced around a singular narrative.<sup>15</sup> Legal anthropologists Sally Engel Merry and Vibhuti Ramachandran succinctly summarise this singular narrative as ‘represented by the image of a young girl, kidnapped and sold from hand to hand until she ends up in a brothel in a large city, or sold by impoverished parents to a criminal network. She disappears into a world of sex work where she services thirty men a night’.<sup>16</sup> Although this offers a neat, easily digestible narrative, the lives of trafficking survivors are generally messier and more complex than this idealised archetype gives space for.<sup>17</sup> Notably, this narrative smooths over complexities in a victimised person’s life by focusing

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<sup>12</sup> O’Brien, p. 317.

<sup>13</sup> Hoyle *et al.*, pp. 318–321.

<sup>14</sup> N Christie, ‘The Ideal Victim’, in EA Fattah (ed.), *From Crime Policy to Victim Policy: Reorienting the justice system*, Macmillan, Houndmills, Basingstoke, 1986, pp. 17–30.

<sup>15</sup> Andrijasevic and Mai, pp. 2–3.

<sup>16</sup> S E Merry and V Ramachandran, ‘The Limits of Consent: Sex trafficking and the problem of international paternalism’, in MN Barnett (ed.), *Paternalism Beyond Borders*, Cambridge University Press, Cambridge, 2017, pp. 224–255, <https://doi.org/10.1017/9781316799956.008>.

<sup>17</sup> C Cojocar, ‘My Experience Is Mine to Tell: Challenging the abolitionist victimhood framework’, *Anti-Trafficking Review*, issue 7, 2016, pp. 12–38, <https://doi.org/10.14197/atr.20121772>.

the single narrative on the transient, almost commodity-like quality of the victim as she is passed from one hand to another. Her agency is removed and her passivity highlighted.

The task of anti-trafficking campaigns then is to represent innocence and amenability through imagery. Overlap between the physical representations identified by O'Brien and the larger narrative Merry and Ramachandran describe are not accidental. Rather, youth and femininity are culturally important signifiers for innocence and victimhood, attributes necessary for formulating the ideal victim at a moment's glance. Essential to this formulation is the question of race. Hoyal and O'Brien open space for a discussion of how the ideal victim also invokes a history where whiteness, femininity, and innocence were co-constructed. The anti-trafficking sector in industrialised countries is a predominantly white space<sup>18</sup> wherein carceral feminist impulses<sup>19</sup> can clothe anti-trafficking initiatives in ostensibly progressive motivations, but ultimately leave in place power structures that make people vulnerable to exploitation.<sup>20</sup> In her critique of abolitionist feminism<sup>21</sup> in anti-modern slavery campaigns, Kamala Kempadoo observes that situating people of colour and people from developing countries in the victim position of the trafficking narrative only serves to reify a white identity as a rescuer. As she explains, the anti-trafficking project is not merely about ending exploitation, but merely 'a vehicle of transformation of the [white] self—through contact with the Other—providing the "rescuer" with a sense of satisfaction and a form of pleasure'.<sup>22</sup> The ideal victim, then, is one who reaffirms whiteness.

The actual image of the 'ideal victim' need not be of a white person in order to reinforce the connection between benevolence, innocence, and whiteness. Rather, the focus becomes whether the victim is able to uphold systems of state power, such as law enforcement and border patrol, used to propel white hegemony. In practice, some states have tied cooperation with law enforcement to their provision

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<sup>18</sup> This paper relies on Sara Ahmed's definition of whiteness not only as a socially constructed race, but as an institutional habit that must be continually reproduced in order to uphold systems of white supremacy. See S Ahmed, 'A Phenomenology of Whiteness', *Feminist Theory*, vol. 8, issue 2, 2007, pp. 149–168, <https://doi.org/10.1177/1464700107078139>.

<sup>19</sup> These are avowedly feminist projects aligned with the state, which seek punitive measures to prevent gender-based violence and can only serve to reinforce racial and gendered hierarchies.

<sup>20</sup> E Bernstein, "The Sexual Politics of the "New Abolitionism"", *Differences*, vol. 18, issue 3, 2007, pp. 128–151, <https://doi.org/10.1215/10407391-2007-013>.

<sup>21</sup> This specifically refers to the self-styled abolitionists in the anti-trafficking field who harken back to the abolition of the trans-Atlantic slave trade and is not to be confused with abolitionist feminisms that aim to dismantle the prison industrial complex.

<sup>22</sup> Kempadoo, p. 14.

of support or temporary visas, making it an enforceable quality of ideal victimhood. For instance, potential victims of trafficking in England and Wales must be referred to the National Referral Mechanism, which is housed in the Home Office, before being granted access to social care services.<sup>23</sup> Formulated within law and cultural narratives surrounding trafficking, the ‘ideal victim’ becomes represented by her cooperation with state powers alongside youth, innocence, and passivity.<sup>24</sup>

Conceptions of ‘good’ trafficking victims have perforated discussions in the anti-trafficking sector for some time. At times, the description is tied to moral standing with terms like ‘worthy’<sup>25</sup> or ‘deserving’<sup>26</sup> victim. The ideal victim is a construct which serves to reify these categories in anti-trafficking discourse. In her legal analysis of US domestic trafficking law, Jayashri Srikantiah compares the ideal victim to that of the undocumented migrant. She notes how the two are co-constructive where the figure of the undocumented migrant can be representative of criminality, making them ‘unworthy’ of state support and a drain on resources.<sup>27</sup> Here, the figure of an ideal victim serves state interests by creating a hierarchy of victimhood that can be used to discredit people who do not adhere to the innocent, passive, and cooperative narrative. Presenting the trafficking victim as oppositional to ‘criminal’ migrants or traffickers also serves to obfuscate state responsibility in constructing the systems of power which generate vulnerabilities.<sup>28</sup>

The ideal victim trope is harmful for those who do not fit it and damages the women who do. Works like that of Molly Smith and Juno Mac challenge the parameters afforded to an ideal trafficking victim.<sup>29</sup> By chronicling the real, messy intersections of migration, sex work, and trafficking, they offer critical analyses of how the good victim trope hinders assistance to survivors of exploitation who do not fit the prescriptive mould of an innocent victim. This particularly impacts

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<sup>23</sup> Kalayaan, *Access to Work for Survivors of Slavery to Enable Independence and Sustainable Freedom*, 2021, p. 3.

<sup>24</sup> J Srikantiah, ‘Perfect Victims and Real Survivors: The Iconic Victim in Domestic Human Trafficking Law’, *Boston University Law Review*, vol. 87, 2007, pp. 157–212.

<sup>25</sup> M Nayak, ‘The Innocent Worthy Victim Frame: Comparing Trafficking and Coercive Sterilization/Abortion’, in *Who Is Worthy of Protection? Gender-Based Asylum and U.S. Immigration Politics*, Oxford University Press, New York, 2015, pp. 102–136, <https://doi.org/10.1093/acprof:oso/9780199397624.003.0004>.

<sup>26</sup> V Digidiki and A Baka, ‘Who’s to Blame in the Sex Trafficking of Women: Situational and Individual Factors That Define a “Deserving Victim”’, *Journal of Human Trafficking*, 2020, pp. 1–14, <https://doi.org/10.1080/23322705.2020.1827861>.

<sup>27</sup> Srikantiah, pp. 181–192.

<sup>28</sup> N Sharma, ‘Anti-Trafficking Rhetoric and the Making of a Global Apartheid’, *NWSA Journal*, vol. 17, issue 3, 2005, pp. 88–111.

<sup>29</sup> M Smith and J Mac, *Revolted Prostitutes: The Fight for Sex Workers’ Rights*, Verso, London and New York, 2018.

sex workers and migrant women who may not only be denied access to services, but also have their agency dismissed through portrayals of trafficking victims as helpless.

This is not to suggest that women who fit idealised descriptions *cannot* be victims of trafficking. My argument is invested in unpacking the idea of the ideal victim and how this socially constructed image of a trafficking victim can constrain who is recognised as such. Having this proto-victim centred within policy harms those who cannot live up to the standard it sets and decimates the personhood of even those who can.<sup>30</sup>

At first glance, it might appear as though this image of a trafficking victim preceded the creation of anti-trafficking law and that the legal apparatus appeared around her. Yet, as further analysis will demonstrate, the ideal victim and anti-trafficking policy are in fact co-constructive projects, as the ideal victim was built as the subject of trafficking law. A queer reading demonstrates that discourse and the subject shape each other.

## Queer Genealogy in Anti-Trafficking

A queer analysis of the production of the ideal victim attunes this research to the co-constructive nature of race, sexuality, gender, and nationality, which are entwined in the victim of trafficking. It also affords space to question a linear progression away from ‘white slavery’ and how the narrative could be invoked today using queer genealogy. As Kathy Ferguson notes, the feminist genealogical project is constantly returning to the beginnings of structures, social paradigms, and concepts that are taken as established fact within mainstream society.<sup>31</sup> This is in contrast to an interpretation of history that might focus on the origin of an idea as a set moment in time. Genealogy instead conceives of beginnings that are multifaceted, unstated, and repeated as whispers attached to various strands of previous discourse. At any time, there are many different beginnings floating in dominant discourse, but it is only through the political or social window available to these ideas that a particular collection of beginnings might grow into accepted discourse.<sup>32</sup>

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<sup>30</sup> For further discussion on how survivors themselves are impacted by uncritical images of victims, and ‘secondary exploitation’, see Cojocar.

<sup>31</sup> K E Ferguson, ‘Interpretation and Genealogy in Feminism’, *Signs*, vol. 16, issue 2, 1991, pp. 322–339, <https://doi.org/10.1086/494662>.

<sup>32</sup> M Foucault, *Archaeology of Knowledge*, Routledge, London and New York, 2002.

Yet, Judith Butler troubles genealogies based on ‘beginnings’; she suggests that, in fact, the very idea of a ‘before’ period was constructed by law, which necessitates a before and after for subjects to exist. She contends that the feminist subject cannot exist beyond the heteronormative legal structures that render her visible because, ‘[p]erhaps the subject, as well as the invocation of a temporal “before”, is constituted by the law as the fictive foundation of its own claim to legitimacy.’<sup>33</sup> The subject and the law support each other into existence. A queer analysis of the subject would then be tasked with creating a genealogy that excavates *how* the subject is legitimised. The purpose of such a genealogy being to understand the limitations of representation and for what reasons the subject was fashioned with its particular attributes.<sup>34</sup> In the case of human trafficking, this means questioning the central figure of the ideal victim to ask if she could exist beyond the bounds of anti-trafficking law and what ruptures and displacements are smoothed over by her creation.

An example of genealogy used to disrupt present legal constructs might be useful to demonstrate this kind of analysis. Historian Adam McKeown’s genealogical analysis of the creation of the ‘free migrant’ deftly demonstrates how a modern binary taken largely for granted between a ‘free’ and ‘forced’ migrant was rooted in European states maintaining an identity as free states. McKeown argues that with the end of the European slave trade in Africa in the early nineteenth century, Western powers began defining themselves as upholders of freedom and emancipation. Slavery became antithetical to new ideals, but cheap labour was still needed. European businesses began extracting labour from South Asia, but to insulate themselves against accusations of exploitation, they shifted the responsibility for obtaining labour onto brokers. Migrants themselves were asked to consent to harsh working conditions by signing work papers. Although most papers were written in unfamiliar languages to the workers, the documents served to differentiate ‘free’ from ‘forced’ migration. In this reading, the very ‘beginning’ of free or forced migration was a category created to uphold Western supremacy as emancipators more so than to prevent exploitation.<sup>35</sup> Although not avowedly queer in his approach, McKeown’s genealogy blurs the temporal and geographic boundaries in a queer way. He denies contemporary political actors their distinction between free and forced migrants in immigration law by ruthlessly historicising the concept, thus preventing linear developmental narratives.

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<sup>33</sup> J Butler, ‘Subjects of Sex/Gender/Desire’, in A Phillips (ed.), *Feminism and Politics*, Oxford University Press, Oxford, 1998, pp. 273–294, p. 275.

<sup>34</sup> J Butler, *Gender Trouble: Feminism and the subversion of identity*, Routledge, New York, 2006, pp. xxxi.

<sup>35</sup> A McKeown, ‘How the Box Became Black: Brokers and the Creation of the Free Migrant’, *Pacific Affairs*, vol. 85, issue 1, 2012, pp. 7–19, <https://doi.org/10.5509/20128517>.

Similarly, a singular beginning of the ideal victim in human trafficking discourse proves historically difficult to identify. Many scholars have demonstrated the historical link between contemporary anti-trafficking law and campaigns against ‘white slavery’, a primarily British and American social reform movement at the end of the nineteenth century that sought to end the crime of forced sex for commercial gain but often targeted all forms of sex work.<sup>36</sup> What this paper is concerned with is how the qualities of today’s ideal victim were established during the white slavery campaigns and how these logics continue to operate today. Using a queer genealogy, I demonstrate that the ideal never existed outside the law itself.

## Making the Ideal Victim

In the late nineteenth century, English social reformers were gripped by the fear that women were being trapped and transported for sexual servitude around the world by ‘white slave traders’ and tried to tackle it. The National Vigilance Association (NVA) was one such group founded in 1885 after a groundswell of support for William T. Stead’s report on white slavery in London titled *The Maiden Tribute of Modern Babylon*.<sup>37</sup> The NVA conceived of itself as an arm of the state whereby they were charged ‘to enforce and improve the laws for the repression of criminal vice and public immorality, to check the causes of vice and protect minors’<sup>38</sup> in their constitution. In their annual reports that were circulated to members and the general public, the NVA publicised stories of rescues and

<sup>36</sup> J Allain, ‘Genealogies of Human Trafficking and Slavery’, in R W Piotrowicz, C Rijken, and B H Uhl (eds.), *Routledge Handbook of Human Trafficking*, Routledge, New York, 2017, pp. 3–12; J Doezema, *Sex Slaves and Discourse Masters: The Construction of Trafficking*, Zed Books, London, 2010, pp. 4–5; B Donovan, *White Slave Crusades: Race, Gender, and Anti-Vice Activism, 1887–1917*, University of Illinois Press, Urbana, 2006, pp. 1–4; E Gallagher-Cohoon, ‘The Dirt on “White Slavery”: The Construction of Prostitution Narratives in Early Twentieth-Century American Newspapers’, *Constellations*, vol. 5, issue 1, 2014, pp. 36–49, <https://doi.org/10.29173/cons21380>; P Knepper, *The Invention of International Crime: A Global Issue in the Making, 1881–1914*, Palgrave Macmillan, Basingstoke, 2010, pp. 101–110; M T Y Lui, ‘Saving Young Girls from Chinatown: White Slavery and Woman Suffrage, 1910–1920’, *Journal of the History of Sexuality*, vol. 18, issue 3, 2009, pp. 393–417, <https://doi.org/10.1353/sex.0.0069>.

<sup>37</sup> R Attwood, ‘Stopping the Traffic: The National Vigilance Association and the International Fight against the “White Slave” Trade (1899–c. 1909)’, *Women’s History Review*, vol. 24, issue 3, 2015, pp. 325–350, p. 326, <https://doi.org/10.1080/09612025.2014.964064>; J R Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State*, Cambridge University Press, Cambridge and New York, 1980.

<sup>38</sup> National Vigilance Association (NVA), *Fifth Annual Report of the Executive Committee*, NVA, London, 1890, p. 45.

raids wherein women were placed into homes operated by the NVA and other charitable groups.<sup>39</sup>

Yet not everyone who encountered the NVA was given assistance. In one case, the NVA tracked a missing servant, identified as S.H., from England to Ireland and eventually caught up with her in La Havre, France. Although the NVA expressed concern that Le Havre was a stepping stone used in the white slave trade to transport women to other parts of the world, they did not appear to offer S.H. support beyond returning her to England. She declined repatriation because she stole from her mistress and feared potential consequences. Rather than offering alternative forms of protection from what the NVA perceived as an imminent threat of ‘white slavery’, the NVA appeared to leave S.H. to her own devices concluding that, ‘she knew the course to which she was committing herself, and took it with her eyes open.’<sup>40</sup>

Although the NVA does not provide further details about the case, it is possible that S.H.’s criminal actions and disinterest in repatriation disqualified her as the ideal kind of victim in the eyes of the NVA. This is because the NVA’s work primarily revolved around protecting particular kinds of white, middle-class British femininity that rested on idealised understandings of victimhood.<sup>41</sup> Those who fell outside of these confines were not necessarily eligible for support or risked having their stories re-narrativised to fit within the ideal mould. A critical reading of the victim as produced within white slavery rhetoric then calls into question what purpose such a narrow definition of victimhood might serve for the NVA. This line of inquiry reveals another, although much less publicised, aim of the NVA: to restrict and monitor migration of women in and out of England.

The NVA describe how they found that the ‘cheapening of white womanhood is one of the worst features of White Slave Traffic’ that must result in ‘some cheapening of prestige of the British Empire’.<sup>42</sup> Because white women’s bodies were already used in colonial systems as stand-ins for the English motherland,<sup>43</sup> the threat of sexual exposure to the foreign other by way of trafficking either in

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<sup>39</sup> NVA, *Seventh Annual Report of the Executive Committee*, NVA, London, 1892, pp. 1–43.

<sup>40</sup> NVA, *Fourth Annual Report of the Executive Committee*, NVA, London, 1889, p. 27.

<sup>41</sup> L Delap and M DiCenzo, “‘No One Pretends He Was Faultless’: W. T. Stead and the women’s movement”, *19: Interdisciplinary Studies in the Long Nineteenth Century*, issue 16, 2013, pp. 1-18, <https://doi.org/10.16995/ntn.656>.

<sup>42</sup> Lammasniemi, p. 68; NVA, *In the Grip of the White Slave Trader*, NVA, London, 1911, p. 65.

<sup>43</sup> P Levine, ‘White Woman’s Sexuality in Colonial Settings’, in *Prostitution, Race, and Politics: Policing venereal disease in the British Empire*, Routledge, New York, 2003, pp. 231–256.

England or abroad was of paramount importance for maintaining colonial order. Just three years after its foundation, the NVA found that, ‘the chief work of the year has been in getting into touch with foreign authorities and police, with a view to stop the importation of foreign girls into England by procurers, and to prevent English girls from entering employments abroad likely to lead to their ruin.’<sup>44</sup> Their constitutional mandate to use state laws to protect young people<sup>45</sup> from vice had manifested primarily through the enforcement of borders and immigration law on women, thus tying together racial, gendered, and moral purity. In this way, the white slavery movement and policy makers looking to further the empire shared a common cause. Nowhere was this clearer than in immigration policy.

A notable example was the *Aliens Act* of 1905, which was pursued as an avenue to limit Jewish immigration into Britain<sup>46</sup> and would contribute to racialising migration.<sup>47</sup> It was supported by the NVA as a tool to curb white slavery, because they cited immigrants as a central cause of trafficking for sexual exploitation. Prior to the 1905 Act, the NVA presented to the House of Commons a six-month report on the work they had undertaken to prevent white slavery. In this report, the NVA detailed how representatives from the Association would monitor ports of entry for foreign women travelling alone.<sup>48</sup> Targeting this group of women specifically demonstrates that the NVA saw them as exceedingly vulnerable to white slavery, and because of that vulnerability—as security risks. If there was any doubt about the conflation between migration and white slavery, the NVA writes in support of the *Aliens Act* after its passage that,

‘In the course of our work we have for a long time been convinced that the foreign criminals, both men and women, are a dangerous menace to our social, moral, and national life. The terrible condition of the streets of London was almost exclusively due to their presence.’<sup>49</sup>

<sup>44</sup> NVA, *Third Annual Report of the Executive Committee*, NVA, London, 1888, p. 16.

<sup>45</sup> The NVA’s second constitutional mandate holds ‘that the moral law is the same for all men and all women’, meaning that they held men and women to the same moral standard. However, the NVA constitution only references women as potential victims of vice or subjects enforceable through the law. Controlling men’s morality was done primarily by policing women’s bodies as victims rather than targeting men as perpetrators or victims themselves. See *Fifth Annual Report*, 1890, p. 45.

<sup>46</sup> Knepper, pp. 98–111.

<sup>47</sup> N El-Enany, *(B)Ordering Britain*, Manchester University Press, 2020, p. 37.

<sup>48</sup> NVA, *Six Months Work at the London Continental Railway Stations, the Ports of Dover, Folkestone and Hull, and also Interviewing the Foreign Victims of Criminal Traffic on the Streets of London*, NVA, London, 1904, pp. 4–5.

<sup>49</sup> NVA, *Work Accomplished*, NVA, London, 1906, p. 6.

Here, the NVA is acting as the ‘moral regulatory arm of White nationalist movements’ that Sharma identifies as operating within today’s anti-trafficking campaigns, which call for strict immigration controls to reduce harm.<sup>50</sup> Victims of white slavery were not held as exceptions by the NVA. Instead, as historian Rachael Attwood deftly demonstrates, the NVA held Jewish or foreign nationals who were trafficked as culpable in their own victimisation because of an immorality intrinsic to their foreignness.<sup>51</sup> Like Kempadoo’s reading of the racially othered victim who acts as a reinforcement of white benevolence for rescuers, Attwood’s analysis of Jewish<sup>52</sup> victims of white slavery reaffirms the innocence of British victims. In the framework of white slavery that the NVA constructed, there was a hierarchy of victimisation wherein white British women represented the ideal victim, while non-white and foreign nationals were suspect even in their victimhood. This hierarchy parallels the racial colonial logics that undergirded the immigration laws at the time. The beginnings of the gendered and idealised victim, then, are inextricably genealogically linked to the production of statehood and empire in Britain. This carries implications for today’s approaches to human trafficking that are predicated on the immigration status, nationality, or gender of the survivor.

## Unmaking the Ideal Victim

When examining the ideal victim within a queer genealogy, it becomes clear that her conception was not a concrete, inevitable event, but rather a nebulous formation of various heteronormative and nationalistic strains of discourse present at the time. Like the feminine legal subject, the subject of anti-trafficking law has become defined by the political language which encases it in order to support gendered, racial, and geopolitical distinctions that uphold the state. The NVA provides an example of how white slavery discourse fashioned the concept of an ideal trafficking victim through repetition in alignment with immigration policy. The image is an incomplete representation of survivors’ experiences, and cases like those of S.H. evidence ruptures in an otherwise all-encompassing narrative. In this way, the idealised victim conceived during white slavery campaigns, who persists today as an innocent, passive, and cooperative figure, can be read through a queer lens to reveal the multiple functions she serves in upholding hetero-nationalistic

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<sup>50</sup> Sharma.

<sup>51</sup> R Attwood, ‘Looking Beyond “White Slavery”: Trafficking, the Jewish Association, and the dangerous politics of migration control in England, 1890–1910’, *Anti-Trafficking Review*, issue 7, 2016, pp. 115–138, <https://doi.org/10.14197/atr.20121777>.

<sup>52</sup> At the turn of the twentieth century, Reform Judaism took hold of middle- and upper-class Jewish circles as a way to emphasise the spiritual and cultural elements of Judaism. However, anti-Semitic nationalists in Britain made moving away from the conventional understanding of a separate Jewish race difficult for those who sought assimilation within white British society. *Ibid.*, pp. 123–125.

boundaries around race, gender, and migration. This is useful for understanding not only *what* the ideal victim is, but *why* she continues to be central to producing anti-trafficking imagery.

Although she was first formulated during the white slavery panics, the ideal victim continues to shape and impress upon current laws. There is a rupture in the linear progression to reduce trafficking, which merely has assessors recreating long-existing notions of ideal victimhood. For example, in their study of street-level bureaucrats' decision-making in Belgium and the Netherlands, Loyens and Paraciani presented labour inspectors with fictitious case studies meant to mimic real peoples' experiences of exploitation and asked them to evaluate each for potential severe labour exploitation. For some of the cases, decisions about the 'moral worthiness'<sup>53</sup> of the victims and identifiable attributes that aligned with the ideal victim, like vulnerability, were what encouraged inspectors to identify these cases as potential exploitation. People experiencing forms of exploitation and victimisation that fall outside of the proscriptive ideal might be overlooked or dismissed, particularly if they are perceived to be engaging in clandestine activities like working without documentation.<sup>54</sup> Implicit in this assertion is that just as anti-trafficking policy cannot stretch to accommodate such exploitations, the subject within the law itself cannot be formed around this image. This is hugely problematic for irregular migrants or queer victims of exploitation who by definition always fall outside the bounds of heteronormative legal frameworks. The ideal victim is not merely an aspirational figure for rescue workers, but the measuring stick against which survivors of trafficking are compared.

The more advocates, survivors, and practitioners trouble the idea of the ideal victim, the more obscure the anti-trafficking subject becomes. This troubling is welcomed because it is only by disturbing the bounds placed around the trafficking subject that its limitations become clear. Indeed, outside of the narrative that Merry and Ramachandran lay out for her, the ideal victim all but disappears from the trafficking narrative. As Jo Doezema notes about the idealised white slavery subject, she is 'immediately recognizable in her role as subject of a melodramatic narrative. However, ... she proves more elusive when, wrestled from her narrative context, she becomes the subject of social scientific enquiry'.<sup>55</sup> The ideal victim then falls apart without her context. Indeed, she would not make sense or be readable without the surrounding narratives of trafficking upheld in law. A queer analysis reveals that the ideal victim does not exist—nor has ever existed—outside of the national-legal framework that surrounds her.

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<sup>53</sup> K Loyens and R Paraciani, 'Who Is the ("Ideal") Victim of Labor Exploitation? Two Qualitative Vignette Studies on Labor Inspectors' Discretion', *The Sociological Quarterly*, 2021, pp. 1–19, p. 12, <https://doi.org/10.1080/00380253.2021.1974321>.

<sup>54</sup> *Ibid.*, pp. 10–11.

<sup>55</sup> Doezema, p. 5.

## Conclusion: Remaking the ideal victim

Given this genealogical history of the trafficking victim, it is paramount to revisit the concept of the ideal victim of trafficking and her attributes in a new light. Weaving the history together with the queer understanding of subjectivity, it is clear that the ideal victim in anti-trafficking law continues to be engaged in the production of the nation state. As Laura Agustín reflects in her memoir on the rise of contemporary trafficking politics,

‘Trafficking became a big-time crime issue not because of its truth but because it served governments’ purposes. The interminably warlike USA loved a reason to go after bad men of the world on the excuse of saving innocent women. European states got justification to tighten borders against unwanted migrants. The UK could pretend it was going to be the new leader of anti-slavery campaigning just as their empire comes to an end.’<sup>56</sup>

Each government had its own reasons for pursuing anti-trafficking law motivating the use of an ideal victim as a humanitarian justification. While the current approach to anti-trafficking must be re-examined for its reliance on heteronormative nationalism in the long term, the immediate effect on those trying to negotiate anti-trafficking law is that they find themselves compared to the ideal victim as a barometer of ‘worthiness’. Those who fall outside will invariably be unable to access much needed resources.

This paper has used a queer genealogical analysis to demonstrate how the readily depicted qualities of the ideal victim were developed alongside definitions of white femininity and nationalism which expanded colonial control. Queer studies, with its attention to multiplicities of the subject and inconsistencies in dominant narratives, offers new insight on the heteronormative production of victimhood during anti-white slavery campaigns. The ideal victim erased the complexity of survivors’ experiences and created a hierarchy of victimhood that still persists today. Indeed, without these attributes retained in anti-trafficking law, the ideal victim would lose all shape and without her at its centre, anti-trafficking law would lose its saviour narrative. She exists within a legal matrix that is tied to the reproduction of national borders. A new conception of survivor experience which rejects a hierarchical application of ‘worthy victimhood’ is necessary, then, for the anti-trafficking project. Moving away from victimhood itself as a central principle of anti-trafficking work is essential because it presupposes that survivors remain passive. Instead, to borrow Smith and Mac’s phrasing, it would be better

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<sup>56</sup> L Agustín, ‘Snake Oil’, *Journal of Human Trafficking*, vol. 6, issue 2, 2020, pp. 221–225, p. 223, <https://doi.org/10.1080/23322705.2020.1691811>.

to involve trafficking survivors, sex workers, and irregular migrants as ‘leaders’ of the anti-trafficking movement rather than merely its ‘focus’.<sup>57</sup> Re-centring the anti-trafficking project in this way would illuminate new pathways and strategies to ending trafficking. Yet, as this queer genealogical analysis has shown, the ideal victim reinforces the nation-state each time she is invoked. Removing her as a focus could destabilise current immigration and border policy narratives surrounding trafficking—perhaps a welcomed change after over a hundred years of reproducing harmful discourse.

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<sup>57</sup> Smith and Mac, p. 209.