

Representing Colonial Violence: Trafficking, Sex Work, and the Violence of Law

.....

Sarah Hunt is an Assistant Professor in the First Nations and Indigenous Studies Program and the Department of Geography at the University of British Columbia. For nearly two decades, she has worked as a researcher and community-based educator on issues of sexuality and gender, violence, sex work, sexual exploitation, and human trafficking in communities across British Columbia.

.....

Abstract

This article examines the emergence of the discourse on “domestic trafficking” of Indigenous girls and women for the purpose of sexual exploitation. Drawing on community-based experience, the author argues that the shift toward the language and framework of “human trafficking” to capture a range of offences and injustices facing Indigenous women is one of many efforts to recategorize violence against Indigenous women as worthy of legal response in the context of ongoing colonial legal violence.

.....

Résumé

Cet article examine l'émergence du discours sur la « traite nationale » des filles et des femmes autochtones aux fins d'exploitation sexuelle. En s'appuyant sur l'expérience communautaire, l'auteure fait valoir que l'évolution vers un langage et un cadre axés sur la « traite des personnes » pour capturer l'éventail des infractions et des injustices dont sont victimes les femmes autochtones est l'un des nombreux efforts pour reclassifier la violence contre les femmes autochtones comme étant digne d'une intervention juridique dans le contexte de la poursuite de la violence juridique coloniale.

A proliferation of material has emerged in recent years about the domestic trafficking of Indigenous¹ girls and women for the purposes of sexual exploitation in both Canada and the United States (Committee on Status of Women 2007; Sethi 2007; Sikka 2009; Totten and the Native Women's Association of Canada 2010). Claims that Indigenous women and children make up the majority of people trafficked within Canada have gained legitimacy as community groups, academics, and activists have embraced the framework of human trafficking to describe a range of violent offences facing Indigenous women (Department of Justice Canada 2005). In this paper, I examine the emergence of this discourse, which has involved a simultaneous shift away from frameworks that differentiate between child and youth sexual exploitation and adult sex work, with particular attention to the position of Indigenous women involved in trading or selling sex within sex industries and street economies. This phrasing is used in recognition of the fact that not all people who trade sex identify as “sex workers,” particularly in informal and street economies and in rural areas. In doing so, I follow the Native Youth Sexual Health Network (2013) in supporting the self-determination of people's experiences, including those who trade or sell sex and how they choose to identify and name what they do. Drawing on my experiences with community-based education and research on issues of violence against Indigenous girls and women in British Columbia, I argue that the shift toward the language and framework of “human trafficking” is one of many efforts to recategorize violence against Indigenous women as worthy of legal response.

Although the language of domestic trafficking has only become popularized in Canadian government policy and public discourse since about 2007, the prevalence of targeted sexual and physical violence has long been a topic of concern among Indigenous women. Regardless of the legal categories and frameworks being used to name gendered violence, Canadian law has

thus far failed to change the normalization of violence against Indigenous women. In 2009, for example, federal statistics indicated that close to 67,000 or 13 percent of all Aboriginal women aged 15 years and older reported that they had been violently victimized (Statistics Canada 2011). This included violence between strangers, acquaintances, and within spousal relationships. It is generally understood that, given the mistrust of police and others in positions of power, the majority of violence against Indigenous women goes unreported to police and remains unseen in official statistics; thus, we can assume the actual rates of violence are much higher among Indigenous girls and women than these official numbers indicate. The widespread cases of missing and murdered women clearly demonstrate the ways in which police and the legal system in general fail to take violence against Indigenous women and girls seriously, as so many cases continue to go unsolved. In 2014, the RCMP released a report—compiled primarily from Indigenous scholar Maryanne Pearce’s (2009) doctoral research—which indicated that since 1980, there have been 1,181 incidents of homicides and unresolved missing persons investigations involving Indigenous women (RCMP 2014). Of these, 225 cases (120 homicides and 105 missing persons cases) remain unsolved. The report also indicated that Indigenous women comprise 16 percent of all murdered women and 11.3 percent of all missing women on record nationally. Through this highly visible example of the phenomenon of murdered and missing Indigenous women and girls, I argue that appeals to Canadian law ignore the reality of legal violence that is fundamental to colonial power relations—relations which are, and have always been, inherently gendered.

Although it is generally understood that Indigenous women represent a large proportion of street-level sex workers in cities across Canada (Amnesty International 2009; Bingham et al. 2014), little work has been done to bridge Indigenous communities and sex worker organizations. A partnership between the Native Youth Sexual Health Network and Maggie’s: Toronto Sex Workers Action Project stands as one of few examples. While no longer in existence due to funding constraints, the Aboriginal Sex Worker’s Education and Outreach Project was very successful and led to strengthened partnerships between Maggie’s and Indigenous organizations (van der Meulen, Yee, and Durisin 2010). The initiative

emerged after Indigenous sex workers and their allies called for sex worker organizations to better integrate the views and needs of Indigenous workers, and was run by and for Indigenous sex workers of all genders. In other cities, however, the political tensions between anti-prostitution prohibitionists and proponents of sex worker’s rights who advocate for decriminalization are so tense that these kinds of collaborations are challenging, if not impossible, at this time.

Within this context, trafficking discourse has been used to silence discussion about better ensuring the rights and safety of people who trade or sell sex and, as I will discuss, the framework of human trafficking has served to further entrench Indigenous people as victims of both interpersonal and legal violence. Rather than finding solutions to violence against Indigenous women, I argue that the trafficking framework reinforces power relations that represent Indigenous women as dependent on the colonial government and law to be “saved” and “protected” from physical and sexual violence. So far, this relationship of dependency has not worked in Indigenous women’s favour and has, in fact, led to the perpetuation of colonial power relations. I thus conclude this article by outlining how interpersonal violence and the violence of law must be addressed together in order to centre the agency and voices of Indigenous sex workers. As I have argued elsewhere (Hunt 2010; Hunt 2013), efforts to address human trafficking must simultaneously distinguish between adult sex work, trafficking, sexual exploitation, and a range of violent offences, while acknowledging the colonial roots that link various forms of abuse and marginalization emerging within ongoing colonial relations. This more complex understanding of trafficking and colonialism is necessary if colonial violence is to be taken seriously within sex workers rights movements, and if Indigenous communities are to truly begin to address the particular vulnerability and violence faced by our relations in the sex trade as part of the continuum of violence faced by Indigenous girls and women. While Indigenous people of all genders are involved in trading or selling sex, I will focus here on Indigenous self-identified girls and women, which may include trans and Two-Spirit women.

Representation and the Violence of Law

Indigenous women have long written about the

connection between colonial representations of their lives and the corporeal realities of violence that are normalized through such representations, using personal story, poetry, and academic essays to explore the violent ramifications of sexualized stereotypes (see, for example, Acoose 1995; Dumont 1996; Maracle 1996; Smith 2005). Law has been used to create categories through which the lives, rights, and humanity of Indigenous people can fit neatly into normalized colonial power relations. For example, while *The Indian Act* has been revised somewhat since its passage into law in 1876, it remains a foundational legal mechanism through which Indigenous peoples' identities, mobility, rights, and status have been determined and managed by the Canadian state. Replacing Indigenous peoples' own ways of governing themselves, *The Indian Act* imposed categories of belonging along patrilineal lines, such that Indigenous women who married non-status men lost their Indian status until the *Act* was amended in 1985. Further, *The Indian Act* implemented a binary gender system based on a hierarchy of male supremacy over women that erased non-binary Indigenous gender roles, such as those we now call transgender and Two-Spirit. Socio-legal discourse and the material power of law have played a powerful role in colonial relations, creating categories of knowledge that limit the possibilities in which we can think about the world and determining how we are able to become legible or legitimate subjects. Indigenous people are thus caught in a double bind of representation, as marginalized groups can only be heard in terms that have been set by norms emerging within dominant power relations (Birla 2010).

Having the possibilities for one's recognition determined by hegemonic power structures has implications that span representational and material realms, as the inability to be comprehended as a legitimate subject is both dehumanizing and deeply implicated in the normalization of violence. The imposition of colonial knowledge has served to erase Indigenous systems of knowing and being, and has delegitimized Indigenous socio-legal norms and identities. Knowledge production within dominant institutions involves epistemic violence (Spivak 1988)—the work of discourse in creating and sustaining boundaries around what is considered real and, by extension, what is unable to be seen as real (or to be seen at all): "It is not simply, then,

that there is a 'discourse' of dehumanization that produces these effects, but rather that there is a limit to discourse that establishes the limits of human intelligibility" (Butler 2006, 35).

It is within the constraints of this double bind of representation that Indigenous women have sought legal response for the extreme levels of violence they face. Those whose lives are negated or made illegible cannot have violence done to them. Rights claims depend on presenting ourselves as bounded and legitimate beings within existing socio-legal categories. Thus, for example, despite the fact that *The Indian Act* is a socio-legal mechanism through which Indigenous peoples' own ability to formulate law and govern themselves has been denied, Indigenous women fought for *The Indian Act* to be changed so that their Indian status was no longer dependent upon whom they married. However, as Judith Butler (2006) reminds us, we make a mistake if legal definitions of ourselves become what we are about.

As some socio-legal scholars have argued (see, for example, Sarat and Kearns 1992), the liberatory potential of law is constrained by the violence of law itself: "Violence—whether threatened or implied—is one means through which law acts in the world. Violence is not aberrant, but central to law. It is not exceptional, but quotidian. Violence is not only a product of power, but also its vector" (Blomley 2003, 130). Violence is imposed on bodies through routine acts of legal action and inaction, as legal systems inflict violence through a complex hierarchy that depersonalizes violence, appearing to come from everywhere and nowhere (Cover 1986). Despite our appeals to law to address violence, law is itself dependent on violence for its power. Indigenous people are all too familiar with being racially profiled and randomly stopped on the street by police, and have also disproportionately felt the violation of having generations of children forcibly removed from their homes and communities by state representatives. Additionally, given that 41 percent of women in sentenced custody in 2010 were Indigenous (Statistics Canada 2012), the violence of legally sanctioned racism seems clear. Violence is not outside of law, but is both an outcome and the means through which law comes into being. As Robert Cover (1986) illustrates, legal interpretation relies on the social practices of violence carried out by legal actors, such as police, prison guards, and sheriffs, who fol-

low through on the findings of textual judgments. Further, this violence is naturalized through discourse that constructs some spaces as outside of normative socio-legal relations, such as Vancouver's Downtown Eastside,¹ First Nations reserves, or remote highways, such as British Columbia's Highway of Tears. Structural violence is concealed through the naturalization of these spaces as degenerate, such that the places of Indigenous women and sex workers can only be visible as spaces of expected violence (Razack 2000). Acknowledging the discursive and material violences of law expose the material consequences of legal categories, including how the other is produced, excluded, and naturalized in this process.

For Indigenous women and girls, law's violence has always been inherent to their representation as legal subjects, positioned in ways that facilitate and legitimize their marginal status in colonial power relations. We must keep this fundamental socio-legal relation in mind when positioning Indigenous women within particular legal categories, such as "victim of human trafficking," as the potential for justice will always be limited by the violence of colonial law. Canadian law itself rests on the dehumanization of Indigenous people, as the myth of European discovery of Canada perpetuates the myth of inferiority that remains embedded in Canadian law (Borrows 2010). Even while knowing this, Indigenous women's legal consciousness is caught in the tension between seeking legal action by the colonial state in order to put an end to interpersonal violence, while at the same time reinforcing the violence of law itself. The violence of law could not be clearer than in the violence faced by Indigenous girls and women in Canada, particularly women who trade or sell sex. As this article argues, seeking to reposition violence against Indigenous women within the legal category of human trafficking has entailed further violence against sex workers, as they have been silenced by those who seek to represent their lives. In the sections that follow, I trace what I have observed in the increasing use of trafficking discourses among the networks of provincial and federal government agencies, anti-violence organizations, community advocates, and scholars working on this issue within the lands now called British Columbia.

What do we Mean by "Trafficking" Anyway? Emergence of a Discourse

Prior to the 1990's, few publications existed about human trafficking from a Canadian perspective and, of the publications that did exist, little mention was made of the trafficking of Indigenous women. Canada's 1996 paper for a European Union conference on trafficking in women made no mention of Indigenous women. My own work on human trafficking began around this same time, when, as an undergraduate student, I assisted in the 1996 launch of the Global Alliance Against Traffic in Women (GAATW) Canada which addresses trafficking issues and networks with women's organizations locally and globally. In 1997, GAATW Canada hosted the North American regional consultative forum on trafficking in women. Held in Victoria, British Columbia, experts from around the world, including three Indigenous women whose work focused on sex work or violence against women, gathered to discuss human trafficking initiatives. As a twenty-year-old undergraduate student, volunteering at this event served as my introduction to the complex issues around human trafficking and its relationship to sex work and violence. The forum's resulting report reflected how Indigenous women were positioned within international human trafficking discourse at the time (GAATW Canada 1997). Neither the discussants from the session focused on the North American region nor the session focused on sex worker perspectives included any mention of Indigenous women from Canada. Indigenous women's involvement in issues related to human trafficking were mentioned briefly in a group discussion following presentations from sex worker organizations, as one participant stated that Indigenous women have suffered human rights violations similar to those in developing countries. Additionally, one participant noted the stigma projected onto Indigenous sex workers by immigrant women, calling for increased dialogue and understanding among Indigenous women and other women of colour (GAATW Canada 1997). The recommendations from this gathering also advocated for Indigenous women to be among the groups that inform national programming to assist victims.

This dialogue in British Columbia in the mid-1990's suggests that organizations and experts working specifically on human trafficking were aware that more information was needed about Indigenous women's in-

volvement in human trafficking and that colonialism was a contributing factor to their vulnerability to exploitation and violence. However, Indigenous women were peripheral to the larger conversations taking place at this international expert gathering. Importantly, North American Indigenous women did not feature as a group who was seen as being particularly targeted for domestic or international trafficking nor anti-trafficking measures at this time.

During the same time period, shifts were occurring in how youth involvement in the sex trade was being framed, as the language of “commercial sexual exploitation” was being advocated for, in opposition to the earlier “youth prostitution” (Save the Children Canada 2000). These changes were meant to reflect the legal distinction of individuals under age 18 in trading or selling sex, framing their involvement as abuse and exploitation. The framing of youth involvement in sex work as “commercial sexual exploitation” was prevalent until only recently, when we began to see the increasing use of the language of “human trafficking.”

In my own work on the involvement of youth in trading or selling sex—at the time framed as commercial sexual exploitation—through the 2000’s, I travelled to rural and urban communities across British Columbia to support community-based education and youth programming. The provincial government provided small grants to community groups to work on this issue, with a focus on Community Action Teams, which were collaborations between local front-line service organizations and other stakeholders that held educational events and annual awareness campaigns to raise the issue of youth sexual exploitation at the local level. A majority of the partnering organizations had worked, for many years, to create coordinated approaches to their work with local youth, including youth who were involved in trading sex. Additionally, provincial and federal funding was provided for the coordination of an annual conference on youth sexual exploitation, which included activities for both youth and adults on themes of community capacity building and a strengths-based approach to violence prevention. Provincial organizations, such as Safe Online Outreach Society and Children of the Street, were also funded to provide education in the British Columbia school system to prevent child and youth sexual exploitation. Individuals, such as myself, were brought in to consult with these organiza-

tions, ensuring that the realities facing rural Indigenous communities were integrated into the provincial educational material.

At the same time, sex worker organizations and other front-line agencies in urban areas, such as Vancouver, Victoria, Kamloops, and Prince George, worked to provide direct support services to adult sex workers. However, while it was commonly known that Indigenous women represented a large proportion of street-level sex workers in all of these communities, little concrete information had been gathered (Jiwani and Brown 1999). National research on youth involvement estimated that between 14-65 percent of commercial sexually exploited youth were Aboriginal, but these estimates varied greatly from community to community (Save the Children Sweden 1998). More information, resources, and direct attention were needed at both community and government levels in order to address sexual exploitation and its interrelation with other issues facing Indigenous children and youth. Few resources or research on youth sexual exploitation referred to trafficking at all. The only reference to trafficking in a 2000 governmental review of youth sexual exploitation in British Columbia (Ministry of Attorney General et al. 2000) reported that Aboriginal youth were said to be “trafficked” between Canada and the United States. Indigenous youth and adults in some coastal communities were also said to be engaged in sex work on fishing boats. Without reference to legal definitions of human trafficking, the review seemed to equate trafficking with movement of youth for the purpose of sexual exploitation, as the larger document discussed the recruitment, grooming, and exploitation of youth within the framework of commercial sexual exploitation.

Further, community and government research documents indicate that individuals who facilitated youth involvement in sex work were generally being called “pimps” and “recruiters,” as were those who facilitated adult involvement in sex work (Ministry of Attorney General et al. 2000; National Aboriginal Consultation Project 2000; Justice Institute of British Columbia 2002; Hunt 2006). The language of “traffickers” was not present in work by government, researchers, or community advocates on youth sexual exploitation during this time. This was reflected in my own community-based research and education on violence, which included direct education with youth and front-

line workers across British Columbia. I found that when the topic of human trafficking was raised with front-line workers, they consistently reported that trafficking was not something they were seeing in their communities.

Rather than talking about trafficking of children and youth, the community-level dialogue and education about sexual exploitation that I was involved in included an analysis of the many situations in which Indigenous youth were trading sexual acts. In small communities, this included (and still includes) realities in which youth trade sex acts for a ride into town, for a place to stay, and for food, clothing, drugs, alcohol, and other things they want or need (Hunt 2006). Rather than someone “forcing” or “recruiting” them into “the sex trade,” youth involvement in trading or selling sex was understood to be shaped by the many systemic factors in their lives and the choices available to them. Although coercion and recruitment certainly did happen, and was also a focus of educational work, it was not the dominant narrative around youth trading and selling sex in these diverse community contexts in which I worked.

During the mid-2000’s, important work was also being done by sex worker organizations to address the specific realities facing adult sex workers, including Indigenous women, in diverse community contexts. A 2004 meeting of the Canadian National Coalition of Experiential Women, for example, reflected the impact that prohibitionists and sex worker advocates were having on efforts to improve the rights and safety of adult sex workers (Kingsley 2004). The Coalition was, in fact, formed as a response to sex workers’ exclusion from the development of national and local policies, as there were no national mechanisms in place for experiential women to be involved in such matters (Kingsley 2004).

Additionally, community activists, front-line workers, and scholars in BC had begun to increasingly use distinct language to refer to youth sexual exploitation and adult sex work that was in line with Canadian legal distinctions between those over and under the age of 18. Youth who were 18 or under could access a different set of government services, funding, and legal protection than those who were above. The Coalition of Experiential Women (later called the Coalition of Experiential Communities to reflect the inclusion of men and transgender people) similarly employed this distinctive language when discussing issues related to

age as well as in discussions of “choice,” “agency,” and “victims.” From sex workers’ perspectives (Indigenous or otherwise), they were not “victims” unless they self-identified as such. Additionally, dialogue among coalition members indicated that sex workers preferred the language of “agency” over “choice,” as it centered on women’s ability to make informed decisions within larger socio-economic constraints and contexts. It was also acknowledged that youth under age 18 faced specific socio-legal constraints, which provided a more complex set of factors shaping their agency, and that the government had a distinct set of responsibilities to support the safety of youth (alongside criticism that the government did not always live up to those responsibilities). It should be noted that the perspectives of youth themselves did not shape these framings of agency and choice nor understandings of their involvement in trading or selling sex, given the decision to separate organizing and advocacy around adult sex work from that of youth (for a highly thoughtful and personal account of the complexities of addressing the involvement of Indigenous youth in trading or selling sex or “youth sexual exploitation,” see JJ 2013). The distinction between youth and adult involvement in sex work had, and continues to have, important material and ideological implications, as will become particularly evident as a trafficking discourse emerges.

A Focus on Northern British Columbia

With growing awareness about the high rates of violence facing women and girls across British Columbia and particularly with the emergence of a national discourse around “missing and murdered girls and women,” front-line workers, youth advocates, and Indigenous community leaders became increasingly vocal about the systemic factors that directly impact the vulnerability of Indigenous girls and women to various forms of violence. Educational initiatives and project funding were targeted at communities in northern British Columbia, particularly those communities along Highway 16, more commonly known as the Highway of Tears for the significant number of girls and women who have gone missing or were murdered, often while hitchhiking along it (RCMP and community reports suggest there have been between 18 and 43 victims. For background information see Lheidli T’enneh First Nation et al. 2006). Community-based research conducted

in 2006-2007 with both youth and adults involved in trading or selling sex in Prince George, a northern city situated on Highway 16, did not use the language of human trafficking (Capostinsky 2007). Rather, the research focused on the systemic factors that contribute to the vulnerability of those working in the sex trade regardless of age. Study participants were asked to define safety as well as what measures they take to increase their safety while working. The research results showed that 74.5 percent had at least one other family member working in the sex trade and 83 percent of respondents had at least one “bad date.” 45 percent of respondents reported hitchhiking to neighboring communities to work. Women and girls who did not consider themselves “in the sex trade” or name themselves “sex workers” identified that they were trading sex for a ride, among other essentials that were scarce in nearby remote communities. The issue of hitchhiking was not unique to sex workers in the area, as it had been raised as a factor impacting the levels of violence facing all women and girls from rural communities given the lack of transportation options in these areas (Hunt 2006; Lheidli T’enneh First Nation et al. 2006). Despite consistent conversations about the links between the lack of transportation and violence against women and girls, a free transit system or low cost mode of transportation has not been implemented. And so, within this context of few transportation options and knowing all too well the risks associated with hitchhiking, community members of all genders continue to hitchhike and some people continue to trade sex for rides.

The Emergence of a Human Trafficking Framework

In 2007, the British Columbia government formed a provincial office to specifically address human trafficking. Leading up to Vancouver’s 2010 Olympic and Paralympic Winter Games, discussion emerged among government and non-governmental organizations working in the area of gender-based violence about the potential that the influx of tourists could fuel an increase in demand for sex workers, which could correspond with a rise in human trafficking. As Renee Mahoney (2012) demonstrates, media coverage in the years leading up to the 2010 Olympics sparked a panic about the number of individuals who would allegedly be forced to engage in sex work through increased trafficking into the sex trade. The emergence of this fear

was preceded by changes to the *Criminal Code of Canada* (sec. 279.01-279.04) in 2005 that created indictable offences specifically addressing trafficking in persons, which were said to have resulted in an increase in the number of domestic human trafficking cases being reported (CISC 2008). However, a federal briefing note about domestic trafficking and its links to organized crime still revealed no reference to Indigenous women’s involvement (CISC 2008).

In the months prior to the start of the Olympics, I was invited to a meeting hosted by provincial government ministries to discuss initiatives to address human trafficking in British Columbia. I assumed I was invited because of my history working on human trafficking issues as a member of GAATW Canada and my inter-related research and community work on issues of law and violence. When I entered the room, however, I was surprised to see a number of community educators and advocates who had worked, for many years, on youth sexual exploitation; they had now become the experts on human trafficking. The shift in government focus—and subsequent media focus—from youth sexual exploitation to human trafficking has had a direct impact on programs, policies, and funding for the Community Action Teams noted above. Educational material on commercial sexual exploitation quickly became irrelevant, as “domestic trafficking” became the new framework. Funding for Community Action Teams and other initiatives was limited or no longer available. It is worth noting, however, that, more recently, new funding streams have opened up again.²

A proliferation of academic, government, and media publications since the Vancouver Games have increasingly drawn on the framework of domestic trafficking, sex trafficking, and human trafficking for the purposes of sexual exploitation to describe what was previously called sexual exploitation of youth and adult sex work. This framework has also been used to conflate various forms of trafficking with the increasingly high profile phenomenon of missing and murdered Indigenous women and girls. The wording in such publications reveals a deep confusion about what distinguishes sexual exploitation from the human trafficking of children and youth, as reflected in this description:

Sexual exploitation—compelling children or youth by force, the threat of force, intimidation or the abuse of

power or a position of trust to engage in sexual conduct in exchange for money or other necessities of value—and a number of other risk factors examined herein, increases a person's vulnerability to trafficking (Ferland et al. 2012, 1).

Indeed, some government and academic publications that claim to address the trafficking of Indigenous people from and within Canada demonstrate very little engagement with “trafficking” as it is legally defined. For example, a 2012 report entitled “Aboriginal Domestic Trafficking in Persons” commissioned by the Department of Indian Affairs and Northern Development is, in fact, a summary of data from studies conducted with 157 men over age 18 engaged in sex work across Canada (McIntyre 2012). A scan of the report reveals that the word “trafficking” is only used in the title of the report and nowhere else. Instead, the language of “sexual exploitation” and the “sex trade” is used. So why include “trafficking” in the title?

As I have argued elsewhere (Hunt 2010), one result of this shift from sex work or sexual exploitation to trafficking has been the conflation of human trafficking with a messy range of other types of violence. While limited research has been conducted on the domestic trafficking of Indigenous girls using clear legal definitions (Pierce 2012), it is more common to see sexual exploitation and trafficking lumped together, as in “exploitation and/or trafficking” (Ferland et al. 2012, 15), “Aboriginal sexual exploitation and domestic trafficking in persons” (Ferland et al. 2012, v), and “American Indian women and girls trafficked into prostitution” (Johnson 2012, 617). Some academic and government reports use the trafficking framework to advance an explicitly anti-prostitution prohibitionist stance in which all people who trade or sell sex are victims of exploitation (Pierce 2009). This framework is also being used in efforts to avoid criminalizing adult sex workers and instead to see them as victims of trafficking. While some scholars argue that the tactics of traffickers are consistent with many tactics used by colonial and American governments to subjugate Indigenous women and girls (Deer 2010), trafficking discourses largely draw attention away from the role of the state in colonial violence toward Indigenous peoples and instead appeal to the state for a more powerful legal response to trafficking. Whether or not the move toward a trafficking framework will result in greater conviction of offenders

who commit violent crimes against Indigenous girls and women has yet to be seen.

Continuum of Violence Against Indigenous Women

By trying to fit cases of missing and murdered Aboriginal women into the trafficking box, we serve only to diminish or hide what we know to be true about their experiences (Native Women's Association of Canada 2010)

Before the emergence of a human trafficking discourse, advocacy about the high rates of sexualized violence against Indigenous girls and women has long been a concern for Indigenous women scholars, community advocates, and front-line workers. Colonialism has been facilitated by, and worked to entrench, racist and sexist ideologies in which Indigenous people are dehumanized in ways that excuse or even encourage violence against Indigenous girls and women (Smith 2005). Indeed, sexual violence is seen as a hallmark of colonial progress and is a central force in creating racial and gendered hierarchies through colonial legal categories.

It is within this context of ongoing, systematic, and longstanding sexualized violence that Indigenous women's involvement in trading and selling sex occurs and in which discourses around these issues have developed and changed. Alongside the aforementioned work on youth sexual exploitation and adult sex work, community advocates in the 1990's were drawing particular attention to the number of women from Vancouver's Downtown Eastside who had been murdered, been abducted, or “gone missing.” Targeted violence against women in this neighborhood—many of whom were Indigenous, racialized sex workers and were living in extreme levels of homelessness and poverty—was an issue that community advocates were trying to draw attention to for many years through community marches, direct advocacy, and other tactics. It was only in 2000, when a police task force was formed to address the large numbers of missing women and a serial killer was subsequently convicted in 2007, that the issue rose to national and international attention (for an analysis of the inquiry into police handling of these cases, see B.C. Civil Liberties Association et al. 2012).

Emerging from this increased legal and public recognition, the national Sisters in Spirit research in-

initiative was undertaken by the Native Women's Association of Canada (NWAC) to investigate the number of Indigenous women who have been murdered or disappeared across Canada. A total of 582 cases were identified in the final report, *What Their Stories Tell Us: Research Findings from the Sisters in Spirit Initiative* (NWAC 2010). While the initiation of this research stemmed from the concentration of missing women in Vancouver's Downtown Eastside and the particular vulnerabilities of women working in the sex trade, the final report does not reflect this initial focus. The report states that only 51 of the 582 cases involved women who were known to be engaged in sex work at the time of their death or disappearance, with an additional 24 cases where they *may* have been involved in trading sex. Sex work was thus found to not be a factor in the women's disappearance, emphasizing that "many women arrive at that point in the context of limited options and after experiencing multiple forms of trauma or victimization" (NWAC 2010, 31). The report calls for collaboration to develop policies that address issues of prostitution, trafficking, and sexual exploitation by focusing on the perpetrators, preventing abuse, and ensuring that victims are not penalized, criminalized, or have their personal autonomy restricted. While the inclusion of this recommendation highlights a concern with the safety of sex workers, the overall report lacks an analysis of the particular vulnerabilities of women engaged in sex work and street economies or how sex worker organizations might partner with Indigenous women's organizations like NWAC. Human trafficking also emerges in the Sisters in Spirit initiative's final report, yet NWAC states that trafficking is not a significant factor in the disappearance of Indigenous women.

Long before this national research was launched, families and community advocates were calling for research, legal action, and resources with a specific focus on reducing the targeted violence toward sex workers. Because women in Vancouver's Downtown Eastside and other urban centres are socio-legally constructed as non-citizens or "less-than" as a result of their supposedly degenerate status—seen as impoverished sex workers, drug addicts, and racialized—they are rendered outside of society. The Downtown Eastside is itself constructed as a space outside the nation and simply "being in this space is taken as evidence of the women's degeneracy" (Pratt 2005, 1053). The marginalized status of

sex workers in this neighborhood not only denies them a voice, but also denies them access to justice and recognition from mainstream society that their murders or disappearances constitute a loss. Although efforts have been made by Indigenous anti-violence advocates and family members of murdered and missing women both nationally and internationally to link "the missing women" with police violence and systemic government failure to address root causes of violence (Amnesty International Canada et al. 2012), such efforts have thus far failed to lead to the services, legal protection, and resources that were initially seen as necessary to lessen violence against sex workers. Even strategies that attempt to draw attention to violence against Indigenous women, such as publicizing the large numbers of women who have 'gone missing,' generally fail to raise the humanity of sex workers themselves among the Canadian public. As Butler (2006) has shown, it is not simply a discourse of dehumanization that renders certain lives grievable and others not; there is also a limit to discourse itself that establishes the limits of human intelligibility: "It is not just that death is poorly marked, but that it is unremarkable. Such a death vanishes, not into explicitly discourse, but in the ellipses by which public discourse proceeds" (35). Thus, even raising the missing women into public discourse fails to trigger a change in the normalization of violence against Indigenous women, because Indigenous women and sex workers are categories of belonging predetermined by colonial power relations.

Largely working to gain entry to public discourse in order to gain access to the justice system, the families of missing and murdered women have worked to humanize their loved ones by portraying them as mothers, sisters, and daughters. Movies, books, and community-led websites have been produced to draw the public's attention to their lives, rather than just their deaths. This entails using legitimate categories of belonging that are normally worthy of mourning and of seeking justice: mother, sister, friend. In this process, however, I would argue that other categories, such as sex worker, drug user, and Indigenous woman, often remain markers of degeneracy (also see Dean 2015). Rather than working to reposition sex workers into more legitimate categories, it would be productive to move toward undoing dominant logics by centering the voices of sex workers and disentangling sex work

from associated stigma and criminalization. The ability of marginalized women to represent themselves, rather than have others speak for them, is at the heart of this strategy (Yee 2009; Native Youth Sexual Health Network 2010; Hunt 2013). Indigenous people with sex work experience, such as law student, educator, and writer Naomi Sayers of the blog *kwetoday.com*, have been strongly advocating for their voices and perspectives to be centered in any debates about sex work. If sex workers or Indigenous women always need others to speak for them in order to legitimize their appeals to law, their marginal status will remain intact. Trafficking discourse does just that.

Available research largely lacks the voices of women who have been trafficked and does not account for the perspectives of Indigenous sex workers. Their experiences are instead evaluated through anti-prostitution prohibitionist frameworks that turn them into victims of domestic trafficking. Recruiters, pimps, and even young women themselves (who engage in sex work with their friends or family members) become categorized and criminalized as “traffickers.” As Roxanne Doty (1996) suggests, “the question of agency is one of how practices of representation create meaning and identities and thereby create the very possibility for agency” (168). This is particularly clear in the case of Indigenous women who have “gone missing,” as their lives only come to matter after they have been deemed “missing.” The continuum of violence, state neglect, and silencing they faced leading up to their deaths or disappearances remain invisible, facilitated in part by the criminalization of their lives as sex workers and drug users. Constructed as belonging to degenerate spaces, such as the Downtown Eastside or the reserve, Indigenous sex workers fail to matter until after they are dead and can be taken up as one of ‘the missing women,’ at which point their agency is no longer in question and others are needed to speak for them. Interrupting this characterization of Indigenous people who trade or sell sex requires upholding and enhancing their agency and voice while they are still alive, rather than rendering them as pure victims. The victim trope, so familiar in justifications for colonialism and echoed in “interventions” by dominant groups “for their own good,” can be used as yet another silencing strategy.

It was in this context of growing awareness about violence against Indigenous girls and women that the discourse of human trafficking unfolded in British Col-

umbia and across Canada. Failing to achieve adequate socio-legal and state responses to violence against sex workers, anti-prostitution prohibitionist groups have shifted to representing Indigenous women as pure victims of human trafficking. Yet any representation of Indigenous women will fail to get the emotional response afforded to other trafficking victims, as the dehumanization of Indigenous people is so ingrained in colonial categorizations and the violence of colonial law.

Reconnecting with Indigenous Sex Workers

Several years ago, I was invited to participate in a dialogue with other Indigenous people to discuss strategies for strengthening the voice, agency, and power of people engaged in sex work, the sex industry, and street economies in our communities. Bringing together people who were historically or currently working in the sex trades as well as those of us who work in various ways to support and strengthen resources, safety, choices, and agency of sex workers, the dialogue was intended to be a closed discussion for Indigenous people working on this very pressing issue. Following the dialogue, some of the key elements from the discussion were to be shared in a public forum, in part to inform the efforts of sex worker organizations to integrate a decolonial framework in their advocacy as well as to provide targeted support for Indigenous sex workers. This, I thought, was a vital step in the right direction.

However, weeks before the event was to take place, I received an email from one of the organizers saying that concerns had been raised about how the event had been organized and who had been invited to participate. Some people who advocated for an anti-prostitution prohibitionist stance on sex work were concerned that their voices were not going to be adequately represented and additional concerns were raised about who was consulted in the event planning. Although it was explained that the space was intended to be for sex workers and their allies, some people continued to argue for the inclusion of prohibitionist perspectives. After a discussion among several of the organizers, it was agreed that any Indigenous person could be part of the closed discussion, but that it would be reiterated that the space was intended to be primarily for the voices of sex workers themselves to be heard. Following several weeks of discussion among various

stakeholders, the event organizers decided that it was not viable. The event was cancelled.

This example illustrates how highly politicized and contentious the issue of sex workers' rights has become in the shifting landscape of colonial violence in Canada. Those of us who are supportive of the rights and choices of sex workers, including sex workers themselves, are often unable to make space for dialogue because of the insistence that sex work is inherently violent. Rather than accepting a diversity of perspectives, experiences, and analyses of sex work in the lives of Indigenous people, some insist that people who sell or trade sex can only be understood as victims of "sexual trafficking"—pure and simple. While Indigenous women and girls may be at heightened risk of exploitation due to complex socio-economic factors arising from colonial violence and systemic inequities, "trafficking" must be addressed as part of a legacy of sexualized violence, rather than a new issue arising from contemporary social problems (Hunt 2010).

As this article has demonstrated, the shift to the discourse of human trafficking can be understood as a representational strategy intended to reposition Indigenous women as victims of a more serious violent crime, appealing to Canadian law, government, and society for a better response to a range of violent offences against women and girls. Yet, the framework of trafficking has the effect of representing all Indigenous girls and women involved in the sex trade, regardless of age, as a monolithic group along with missing and murdered women. Working from an anti-prostitution prohibitionist sentiment, representations of sex workers as victims of domestic trafficking have suppressed discussion about the rights of sex workers, resulted in decreased funding for sex worker organizations, and shut out the voices of people who sell or trade sex who do not equate their experience with pure victimization. While some women and girls may indeed be "trafficked" under Canadian and international law, portraying all missing women, sex workers, and youth who trade or sell sex under this category simply does not hold true. As an Indigenous woman, I am wary of any discourse in which Indigenous women are positioned as helpless victims in need of being saved, or as not knowing any better, or not being able to help themselves. While we might understand the historic factors, including policies, stereotypes, and the dehumanization of Indigen-

ous people, as conditioning the overrepresentation of Indigenous women in sex work, we cannot see these things as predetermining or overdetermining Indigenous women's fates such that they become stripped of their agency. Turning all sex workers into trafficked victims does nothing for their individual sovereignty over their bodies and freedom of movement, nor does it open up more options to them. Aren't all Indigenous women, then, fated to be sexually exploited? Trafficking discourse allows for the representation of only one type of "victim"—one who wants to be "saved" and would never "choose" to engage in sex work. The implication is that sister, mother, daughter, auntie—these are women worth mourning. Sex worker, stripper, drug addict, drop-out, runaway—these women are seen as less worthy of saving because they might be implicated in their own abuse. This is an extension of disallowing the legitimization of sex workers' needs, perspectives, and engagements in creating safer communities.

In addressing interpersonal violence against Indigenous women alongside the foundational violence of law in colonial relations, it becomes clear that violence is not only a product, but also a means of world-making. If we see violence as inherently linked to the enactment and production of the colonial society in which we live, we are called upon to enact socio-legal norms in creating ourselves and society in a different way. It is essential that we question representational strategies that further entrench Indigenous sex workers in violent relations with the state, which have thus far done nothing to reduce violence against them (and have instead increased criminal sanctions against Indigenous sex workers and put them at further risk of violence). Sex worker organizations and advocates might benefit from integrating an analysis of colonial violence in how work, choice, and self-determination are defined. Indigenous women's relationship to the violence of law is foundational to their ability to use the law to gain protection from violence, as their dehumanization is so ingrained in colonial power relations. Sex worker organizations also need to have important conversations about the concentration of Indigenous women in street-level sex work and the implications of hierarchies and power differences within various forms of sex work (Native Youth Sexual Health Network 2010). What does it mean that very few anthologies written by sex workers include the voices of Indigenous women?

What impact does a lack of Indigenous sex workers on the boards of community organizations have on their policies, program design, and delivery? These conversations need to happen, but the ability to hold open and honest dialogue across differences cannot happen when the only Indigenous voices that are allowed to be heard are those of anti-prostitution prohibitionists.

In order for Indigenous people who trade or sell sex to be heard by both sex workers rights advocates and Indigenous people concerned with violence, it would be useful to consider our responsibility to listen across our differences in representational strategies. Gayatri Spivak (1988) writes of an ethics of responsibility, cultivating the capacity to respond to the “other” without demanding resemblance as the basis of recognition (Birla 2010). Ultimately, this entails creating new representational strategies for a future in which people who trade or sell sex can be humanized not only after they have disappeared or been killed, but in recognition of their position as rightful subjects. This means taking seriously the ways in which the subjectivities of non-sex workers are constructed in relation to those whose subjectivities are denied. As Butler (2006) reminds us, “Let’s face it. We’re undone by each other. And if we’re not, we’re missing something” (23).

Endnotes

¹ In 1991, the first memorial march was held in Vancouver’s Downtown Eastside to draw attention to the number of women in this neighborhood that had been violently killed or disappeared. In 2000, the police formed a task force to investigate these cases and compiled a list of 27 missing and murdered women from the Downtown Eastside—a list that grew to 60 women in total (Oppal 2012). In 2007, after many years of community advocacy, a serial killer was convicted of the murder of 6 of these women, although DNA from 33 individual women were found on his property.

² For example, the 2013-2014 Ministry of Public Safety and Solicitor General Crime Prevention project funding included a stream for “preventing sexual exploitation and/or human trafficking of vulnerable women and girls,” following British Columbia’s Action Plan to Combat Human Trafficking and recommendations from the Missing Women Commission of Inquiry. Initiatives supported within this stream included both anti-trafficking initiatives and those to improve the safety and wellbeing of sex workers.

References

Acoose, Janice. 1995. *Iskwewak-Kah ‘Ki Yaw Ni Wah-*

komakanak: Neither Indian Processes Nor Easy Squaws. Toronto, ON: Women’s Press.

Amnesty International. 2009. *No More Stolen Sisters: The Need for a Comprehensive Response to Discrimination and Violence Against Indigenous Women in Canada.* Ottawa, ON: Canada Amnesty International. <http://www.amnesty.ca/sites/default/files/amr200122009en-stolensistersupdate.pdf>.

Amnesty International Canada, Canadian Federation of Students (CFS) Aboriginal Caucus, KAIROS: Canadian Ecumenical Justice Initiatives, Native Women’s Association of Canada, and National Association of Friendship Centres. 2012. *Joint Statement, Sisters in Spirit Vigils—A Movement for Social Change.* Toronto, ON: KAIROS.

B.C. Civil Liberties Association, West Coast Women’s Legal Education and Action Fund, and Pivot Legal Society. 2012. *Blueprint for an Inquiry: Learning from the Failures of the Missing Women Commission of Inquiry.* Vancouver, BC: Pivot Legal Society.

Bingham, Brittany, Diane Leo, Ruth Zhang, Julio Montaner, and Kate Shannon. 2014. “Generational Sex Work and HIV Risk Among Indigenous Women in a Street-based Urban Canadian Setting.” *Culture, Health & Sexuality: An International Journal for Research, Intervention and Care* 16 (4): 440-452.

Birla, Ritu. 2010. “Postcolonial Studies: Now That’s History.” In *Can The Subaltern Speak? Reflections on the History of an Idea*, edited by Rosalind C. Morris, 87-99. New York, NY: Columbia University Press.

Blomley, Nick. 2003. “Law, Property and the Geography of Violence: The Frontier, the Survey, and the Grid.” *Annals of the Association of American Geographers* 93 (1): 121-141.

Borrows, John. 2010. *Canada’s Indigenous Constitution.* Toronto, ON: University of Toronto Press.

Butler, Judith. 2006. *Precarious Life: The Powers of Mourning and Violence.* New York, NY: Verso.

Capostinsky, Christal. 2007. *In the North: From Corner*

- to Corner. *The Needs, Trends, and Working Conditions of Sex Workers in Prince George, British Columbia*. Prince George, BC: Prince George New Hope Society. <http://pgnhs.swdbox.com/wp-content/uploads/2012/10/cornercornerreport2007.pdf>.
- Committee on Status of Women. 2007. *Turning Outrage into Action to Address Trafficking for the Purpose of Sexual Exploitation in Canada*. Ottawa, ON: House of Commons Canada. <http://www.parl.gc.ca/content/hoc/Committee/391/FEWO/Reports/RP2738918/feworp12/feworp12-e.pdf>.
- Cover, Robert. 1986. "Violence and the Word." *Yale Law Journal* 95: 1601-1629.
- Criminal Intelligence Service Canada (CISC). Strategic Intelligence Brief. 2008. *Organized Crime and Domestic Trafficking in Persons in Canada*. Ottawa, ON: CISC. <http://www.globalinitiative.net/download/general/north-america/CISC%20-%20Organized%20Crime%20and%20Domestic%20Trafficking%20in%20Persons%20in%20Canada.pdf>.
- Dean, A. 2015. *Remembering Vancouver's Disappeared Women: Settler Colonialism and the Difficulty of Inheritance*. Toronto, ON: University of Toronto Press.
- Deer, Sarah. 2010. "Relocation Revisited: Sex Trafficking of Native Women in the United States." *William Mitchell Law Review* 36 (2): 622-683.
- Department of Justice Canada. Research and Statistics Division. 2005. *Victims of Trafficking in Persons: Perspectives from the Canadian Community Sector*, by Jacqueline Oxman-Martinez, Marie Lacroix, and Jill Hanley. Ottawa, ON: Department of Justice Canada. http://www.justice.gc.ca/eng/rp-pr/cj-jp/tp/rr06_3/rr06_3.pdf.
- Doty, Roxanne L. 1996. *Imperial Encounters: The Politics of Representation in North-South Relations*. Minneapolis, MN: University of Minneapolis Press.
- Dumont, Marilyn. 1996. *A Really Good Brown Girl*. London, ON: Brick Books.
- Ferland, Nicki, Cathy Denby, Mallory Neuman, and Angie Bruce. 2012. *Protecting Sacred Lives: Urban Aboriginal Youth Domestic Trafficking in Persons Policy Research Report*, prepared for the Office of the Federal Interlocutor for Metis and Non-Status Indians. [http://www.firstpeoplesgroup.com/mnsiurban/PDF/women_children_youth_families/AMR_Planning_Protecting_Sacred_Lives_\(2012\).pdf](http://www.firstpeoplesgroup.com/mnsiurban/PDF/women_children_youth_families/AMR_Planning_Protecting_Sacred_Lives_(2012).pdf).
- Global Alliance Against Traffic in Women Canada (GAATW Canada). 1997. *Whores, Maids & Wives: Making Links: Proceedings of the North American Regional Consultative Forum on Trafficking in Women* (April 29-May 3, 1997) Organized in Victoria, Canada. Victoria, BC: GAATW-Canada.
- Hunt, Sarah. 2006. *Violence in the Lives of Sexually Exploited Youth and Adult Sex Workers in BC – Provincial Research Final Report*. New Westminster, BC: Justice Institute of British Columbia. http://www.jibc.ca/sites/default/files/research/pdf/Violence_Research_FinalReport2006.pdf.
- _____. 2010. "Colonial Roots, Contemporary Risk Factors: a cautionary exploration of the domestic trafficking of Aboriginal women and girls in British Columbia, Canada." *Alliance News* 33: 27-31.
- _____. 2013. "Decolonizing Sex Work: Developing an Intersectional Indigenous Approach," in *Selling Sex: Experience, Advocacy, and Research on Sex Work in Canada*, edited by Emily van der Meulen, Elya M. Durisin, and Victoria Love, 82-100. Vancouver, BC: UBC Press.
- Jiwani, Yasmin, and Susan M. Brown. 1999. *Trafficking and Sexual Exploitation of Girls and Young Women: A Review of Select Literature and Initiatives*. Vancouver, BC: Feminist Research, Education, Development and Action Centre (FREDA). <http://fredacentre.com/wp-content/uploads/2010/09/Jiwani-1999-Trafficking-and-Sexual-Exploitation-of-Girls-and-Young-Women-A-Review-of-Select-Literature-and-Initiatives.pdf>.
- JJ. 2013. "We Speak For Ourselves: Anti-Colonial and Self-Determined Responses to Young People Involved in the Sex Trade." In *Selling Sex: Experience, Advocacy and Research on Sex Work in Canada*, edited by Emi-

- ly van der Meulen, Elya M. Durisin, and Victoria Love, 74-81. Vancouver, BC: UBC Press.
- Johnson, Andrea L. 2012. "A Perfect Storm: the U.S. Anti-Trafficking Regime's Failure to Stop the Sex Trafficking of American Indian Women and Girls." *Columbia Human Rights Law Review* 43 (2): 617-710.
- Justice Institute of British Columbia. Social Services and Community Safety Division. 2002. *Commercial Sexual Exploitation: Innovative Ideas for Working with Children and Youth*. New Westminster, BC: Justice Institute of British Columbia. http://www.jibc.ca/sites/default/files/community_social_justice/pdf/cccs/Commercial_Sexual_Exploitation_WWY_Manual.pdf.
- Kingsley, Cherry. 2004. *Canadian National Coalition of Experiential Women (CNCEW). First National Meeting June 26-29, 2004. Final Report*. Ottawa, ON.
- Lheidli T'enneh First Nation, Carrier Sekani Family Services, Carrier Sekani Tribal Council, Prince George Native Friendship Center, and Prince George Nechako Aboriginal Employment and Training Association. 2006. *Highway of Tears Symposium Recommendations Report*. <http://highwayoftears.org/uploads/Highway%20of%20Tears%20Symposium%20Recommendations%20Report%20-%20January%202013.pdf>.
- Mahoney, Renee. 2012. "Making Headlines: The Politics of Sex Trafficking and Sex Work During the 2012 Vancouver Olympics." Master's Thesis. London, ON: University of Western Ontario.
- Maracle, Lee. 1996. *I Am Woman: A Native Perspective on Sociology and Feminism*. Vancouver, BC: Press Gang.
- McIntyre, Sue. 2012. *Aboriginal Domestic Trafficking in Persons*, prepared for the Department of Indian Affairs and Northern Development. Calgary, AB: The Hindsight Group. <http://www.hindsightgroup.com/Resources/Documents/Aboriginal%20Domestic%20Trafficking%20in%20Persons%20Final%20May%2018%20.pdf>. Ministry of Attorney General, Ministry for Children and Families, Ministry of Health, and Ministry Responsible for Seniors. Working Group of the Assistant Deputy Ministers' Committee on Prostitution and the Sexual Exploitation of Youth. 2000. *Sexual Exploitation of Youth in British Columbia*. Victoria, BC: Ministry of Children and Family Development. http://www.mcf.gov.bc.ca/youth/pdf/sex_exploit.pdf.
- National Aboriginal Consultation Project. 2000. *Sacred Lives: Canadian Aboriginal Children and Youth Speak Out About Sexual Exploitation*, by Marian Krawczyk. Vancouver, BC: Save the Children Canada. http://www.gov.mb.ca/fs/traciustrust/pubs/sacred_lives.pdf.
- Native Women's Association of Canada (NWAC). 2010. *What Their Stories Tell Us: Research Findings From the Sisters in Spirit Initiative*. Ottawa, ON: Native Women's Association of Canada.
- Native Youth Sexual Health Network. 2010. "Indigenous Peoples in the Sex Trade: Speaking for Ourselves." *Incite Blog*. <http://inciteblog.wordpress.com/2011/07/15/indigenous-peoples-in-the-sex-trade-%E2%80%93-speaking-for-ourselves/>.
- _____. 2013. *Responding to the Violence of Ongoing Colonialism on December 17th: International Day to End Violence Against Sex Workers*. Toronto, ON: Native Youth Sexual Health Network. <http://www.nativeyouth-sexualhealth.com/dec172013.pdf>.
- Oppal, Hon. Wally. 2012. *Forsaken: The Report of the Missing Women Commission of Inquiry. Volume 1*. Victoria, BC: Library and Archives Canada. http://www.ag.gov.bc.ca/public_inquiries/docs/Forsaken-Vol_1.pdf.
- Pearce, Maryanne. 2009. *An Awkward Silence: Missing and Murdered Vulnerable Women and the Canadian Justice System*. Doctoral Thesis. Ottawa, ON: University of Ottawa. <http://www.ruor.uottawa.ca/handle/10393/26299>.
- Pierce, Alexandra (Sandi). 2009. *Shattered Hearts: The Commercial Sexual Exploitation of American Indian Women and Girls in Minnesota*. Minneapolis, MN: Minnesota Indian Women's Resource Centre. <http://www.miwrc.org/wp-content/uploads/2013/12/Shattered-Hearts-Full.pdf>.

- _____. 2012. "American Indian Adolescent Girls: Vulnerability to Sex Trafficking, Intervention Strategies." *American Indian and Alaska Native Mental Health Research* 19 (1): 37-56.
- Pratt, Gerry. 2005. "Abandoned Women and the Spaces of Exception." *Antipode* 37 (5): 1053-1078.
- Razack, Sherene. 2000. "Gendered Racial Violence and Spatialized Justice: The Murder of Pamela George." *Canadian Journal of Law and Society* 15 (2): 91-130.
- Royal Canadian Mounted Police (RCMP). 2014. *Missing and Murdered Aboriginal Women: An Operational Overview*. Ottawa, ON: RCMP. www.rcmp-grc.gc.ca/pubs/mmaw-faapd-eng.pdf.
- Sarat, Austin, and Thomas R. Kearns, eds. 1992. *Law's Violence*. Ann Arbor, MI: University of Michigan Press.
- Save the Children Sweden. 1998. *Important Steps in the Fight Against the Commercial Sexual Exploitation of Children*. Stockholm, Sweden: Save the Children Sweden.
- Save the Children Canada. 2000. *Leaving the Streets: Youth Forum to Address the Commercial Sexual Exploitation of Children and Youth*. Vancouver, BC: Save the Children Canada.
- Sethi, Anupriya. 2007. "Domestic Sex Trafficking of Aboriginal Girls in Canada; Issues and Implications." *First Peoples Child and Family Review* 3 (2): 57-71.
- Sikka, Anette. 2009. *Trafficking of Aboriginal Women and Girls in Canada*. Ottawa, ON: Institute on Governance. http://iog.ca/wp-content/uploads/2012/12/May2009_trafficking_of_aboriginal_women-1.pdf.
- Smith, Andrea. 2005. *Conquest: Sexual Violence and American Indian Genocide*. Cambridge, UK: South End Press.
- Spivak, Gayatri Chakravorty. 1988. "Can the Subaltern Speak?" In *Marxism and the Interpretation of Culture*, edited by Cary Nelson and Lawrence Grossbert, 271-316. Champaign, Illinois: University of Illinois Press.
- Statistics Canada. 2011. *Violent Victimization of Aboriginal Women in the Canadian Provinces, 2009*, by Shannon Brennan. Ottawa, ON: Ministry of Industry. <http://www.statcan.gc.ca/pub/85-002-x/2011001/article/11439-eng.pdf>.
- _____. 2012. *Correctional Statistics in Canada, 2010/2011*, by Mia Dauvergne. Ottawa, ON: Ministry of Industry. <http://www.statcan.gc.ca/pub/85-002-x/2012001/article/11715-eng.htm#a7>.
- Totten, Mark, and the Native Women's Association of Canada. 2010. "Investigating the Linkages between FASD, Gangs, Sexual Exploitation and Woman Abuse in the Canadian Aboriginal Population: A Preliminary Study." *The First Peoples Child & Family Review* 5 (2): 9-22.
- van der Meulen, Emily, Jessica Yee, and Elya M. Durisin. 2010. "Violence Against Indigenous Sex Workers: Combating the Effects of Criminalization and Colonialism in Canada." *Research For Sex Work: Violence Issue* 12: 35-38.
- Yee, Jessica. 2009. "Supporting Aboriginal Sex Workers' Struggles." *Canadian Dimension* 43 (1): 45-47.