

---

# Prostitution, Sex Work and Violence: Discursive and Political Contexts for Five Texts on Paid Sex, 1987-2001

*Svati P. Shah*

---

Feminist debates on prostitution are critically informed and, in some instances, shaped by their engagements with violence in gendered exploitation. The physical and symbolic practices of violence experienced by women selling sexual services together comprise an abiding feature of arguments against prostitution altogether, and one of the main points of contention between prostitution abolitionists, and advocates of the rights of prostitutes/sex workers. Concerns of violence and its relationship to the selling of sexual services implicate both lived realities of people engaged in various kinds of sexual commerce, as well as the highly charged symbolic ground of violence, vulnerability, protection and danger that permeate feminist debates on prostitution. The trope of the victimised, female body has been hotly contested terrain between and among the legislative positions of criminalisation, decriminalisation and legalisation of prostitution that have provided some of the textures and discursive poles for these debates. This review essay deals with five texts, spanning roughly 1975-2001 in the multiple feminist terrains in which questions of sex work, prostitution, agency and violence have been debated. They illustrate some of the major trends and interventions contributed by progressive advocates and activists who have prioritised decriminalisation and/or legalisation of paid sex, as opposed to criminalising and ultimately abolishing prostitution altogether. My interest in work that does not reproduce the abolitionist agenda stems from a critique of some abolitionist interventions in the Global South, such as 'rescue and rehabilitation missions' for brothel-based sex workers, that have resulted in sustaining the state-sponsored regulation of female migrants, informal sector workers and people living on the margins of gender and sexuality.<sup>1</sup> This interest also stems from the perspective that, while positions which criminalise

prostitution are fairly coherent in their agendas, strategies and concerns, positions which argue that 'prostitution' and 'violence' are not equivalent terms have tended to have a discernible, but less strictly defined, internal logic. This discussion on the trope of violence in the non-abolitionist literature on prostitution is undertaken in order to explore how this logic could be discerned and defined. Because debates on sex work and prostitution have taken place in many different discursive contexts, other relevant texts, organisations and grassroots interventions are also discussed.

The debate on prostitution and sex work marks its theoretical and political ground, in part, linguistically. Although 'prostitution' and 'sex work' both refer to the sale or trade of sexual services in primary or episodic modes, the term 'sex work' in particular represents a specific position on the ways in which women are cast in the analysis. The use of the term 'sex work' signifies a self-conscious effort by advocates and self-identified sex workers to recast people selling sexual services as workers organising for the rights and protections afforded workers in any other context, including the right to be free from violence and bodily harm in the workplace. The term 'prostitution' has been used within the framework of human rights ever since the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others was ratified by the League of Nations (as it was transitioning toward becoming the United Nations) in 1949. Use of the term 'sex work' has been a highly patrolled affair in general by almost all United Nations-affiliated agencies, excepting its relatively infrequent, but significant, uses by the International Labour Organization.<sup>2</sup> In the USA and Europe, many of the human rights and legal concerns with regard to prostitution extended historically from fears of 'white slavery'. Historians Judith Walkowitz<sup>3</sup> and Mary Ann Irwin have argued that 'white slavery' in Britain and in the USA in the late nineteenth century was deeply enmeshed with moral panic around the potential 'degradation' of women's and girls' sexuality, and was specifically defined in relation to fears of young white women being abducted into prostitution. Police, city officials and social reformers all described and struggled against this, believing it to be the major social evil of their day. Irwin writes:

Whatever its precise symbolic configuration, the rhetoric of white slavery derived much of its impact by updating the familiar rhetoric of abolition, in which the degraded black slave was replaced by the demoralised white woman... In this context, the term 'white slavery' was intended to distinguish female sexual slavery from the enslavement of Africans, but it was also meant to draw a moral comparison between the two types of exploitation.<sup>4</sup>

Irwin, Walkowitz and many others have gone on to critique the conflation between 'white slavery' and prostitution, and point instead to

nineteenth-century colonial relationships between race, sexuality and social control in both the colony and the metropole as constitutive of concerns around prostitution and its regulation. Laura Briggs points out that:

In the middle of the nineteenth century, reformers, building on the legacy of an international antislavery movement, began to speak of an international traffic in prostitutes. Yet it is equally possible and probably more accurate to speak of an international traffic in prostitution policy, as empire after empire learned from the paradigmatic British how to run a modern empire.<sup>5</sup>

Contemporary theoretical tensions in the feminist debate on prostitution have many antecedents in these early moral panics, fears of 'white slavery' and in the nineteenth-century racialisation of sexuality within the context of the imperial project itself, which came to rely on sexuality as an important frame for the articulation of colonial power.<sup>6</sup> It is important to note that these tensions have many resonances with historical debates around imperial states' medical regulations of women engaged in prostitution, both 'at home' and in the colonies. Recent excellent work by Philippa Levine<sup>7</sup> on the regulation of prostitution and venereal disease in the nineteenth and early twentieth centuries helps position the social regulation of sexuality at the heart of the contemporary debate on whether sexual commerce can be subjected to the benefits and obligations which constitute the categories of 'work' and 'labour'.

The theoretical framing of the debate around this axis means that 'sex work' as such has intersected with a plethora of issues of importance to the development of feminist theories and critiques of pleasure, sexuality, danger and paid work. More recent feminist perspectives on globalisation have also served to mark and shape the debate on prostitution, both through writings on the political economy of migration and corporate globalisation, and through feminist interventions in human rights discourses. Although the selling of sexual services has never been the exclusive province of female-bodied people, both the historical and contemporary positions on prostitution and sex work have focused on women and girls. The reasons for this can be understood as fundamental to the gendered politics of the debate, with women and girls being cast as both the visible subjects of the sex trade, and in critical need of rescue from it.

Ranging from 1987 to 2001, the five texts discussed here offer a tentative history of analyses and critiques of the selling of sexual services that attempt to decentre 'violence' in feminist debates on sexual commerce. This decentring exists in relation to an acknowledgement that the most abiding experiences of all sex workers may not be that of violence, and places violence within a host of other contexts that give rise to possibilities other than that of constructing and protecting victims of violence. The five texts reviewed here represent theoretical

and field-based research on sex work, both within the USA and in non-Western locations.<sup>8</sup>

The historical logic of the texts provides a framework for thinking through the development of debates on sexual commerce since the mid-1970s and were chosen for review on the basis of several criteria. The most important criterion was the illustrative power of the texts, taken together, to show the development of an alternative feminist discourse on prostitution to that which has consistently advocated the global abolition of any and all aspects of sexual commerce. This criterion necessitated the inclusion of texts which mobilise a response to the construction of a victim who was selling sex against her will. This construction allowed nineteenth-century abolitionist social reformers in Britain to develop a social vision in which sexual practices could still be circumscribed within normative, socially and morally sanctioned relationships. The historical tropes of helpless female victims, male predators and social reform are marked in their similarities to contemporary reformist representations of women as exploited subjects of a growing and increasingly globalised and exploitative market for sexual commerce. Unlike these kinds of abolitionist formulations, which have been fairly streamlined in their focus on violence and using mechanisms of the state to end paid sex, workers' and 'rights-based' writings on prostitution have been somewhat more dispersed as a 'discourse'. These writings have had a wider array of positions on prostitution *per se*, while finding its cohesions around critiques of state-sponsored interventions in sexually and economically marginalised communities. These texts are loosely termed 'progressive' for the purposes of this review, and represent an engagement with sex work that seriously considers anti-abolitionist and, in some cases, 'pro-sex', work and rights-oriented positions. Taking five examples of these texts together, I attempt to delineate the discursive treatment of 'violence' in the formulation of progressive positions on sex work. These particular texts are representative of a much larger set of books, articles, emails, conferences, conversations and interventions (both grassroots interventions and macro-level policies), undertaken in various disciplinary modes, which have all shaped this strain of the debate. Although the most recent text discussed here was published in 2001, this literature evokes more contemporary work, in the form of articles in scholarly journals, dissertation research, journalism, non-governmental organisations working in the Global South and private foundation-based support for projects that contextualise sexual commerce within the politics of migration, rural land use and the globalisation-inflected expansion of urban centres, that has been and is being produced. All of this work reflects a growing trend towards seeing sexual commerce as an abiding social and economic phenomenon, while

problematizing definitions of paid sex, which define its practitioners as, first and foremost, victims of coercion and violence. In these five texts, and the discourses that they represent, questions around defining prostitution as violence linger. These questions ultimately gravitate toward whether the root causes of gendered inequalities are addressed by constructing, and then saving, helpless victims, especially through the use of state-sponsored social control (e.g. police raids, arrests, involuntary admission to remand homes for women). This implicit critique necessitates an alternate lens through which prostitution is a form of labour, and the category of 'labour' is understood within the dialectical contexts of economic globalisation, migration, agency and rights.

### Five texts

*Sex Work: Writings by Women in the Sex Industry*<sup>9</sup> was the first book of its kind, written specifically as a response to the growing contemporary abolitionist movement, and in the midst of growing debates on the ethics, morality and legality of pornography among feminists in the USA. The feminist 'porn wars', documented thoroughly elsewhere,<sup>10</sup> moved between anti-porn, pro-censorship positions, which argued that pornography is always equivalent to, and gives rise to, violence against all women, and anti-censorship positions, which argued that pornography is not inherently 'violence', and argued against empowering the state to define, regulate and control pornography and obscenity through legislated censorship. *Sex Work* was assembled as a collection of essays, poems, stories, interviews and personal narratives in this context. The use of these literary forms emphasised the need to represent sex workers as speaking subjects. All of the pieces in the book address the question of violence by arguing that a large degree of violence experienced by women working in various sex industries is a result of the criminalisation of paid sex, largely perpetuated by police and other representatives of the state.

Published in 1987, many of the stories recall the late 1960s and early 1970s in the San Francisco Bay Area. In addition to describing the conditions of work in massage parlours, doing street-based sex work and working in brothels, many of the authors also describe their initial, painful attempts at bringing the experience of sex work into the emerging feminist organising spaces of the 1970s. 'I can't help but feel that when feminists laugh or change the subject when I talk about experiences that nearly killed me, they are reflecting society's feelings that hookers' deaths – and lives – are unimportant'.<sup>11</sup> Another contributor, who writes about several brief experiences working as an actress in two

pornographic films in the late 1960s, articulates other tensions with feminist perspectives on prostitution at the time. 'I'm not glad I contributed to the pornography industry, although I admit I'm proud that I once did something so inconsistent with my present respectable persona. I've read a lot of feminist theory, however, and I feel disloyal when I say that my movie experiences were not brutal and degrading'.<sup>12</sup> Ten years later, the question of whether the categories of 'prostitution' and 'feminism' are somehow mutually exclusive were engaged in Jill Nagle's 1997 collection, *Whores and Other Feminists*.<sup>13</sup>

In addition to critiquing feminist perspectives of the time on the relationship between violence and prostitution, many pieces in *Sex Work* articulate the need to eliminate violence as a workplace hazard from the lives of women in the industry. Several contributors recount experiences in court with judges who were known to rule against sex workers who attempted to bring assault charges against violent clients. Contributors also document other human rights violations perpetrated by the police, including brothel raids and destroying condoms that were given for distribution by local AIDS-prevention projects, arguing that the conditions for many of these abuses to continue are maintained by the criminalisation of prostitution:

*Carole*: What other things would you do if prostitution was decriminalised?

*Barbara*: Well, a lot of violence would not happen if it wasn't a crime. Men take advantage of women, true enough, but if the girls were more organized and knew more, then they wouldn't let the guys take advantage of them. Beatings and robberies might not be if women would just stick together. There are so many things I could tell prostitutes so that they'd be protected but if I did that now, I'd be committing a felony because I'd be training a prostitute. It's also conspiracy to tell a girl that someone is a policeman. There are so many laws they can use on you [e.g. anti-solicitation and public nuisance laws]. It's completely sickening to me. Just sitting on this bed could probably be illegal. (*Laughter*)<sup>14</sup>

Priscilla Alexander, in her 1998 essay published in the revised edition of the original collection, takes this point further. 'From a sex worker's rights point of view, it is the laws against prostitution and the stigma imposed on sex work that provoke and permit violence against prostitutes, and ensure poor working conditions and the inability of many sex workers to move on to other kinds of work without lying about their experience'.<sup>15</sup> The collection in general, and Alexander's essay in particular, emphasise the distinctions between 'prostitution' and 'violence', and identify police and clients as the main perpetrators of violence in the sex industry. Theoretically, Gail Pheterson identifies the 'whore stigma' – societal stigmatisation of sex workers as impure, immoral, promiscuous and so on – as both violent and constitutive of the conditions for violence against sex workers to take place.<sup>16</sup>

Like *Global Sex Workers*,<sup>17</sup> reviewed below, which followed the initial publication of *Sex Work* eleven years later, *Sex Work* also includes statements from collectives of sex workers' rights organisations in the USA and abroad. Organisations like COYOTE (Call Off Your Old Tired Ethics), the US PROStitutes Collective, the Red Thread and the Pink Thread in the Netherlands all contributed essays, which called for the repeal of laws that criminalise women in the sex industry. The oft-quoted 'International Committee for Prostitutes' Rights World Charter' and 'World Whores' Congress Statements' are also included. These statements also advocate the decriminalisation of sex work at all levels of jurisprudence, and claim the right to bodily integrity, including the right to health, as fundamental rights of all sex workers.

*Guilty Without Trial: Women in the Sex Trade in Calcutta*, by Carolyn Sleightholme and Indrani Sinha<sup>18</sup> is in many ways foundational to discourse on sex work as it pertains to the Global South, both because of its location in Calcutta and because of its representations of the practice of sex work there. Published in 1996, *Guilty Without Trial* remains one of the few books by and about a non-governmental organisation's intervention on behalf of a community of sex workers in India. As the feminist debate on prostitution has developed, the ways in which the differential experiences of sex workers in the Global North and the Global South are represented continues to prove challenging for writers and activists of all political persuasions. The growing literature on sex work in the Global South, of which *Guilty Without Trial* is a part, demonstrates that, just as it is incumbent on theorists and activists engaging in North American discourses on sex work to struggle against racist binaries of, for example, agentive, non-exploited white sex workers versus exploited and politically powerless black prostitutes, so too is it incumbent on writers attempting to represent the realities of sex industries in the Global South to avoid similar reductivism. The size and success of the contemporary sex workers' rights movement in Calcutta, by all accounts, resists characterisations of women there as weak, abducted, sold into the industry and working against their will, violated and helpless. As progressive strains of the feminist debate on prostitution have developed, Calcutta has been held up as one place where a sex workers' rights agenda is being carried forward in a 'non-Western' country. To be sure, the Calcutta organisations have been subjected to much valorisation internationally, and the successes of the movement there, with its explicitly rights-based, anti-abolitionist orientations, have been recognised widely. Strategies for replicating successes there, for example, the high levels of condom use in many brothels, widespread establishment of savings cooperatives and self-regulating boards of sex workers, which provide advocacy and counselling for

trafficked and non-trafficked women and girls alike in the red-light areas, form a central concern for advocates.

The organisation that is largely responsible for bringing these successes about is the Durbar Mahila Samanwaya Committee (DMSC), an organisation of sex workers working in Calcutta's red-light areas. The DMSC began as a small collective of sex workers who were a part of the STD/HIV Intervention Program of the All India Institute of Hygiene and Public Health and were tasked with doing HIV prevention and health promotion. Philippa Levine argues that the use of public health as a space from which to advocate for the rights of socially and economically marginalised communities has largely occurred despite the problematic formulations of social and sexual normativity within the discipline itself.<sup>19</sup> Nonetheless, it is notable that several significant non-governmental organisations (NGOs) working with sex workers' communities in India have been able to use both public health and the 'NGO-isation' of social services to a productive and politically salient end. The publication of *Guilty Without Trial* in 1996 predates the independent formation of the DMSC<sup>20</sup> and the events, including several national sex workers rights conferences, which have contributed to its international profile. *Guilty Without Trial* was produced by Sanlaap, an NGO that also works with sex workers in Calcutta. The developing discourse on sex work in India in 1996 is apparent in the book, which includes depictions of women in the sex industry who simultaneously victimised, making choices among a set of very limited options, and horrendously abused at hands of clients and, in particular, the police. The book stops short of conflating violence and prostitution. Throughout the text, the authors argue for a 'toleration' approach to prostitution, which correlates with the contemporary parameters of 'decriminalisation,' that is, the repeal of laws that criminalise sexual commerce and drive it underground, thereby making women more vulnerable to abuse in their workplace. Women selling sexual services in Calcutta are characterised as 'informal sector self-employed workers' entitled to the basic benefits of all workers, including adequate childcare facilities and a minimum wage. Rather than conflating trafficking, prostitution and violence against women, trafficking and violence are described as aspects of the industry that must be addressed legally through 'toleration'. The Indian legal system is criticised for its double standards toward sex workers. The authors argue that sex workers are treated as necessary to the overall survival of Indian society by providing a space where men can find a controlled environment for sexual release (therefore arguably 'preventing mass rape'). In contradiction, sex workers are also treated as immoral, corrupting influences on the ideals of marriage and family. The solution that is posed to address this contradiction is an enumeration of

the rights of sex workers. Interestingly, 'the right to rescue and rehabilitation' is included among these rights. This is an important precursor to the multiple criticisms, especially since 1996, levelled against the regime of 'rescue' and 'rehabilitation' that has dominated much of the abolitionist perspective on sex work in the Global South.

In India, the focus on 'rescue' and 'rehabilitation' has meant that the homes of women who are thought to be selling sex can be legally entered searched by police and 'rescue officials', usually abolitionist activists, with impunity. Women and girls can be taken from their homes against their will if they are thought to be participating in the sex trade, and may be remanded to 'rescue homes' or 'repatriated' to their countries of origin. The regime of rescue and rehabilitation of sex workers in India is reminiscent of the regime of rescue for abducted Hindu women following the partition of India and Pakistan in 1947, legislated through the Abducted Persons (Recovery and Restoration) Bill.<sup>21</sup> 'Rescue homes' for sex workers, both governmental and privately run, have all come under serious scrutiny for, at times, failing to provide enough food for their inmates, keeping people against their will and for purporting to teach alternate income generating skills, such as sewing, which are neither sustainable in providing an adequate wage nor necessarily how women in these institutions would choose to earn their living. 'Repatriation' schemes have come under equal, if not more intense, scrutiny, for the fact that many women and girls are sent back to villages where the contexts for their initial migration to the city, such as rural poverty, decreasing access to opportunities attached to education or the increasing impossibility of earning a sustainable livelihood as a landless agricultural worker, are, if anything, worse. Both rescue and repatriation schemes usually end in the women returning to the brothel from which they were initially taken by law enforcement officials.<sup>22</sup>

While expressing some of the conflicts and tensions in the debate on sex work in India in the mid-1990s, the authors of *Guilty Without Trial* succeed in describing aspects of sex workers' rights organising which are unique to the Global South, including the involvement of numerous NGOs, particularly through HIV and STD prevention. In particular, the book documents illegal trials of Bovine Immuno-Deficiency Virus vaccine conducted in 1994 in one red-light area in Calcutta with the help of an Indian NGO, and suggests, as many others have argued, that certain medical and public-health practices also come under the purview of exploitation and 'violence'. Like many contemporary progressive feminist organisations, activists and academics, the authors identify unorganised sex workers as being more vulnerable to violence at the hands of local thugs, clients and police, and advocate establishing autonomous sex workers' organisations as a sustainable response to this phenomenon. This is radically different from many

abolitionist writings on prostitutes in the Global South, which argue that women are in need of rescue from these abusive situations and are virtually incapable of maintaining organisations that would be able to mount an effective response.

*Global Sex Workers: Rights, Resistance, and Redefinition*,<sup>23</sup> is a collection of essays designed to describe the progressive international sex workers' rights movement through the late 1990s. In many ways, *Global Sex Workers* continues where *Sex Work* ends, describing many of the same themes and political debates, taking the feminist debates on prostitution as an important marker for formulating the rubric of sex workers' rights. The authors in *Global Sex Workers* suggest that a notion of prostitution as inevitably suffused with violence is untenable within a labour rights framework. They argue that this conflation fuels the continued sensationalisation of prostitution in popular discourses of gender, which rely on oppositional constructs of 'good' and 'bad' women to justify and maintain an uneven status quo.

In her essay 'Forced to Choose: Beyond the Voluntary v. Forced Prostitution Dichotomy,' Jo Doezema develops a critique of the forced/voluntary binary in contemporary feminist debates on trafficking and sex work. Doezema observes that 'No international agreement condemns the abuse of human rights of sex workers who were not 'forced'.'<sup>24</sup> In other words, Doezema argues, although all prostitution exists within the nexus of force and choice, rather than existing on one side or the other of a strict binary, only prostitutes who have been 'forced' can claim a sanctioned right to be free from abuse. Furthermore, in respecting the right of sex workers' rights organisations to lobby for themselves, it is more feasible, in terms of international law, to gain support for negative rights claims (that argue for a woman's right to be free from coerced prostitution) rather than arguing for positive rights claims and challenging the structures, institutions, and people that violate sex workers' human rights, including the right to be free from violence. In effect, the forced—voluntary dichotomy used in lobbying for specific language and protections within human rights instruments constructs two very distinct sets of sex workers: 'forced' sex workers, and 'voluntary' sex workers. More often than not, 'forced' sex workers are represented as most likely living and working in the Global South, having been abducted and sold into the industry, or having had no choice but to enter it through their own economically impoverished circumstances. However, 'Western' (read: Global North) sex workers, embody the epitome of Western libertarian sexual mores and privilege, and make 'free' choices to enter the trade. According to Doezema's argument, tropes of guilt and innocence inform these constructions such that 'forced victims' of prostitution are worth saving, while women who

'choose' sex work remain unaddressed, or worse, penalised. Reminiscent of Chandra Mohanty's formulation of 'third world women's' construction as 'a homogeneous "powerless" group often located as implicit *victims* of particular socioeconomic systems,'<sup>25</sup> forced prostitutes are portrayed as helpless, unwitting and non-Western, while voluntary sex workers are seen as unrepentant, agitative, immoral and 'western'.

In her introductory essay to the collection, entitled 'Globalizing Sex Workers' Rights', Kamala Kempadoo makes a pointed critique for why this binary has been so persistent in some feminist formulations of sex work worldwide. Citing Coalition Against Trafficking in Women (CATW) founder Kathleen Barry's seminal work in the formation of the abolitionist feminist position on prostitution,<sup>26</sup> she recalls that Barry constructs a 'hierarchy of stages of patriarchal and economic development', such that trafficking of women occurs in the 'first stage' and is located in 'pre-industrial and feudal' societies; developed, post-industrial economies are placed at the other end of this scale, and women in these contexts are deemed able to lead economically autonomous lives:

Quite simply and without shame, [Barry] evokes an image of non-Western women that various Third World feminists have identified as common to much Western feminist theorising. The Third World/non-Western woman is positioned in this discourse as 'ignorant, poor, uneducated, tradition bound, domestic, family-oriented, victimized, etc.' and is conceptualised as leading a 'truncated' sexual life.<sup>27</sup>

She is not yet a 'whole or developed' person, but instead resembles a minor needing guidance, assistance and help. The construct stands in opposition to that of the Western woman who is believed to have control over her income, body and sexuality: the emancipated, independent, post-modern woman.<sup>28</sup>

This critique provides a framework throughout the essays for understanding how certain Western feminist theorists writing on prostitution are able to construct an excess of vulnerability to violence *vis-à-vis* women living in the Global South. The essays, in *Global Sex Workers*, which span the experiences of sex industries and sex workers' rights organising in Cuba, Japan, Malaysia, India, Australia, Thailand, Cote d'Ivoire, Suriname, Ecuador, South Africa, Brazil, Senegal, the Dominican Republic and the USA, are consciously located within this post-colonial, anti-abolitionist framing.

In offering many examples of different kinds of sex workers' rights initiatives, *Global Sex Workers* is able to comment in some detail on the politics of 'trafficking' and state-level anxieties about greater numbers of poor migrant workers crossing borders in search of sustainable livelihoods. As *Sex Work* argues that the domestic criminalisation of women engaged in sexual commerce contributes to their vulnerability to violence within it, *Global Sex Workers* argues that the criminalisation of migration contributes to greater abuses of migrants, including a rise in the numbers of people

trafficked across international borders. In her essay 'Debt Bondage and Trafficking: Don't Believe the Hype', Alison Murray argues, 'It is the prohibition of prostitution and restrictions on travel which attract organised crime and create the possibilities for large profits, as well as creating the prostitutes's need for protection and assistance'.<sup>29</sup> This analysis of increased vulnerabilities of migrants is deployed within a critique of economic globalisation which, as many have observed, decreases border restrictions to capital, while increasing restrictions on travel to migrants, especially in the context of heightened security states, instituted to provide protection against international 'terrorism'.

*The Sex Sector: The Economic and Social Bases of Prostitution In Southeast Asia*,<sup>30</sup> published in the same year as *Global Sex Workers*, puts forward the notion of prostitution in Southeast Asia as constituting its own bounded and quantifiable economic sphere. It is unique in its consistent representation of prostitution within the context of informal-sector economic activity. Presenting case studies from Indonesia, Malaysia, the Philippines and Thailand, *The Sex Sector* describes the history of prostitution in the red-light areas of major cities in each country, and offers macropolitical and economic contexts for the informal sector, in general, and prostitution, in particular, in each place. These include discussion of the localised histories of colonialism or military intervention, as well as the development of urban centres in the Global South, and how these have interacted over time to form contemporary relationships between, for example, local military, often US, bases, growing cities and industrial areas, and the ways in which prostitution fits into the local economy. Lim, who begins the book by arguing that the 'sex sector' is growing at a significant pace in Southeast Asia, notes that certain economic and development policies may have,

influenced the proliferation of the sex sector through their impact on, for example, the availability of viable remunerative employment alternatives for the poorly educated or unskilled, the marginalisation of significant elements of the labour force, the increasingly adverse terms of trade between rural and urban areas, growing income inequalities and their cumulative socio-economic consequences, and the strategies adopted by poor families for survival, especially in the absence of social safety nets.<sup>31</sup>

Given the meticulous nature of the four case studies, the chapter on child prostitution stands in sharp contrast. In this formulation, whereas adults may engage as viable agents in the sex sector, and this engagement is understood to be contextualised by a host of historical and economic factors, children are not able to do so. While Lim is consistent in referring to children in the sex industry as practising a form of child labour, *The Sex Sector* is also consistent with the International Labour

Organization's position that child labour should ultimately be abolished. Whereas there is relatively little mention of 'violence' and vulnerability in the rest of the book, the chapter on child prostitution is dominated by claims about the various vulnerabilities to which children in particular are subjected, and how they may be best protected. And whereas the language of passivity and powerlessness is absent from the rest of the text, children are consistently referred to as 'victims' in this chapter, even while some economic contexts described make it clear that some children, as well as adults, take on the responsibility of migrating for work and sending remittances to parents and relatives in their villages.

This discursive shift is emblematic of the ways in which the notions of violence and vulnerabilities are cast consistently, across discourses. While feminist debates are polarised and even, in some instances, acrimonious about the issue of 'prostitution as labour' versus 'prostitution as violence', all strains of the debate construct its most vulnerable subjects in need of rescue and protection. The issue of children who sell sex continues to be highly problematic and contested, in part due to the significant numbers of minors engaged in sexual commerce, both episodically and exclusively, throughout the world. While progressive feminist positions prioritise sex workers speaking and advocating for themselves, the degree to which children are seen as possessing the ability to do this is debatable and, in practice, uneven. Some argue that debates on child labour and harm reduction should inform questions around child prostitution as well; however, for advocates and organisations which argue that no child should work, all other issues regarding children's right to autonomy and agency, especially in prostitution, are set aside.<sup>32</sup>

Lorraine Nencel's *Ethnography and Prostitution in Peru*<sup>33</sup> takes a slightly different tack from the other four texts. In one of the most recently published 'ethnographies of prostitution' as such, Nencel discusses the many social, political and disciplinary intersections that inhere in doing research on prostitution, and raises an important possibility for researchers about the merits of using ethnography to describe the complexities of the many social and political dynamics at work in the practice of prostitution in everyday life. These merits include the ability to deal analytically with questions of intersubjectivity and power in field research, as well as using a much more expansive research lens than other methodologies may offer. Her analysis foregrounds not only the ways in which prostitution is practised and represented in Peru, but also the ways in which research on prostitution inevitably participates in larger forms of gendered social organisation and control:

My co-participants [in the study] made me realise that those who work with prostitutes or are interested in their well-being cannot escape from appropriating

a discourse embedded with gender meanings that is predestined to contribute to the marginalisation or stigmatisation of women-who-prostitute.<sup>34</sup>

This insight has consequences for how violence, danger and vulnerability can be understood through the practice of social science research that is also contextualised, historicised and lived.

Nencel begins the book with a discussion of the history of the debate on prostitution in Peru. She highlights concerns around public health and social purity in the nineteenth century, which informed many of the initial efforts to legislate and regulate paid sex. While the other texts all have a concern with health, especially given that HIV/AIDS prevention has informed, and funded, much of the contemporary work in this area, Nencel's detailed explication of the historical debates regarding 'social purity' and contemporary representations of prostitutes in Peru as vectors of infectious disease is interesting. In the Peruvian discourse, and elsewhere, negative health effects on women in the sex industry that arise as a result of their work are figured as violations of bodily integrity, and therefore as 'violent'. Historically, health, especially public health, was the first discursive zone in which the regulation of prostitution was debated, justified and defined. The priorities in the public health discourse were clear in that prostitution was to be regulated to minimise the negative health effects of the business on the well-being of the middle class, respectable 'public'. According to this argument, the 'public' needed protection from the negative health consequences of prostitution (hence the need for compulsory health check-ups of female sex workers and condom promotion) while prostitutes themselves were seen to need protection from the violence, which was assumed to be inherent to the practice. Over time, as feminists argued that health discourses should be seen as anti-violence discourses as well, and health increasingly became an anti-violence issue (especially in the context of domestic violence), sex workers also seemed to need public-health protections. The many elisions between disease, violence and exploitation in the development of this debate are clear through Nencel's analysis, especially given the overall currency of HIV/AIDS prevention strategies that are used for more generalised health promotion and violence prevention.

### **'Trafficking' and prostitution**

The foil for progressive advocacy on prostitution in any mode can be found in the agglomeration of anti-trafficking positions and interventions. Some anti-trafficking organisations have produced a significant body of survey research on the issue, some of which has been undertaken in partnership with government agencies, for the purpose of demonstrating that the problem of 'trafficking in women' and 'the flesh trade' is epidemic.

A 2002 study on trafficking and migration in five countries conducted by the Coalition Against Trafficking in Women (CATW) is one example.<sup>35</sup> That the study frames its methods and findings in terms of 'migration' reflects contemporary feminist interventions that recast the abducted/trafficked victim perspective within a more contextualised understanding of how and why young women migrate from rural to urban settings in search of paid work. However, the authors are clear that the use of the term can in no way imply 'sympathy' with the position that migration for the purpose of joining the sex industry can be 'free of coercion':

Although this project locates sex trafficking within the migration process, it is the exploitation and not the movement across a border that is the essential violation of trafficking. We do not accept emerging arguments that redefine and seek to legitimate prostitution as 'sex work,' promoting the view that regularizing 'migration for sex work' is one antidote to sex trafficking. *Likewise it is our contention that trafficking cannot be separated from prostitution ...* Although this report examines trafficking within the context of both international and national migration trends, this does not mean that trafficking should be viewed simply in the context of migration. Rather, as this report documents, *trafficking is an issue of violence against women, a human rights violation, an economic and development issue, and a crime in which traffickers – not the women – are the perpetrators.*<sup>36</sup>

This statement recalls several critiques discussed earlier; in brief, it is a call to further criminalise sex workers, which in turn drives the selling of sexual services further underground. According to Lim, being further underground has consequences which include being further away from education, health care and legal advocacy which may otherwise be available to sex workers in any given locality.<sup>37</sup> The conflation of 'trafficking', 'prostitution' and 'violence against women' has also been subject to critique for its promotion of an imagined rural ideal for women living in the 'third world'. The polarities of victimhood and 'real choice' are juxtaposed in this study, for example, such that the 'real choice' to engage in prostitution is impossible, given the contexts of poverty, lack of education and other resources in many source areas for women in the sex industry in the Global South. The authors argue that, given these contexts, women in the Global South are actually engaged in 'survival strategies, not real choices'.<sup>38</sup> 'Real choice' seems to be an abstracted ideal here, like the idealised image of village life as a haven for young women, existing outside the web of social forces that structure all aspects of livelihood and economic survival. The need to 'protect women', according to this perspective, and why a stated 'choice' to enter the sex industry is deemed an act of false consciousness, is inextricably tied to the question of violence:

Trafficked and prostituted women in the sex industry suffer the same kinds of violence and sexual exploitation as women who have been battered, raped and

sexually assaulted. The difference is that when women are subjected to this same kind of violence and sexual exploitation in prostitution, it is viewed as 'sex,' and often tolerated as part of the 'job'. The findings of this study reveal that violence is endemic to the 'sex' of prostitution and traps women in the system of prostitution.<sup>39</sup>

Beyond acts of battery and physical assault, the act of sex in the context of prostitution itself is represented as violence. In this account, all other possibilities, histories and experiences of prostitution are foreclosed, and violence and prostitution are both folded into extant feminist notions of violence against women with regard to rape and domestic battery. In effect, this position forecloses the possibility of an effective speaking subject.<sup>40</sup> As discussed previously with reference to Nepal, this position has been used symbiotically with the attempts by many governments at managing migration across international borders.

## Conclusion

The progressive work on prostitution discussed in this essay offers a means of tracing the development of a position, which explains violence in the context of structuring forces for prostitution, rather than seeing prostitution as existing within the context of violence. Taken together, the texts accomplish several key discursive interventions. Most significantly, they succeed in disaggregating 'trafficking', 'prostitution' and 'violence'. The texts also serve to complicate the fairly flattened representations of 'choice', 'force' and 'agency' that increasingly permeate the debates on the nature of paid sex. None of the texts attempt to make a linear argument 'against' compulsion and 'for' agency in any given context for selling sex, advocating instead for a understanding that power and powerlessness exist dialectically. The overall process of attempting to delineate strong arguments for and against the abolitionist position has given rise to centring the notion of 'choice' along with treatments of 'violence'. Perhaps indicative of the almost pathological status which sex workers occupy in public discourses on sexual commerce, much of the debate centres on the distinction between 'forced' versus 'voluntary' sex work, as if all of the problems and conditions of participating in prostitution begin and end with the moment of recruitment or entry into the trade. The fixation on 'why' an individual is engaged in selling sex rests uneasily with the growing trend among sex workers' rights organisations that set priorities and agendas based on 'how' sexual commerce is engaged in daily life.

Rather than putting forth a polemic of 'violence' that is 'never', as opposed to 'always', experienced by sex workers, the authors of these five texts, and the strains of the literatures and discourses in which they are writing, suggest a more expansive definition of violence itself. This more expansive definition includes considering structural concerns, such

as class, education and even infrastructure, and could accommodate the incorporation of the frameworks of economic, cultural and social rights into potentially productive interventions in the practice of sexual commerce. This definition of 'violence' could also include a less binary understanding of 'force' and 'choice', such that actions conducted under the rubric of 'choice' can also carry with them elements of physical violence. This kind of understanding of 'violence' potentially decentres sexuality as the arena of greatest privacy and intimacy, and therefore of greatest unqualified vulnerability. Ultimately, an analytical perspective responsive to myriad ways in which individuals are subject to bodily harm, necessitates active, participatory and speaking subjects.

## Notes

The author gratefully acknowledges the close reading and insightful comments provided by Shani D'Cruze, Anupama Rao and Penelope Saunders in preparation of this article. All shortcomings in the piece remain my own.

1. There is a growing literature on 'rescue and rehabilitation' strategies directed at sex workers, which is also discussed further on in this essay. Most of this literature points out that the practice of 'rescuing' female sex workers often involves removing people involuntarily from brothels, and often results in women and girls being separated from friendship and kin networks. Equally problematic is the state of some remand homes, to which women are transported, which may not have adequate resources to house, clothe and feed inmates who do not retain the right to leave at their own choosing. Other instances of abolitionist interventions resulting in increased state regulation and control involve the involuntary 'repatriation' of women working in red-light areas, e.g. the repatriation of Nepali sex workers from India to Nepal. The Nepal/India border is now highly regulated against allowing female migrants from Nepal to cross over if they 'seem as though' they may become sex workers elsewhere. Reports and analysis of these kinds of practices can be found through the Global Alliance Against Trafficking in Women (<<http://www.gaatw.org>>), the Network of Sex Work Projects (<<http://www.nswp.org>>), Human Rights Watch (<<http://www.hrw.org>>) and in *Re/productions* 2 1999. (<<http://www.hsph.harvard.edu/Organizations/healthnet/SAsia/repro2/issue2.htm>>).
2. The most recent International Labour Organization usage of the term 'sex work' was in 2002, in its statement to the UN Commission on Human Rights, entitled 'Migrant Workers, Protection of Human Rights in the Context of HIV/AIDS, and Indigenous Issues'.
3. Judith Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London* (London: Virago, 1992).
4. Mary Ann Irwin, "White Slavery" as Metaphor: Anatomy of a Moral Panic', *Ex Post Facto: The History Journal* 5 (1996), available at <<http://www.walnet.org/csis/papers/irwin-wslavery.html>>.
5. Laura Briggs, *Reproducing Empire: Race, Sex, Science and U. S. Imperialism in Puerto Rico* (Berkeley: University of California Press, 2002), p. 22.
6. Ann Laura Stoler, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule* (Berkeley: University of California Press, 2002).
7. Philippa Levine, *Prostitution, Race and Politics: Policing Venereal Disease in the British Empire* (New York and London: Routledge, 2003). Levine's work invokes the literature on regulations of sex and sexuality as integral to the project of empire, including Kenneth Ballhatchet's *Race, Sex, and Class Under the Raj: Imperial Attitudes and Policies and their Critics, 1793–1905* (London: Weidenfeld & Nicolson, 1980).

8. Frédérique Delacoste and Priscilla Alexander (eds), *Sex Work: Writings by Women in the Sex Industry* (Pittsburgh: Cleis Press, 1987); Carolyn Sleightholme and Indrani Sinha, *Guilty Without Trial: Women in the Sex Trade in Calcutta* (Calcutta: Stree Press, 1996); Lin Lean Lim (ed.), *The Sex Sector: The Economic and Social Bases of Prostitution in Southeast Asia* (Geneva: International Labour Office, 1998); Jo Doezema and Kamala Kempadoo (eds), *Global Sex Workers: Rights, Resistance, and Redefinition* (New York: Routledge, 1998); Lorraine Nencel, *Ethnography and Prostitution in Peru* (Sterling: Pluto Press, 2001).
9. Frédérique Delacoste and Priscilla Alexander (eds), *Sex Work: Writings by Women in the Sex Industry* (Pittsburgh: Cleis Press, 1987).
10. Lisa Duggan and Nan D. Hunter, *Sex Wars: Sexual Dissent and Political Culture* (New York: Routledge, 1995).
11. Rosie Summers, 'Prostitution', in Frédérique Delacoste and Priscilla Alexander (eds), *Sex Work: Writings by Women in the Sex Industry* (Pittsburgh: Cleis Press, 1987), p. 117.
12. Jane Smith, 'Making Movies', in Frédérique Delacoste and Priscilla Alexander (eds), *Sex Work: Writings by Women in the Sex Industry* (Pittsburgh: Cleis Press, 1987), p. 140.
13. Jill Nagle (ed.), *Whores and Other Feminists* (New York: Routledge, 1997).
14. Carole, 'Interview with Barbara', in Frédérique Delacoste and Priscilla Alexander (eds), *Sex Work: Writings by Women in the Sex Industry* (Pittsburgh: Cleis Press, 1987), pp. 173–74.
15. Priscilla Alexander, 'Prostitution: Still a Difficult Issue for Feminists', Frédérique Delacoste and Priscilla Alexander (eds), *Sex Work: Writings by Women in the Sex Industry* (2nd edition; Pittsburgh: Cleis Press, 1998), p. 185.
16. Gail Pheterson, 'The Social Consequences of Unchastity', in Frédérique Delacoste and Priscilla Alexander (eds), *Sex Work: Writings by Women in the Sex Industry* (Pittsburgh: Cleis Press, 1987).
17. Jo Doezema and Kamala Kempadoo (eds), *Global Sex Workers: Rights, Resistance, and Redefinition* (New York: Routledge, 1998).
18. Carolyn Sleightholme and Indrani Sinha, *Guilty Without Trial: Women in the Sex Trade in Calcutta* (Calcutta: Stree Press, 1996).
19. Philippa Levine, *Prostitution, Race, and Politics: Policing Venereal Disease in the British Empire* (New York: Routledge, 2003).
20. Along with the DMSC, several other organisations in India have been engaged in long-term campaigns for the rights of sex workers, most notably, SANGRAM in Maharashtra, and the National Network of Sex Workers, based in New Delhi.
21. For more on the Bill and the system of rescuing 'abducted' Hindu and Muslim women following partition, see Ritu Menon and Kamla Bhasin, *Borders and Boundaries: Women in India's Partition* (New Brunswick: Rutgers University Press, 1998). A key point of comparison between contemporary efforts to rescue sex workers from brothels and the rescue of women in the aftermath of partition is the lack of rights of *habeas corpus* accorded to rescued women.
22. This analysis is in tandem with the work of Sea Ling Cheng on human rights violations meted out by non-governmental organisations that includes doing rescue and rehabilitation work among their other activities. In discussing her work on 'trafficked Filipinas' in South Korea, she argues that some NGOs' interventions amount to gathering data such as life-history interviews on female migrants without providing or making available needed social services to the community. (Sea Ling Cheng, 'The Traffic in "Trafficked" Women: A Critical Ethnography on Transnational Feminist Activism'. Paper given as part of the Program for the Study of Sexuality, Gender, Health and Human Rights University Seminar Series, Columbia University, 31 March 2004.)
23. Jo Doezema and Kamala Kempadoo (eds), *Global Sex Workers: Rights, Resistance, and Redefinition* (New York: Routledge, 1998).
24. Jo Doezema and Kamala Kempadoo (eds), *Global Sex Workers: Rights, Resistance, and Redefinition* (New York: Routledge, 1998), p. 13.

25. Chandra Talpade Mohanty, 'Under Western Eyes: Feminist Scholarship and Colonial Discourses', in Chandra Talpade Mohanty, Ann Russo, and Lourdes Torres (eds), *Third World Women and the Politics of Feminism* (Bloomington: Indiana University Press, 1991), p. 56.
26. Kathleen Barry, *Female Sexual Slavery* (New York: New York University Press, 1984).
27. Chandra Talpade Mohanty, 'Under Western Eyes: Feminist Scholarship and Colonial Discourses', in Chandra Talpade Mohanty, Ann Russo, and Lourdes Torres (eds), *Third World Women and the Politics of Feminism* (Bloomington: Indiana University Press, 1991), p. 57, cited in Kamala Kempadoo, 'Globalizing Sex Workers' Rights,' in Jo Doezema and Kamala Kempadoo (eds), *Global Sex Workers: Rights, Resistance, and Redefinition* (New York: Routledge, 1998), p. 8.
28. Kamala Kempadoo, 'Globalizing Sex Workers' Rights', in Jo Doezema and Kamala Kempadoo (eds), *Global Sex Workers: Rights, Resistance, and Redefinition* (New York: Routledge, 1998), p. 11.
29. Alison Murray, 'Debt-Bondage and Trafficking: Don't Believe the Hype', in Jo Doezema and Kamala Kempadoo (eds), *Global Sex Workers: Rights, Resistance, and Redefinition* (New York: Routledge, 1998), pp. 51–64.
30. Lin Lean Lim (ed.), *The Sex Sector: The Economic and Social Bases of Prostitution in Southeast Asia* (Geneva: International Labour Office, 1998).
31. Lin Lean Lim (ed.), *The Sex Sector: The Economic and Social Bases of Prostitution in Southeast Asia* (Geneva, International Labour Office, 1998), p. 11.
32. For a focused critique of the ways 'children' are constructed within discourses on sex work, please see 'From Identity to Acronym: How Child Prostitution became the Commercial Sexual Exploitation of Children', in Elizabeth Bernstein and Laurie Shafner (eds), *Regulating Sex: The Politics of Intimacy and Identity* (New York: Routledge, forthcoming), pp. 176–189.
33. Lorraine Nencel, *Ethnography and Prostitution in Peru* (Sterling: Pluto Press, 2001).
34. Lorraine Nencel, *Ethnography and Prostitution in Peru* (Sterling: Pluto Press, 2001), p. 4.
35. Janice G. Raymond, Jean D'Cunha, Siti Ruhaini Dzuhayatin, H. Patricia Hynes, Zoraida Ramirez Rodriguez and Aida Santos, *A Comparative Study of Women Trafficked in the Migration Process* (Coalition Against Trafficking in Women, 2002), p. 10. Available at: <<http://catwinternational.org/>>.
36. Janice G. Raymond, Jean D'Cunha, Siti Ruhaini Dzuhayatin, H. Patricia Hynes, Zoraida Ramirez Rodriguez and Aida Santos, *A Comparative Study of Women Trafficked in the Migration Process* (Coalition Against Trafficking in Women, 2002), pp. 3–4. Available at: <<http://catwinternational.org/>>.
37. Lin Lean Lim (ed.), *The Sex Sector: The Economic and Social Bases of Prostitution in Southeast Asia* (Geneva: International Labour Office, 1998).
38. Jean D'Cunha, in Janice G. Raymond, Jean D'Cunha, Siti Ruhaini Dzuhayatin, H. Patricia Hynes, Zoraida Ramirez Rodriguez and Aida Santos, *A Comparative Study of Women Trafficked in the Migration Process* (Coalition Against Trafficking in Women, 2002), p. 133. Available at: <<http://catwinternational.org/>>.
39. Janice G. Raymond, Jean D'Cunha, Siti Ruhaini Dzuhayatin, H. Patricia Hynes, Zoraida Ramirez Rodriguez and Aida Santos, *A Comparative Study of Women Trafficked in the Migration Process* (Coalition Against Trafficking in Women, 2002), p. 61. Available at: <<http://catwinternational.org/>>.
40. Penny Saunders, 'Traffic Violations: Determining the Meaning of 'Violence' in Sexual Trafficking Versus Sex Work', forthcoming in *The Journal of Interpersonal Violence*.

Copyright of Gender & History is the property of Blackwell Publishing Limited and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.