

## **Sex workers and Violence Against Women : Utopic Visions or Battle of the Sexes?**

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*Laura M<sup>a</sup> Agustín uncovers some of the myths around sex workers and the men engaging their services within the context of building a movement to end 'violence against women'. She argues that totalizing all experiences of prostitution with a view to punishment and criminalization does not work and advocates a much more visionary and pluralistic approach.*

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### **Sexual exploitation and prostitution**

In the movement to construct a discourse of 'violence against women', and thus to raise consciousness about kinds of mistreatment which before were invisible, the stage has been reached where defining crime and achieving punishment appears to be the goal. While it is progressive to raise consciousness about violence and exploitation in an attempt to deter the commitment of crimes, I hope to show that the present emphasis on discipline is very far from a utopic vision and that we should now begin to move toward other suggestions for solutions.

The following argument uses the example of prostitution or 'sexual exploitation' as an instance of 'violence against women', but the approach can apply to any attempt to deal with not only definitions of gender and sexual violence but with proposals to deal with them. When applied to adult prostitution, the term 'sexual exploitation' attempts to change language to make 'voluntary' prostitution impossible. For those who wish to 'abolish' prostitution, therefore, this change in terms represents progress, for now language itself will not be complicit with the violence involved. For those who may or may not want to 'abolish' prostitution but who in the present put the priority on improving the everyday lot of prostitutes, this language change totalizes a variety of situations involving different levels of personal will and makes it more difficult to propose practical solutions. When applied to the prostitution of children, the term 'sexual exploitation' represents a project to change perceptions about childhood. For those who believe that the current western model of childhood as a time of innocence should become the 'right' of all children in the world, this term is very important.

### **Criminalization of clients**

Efforts to change sexist, racist and other discriminatory forms of language have long been a focus of projects of social justice in western societies, and the push to define 'violence against women' clearly forms part of this movement. Along with this, we see a strong move to have actions that fall within these new definitions proclaimed as crimes and their perpetrators punished. If prostitution is globally redefined as sexual exploitation (by 'globally' I mean that no distinctions are made according to whether prostitutes say they 'chose' sex work to any extent), therefore, all those who purchase sexual services, called usually 'clients', become 'exploiters'.

Obviously, different terms function better or coincide more with different situations, but when social movements consciously work to change language they almost inevitably eliminate these differences. Since there are still plenty of places in the world where prostitutes are

simplistically viewed as evil, contaminated, immoral and diseased, campaigns to change language so as to see the lack of choice and elements of exploitation in prostitutes' situations are positive efforts to help them. Why, then, do these positive efforts have to be based on finding a different villain, to replace the old one?

I am referring to the discipline-and-punishment model that these efforts to change language and change perception inevitably use: in constructing a victim they also construct a victimizer—the 'exploiter', the bad person. After that, it is inevitable that punishment becomes the focus of efforts: passing laws against the offense and deciding what price the offender should pay. This model of 'law and order' is familiar to most of us as an oppressive, dysfunctional criminal justice system. We know that prisons rarely rehabilitate offenders against the law; we know that in some countries prison conditions are so bad that riots occur frequently, and if they don't, perhaps they should. We also know that it is usually extremely difficult to prove sexual offenses (because of how the law is constructed, because of the difficulty of all these definitions of victimization, because legal advice can find ways out, etc.). Yet we continue to insist on better policing and more effective punishment, as though we didn't know all of this.

### **International regulations on trafficking and sexual exploitation**

My own work examines both the discourses and the practical programming surrounding the European phenomenon of migrant prostitution, the term used to describe non-Europeans working in the European sex industry (and, indeed, everyone who travels from one place to another in that vast network of diverse businesses). In most countries of the European Union, migrants appear now to constitute more than half of working prostitutes, and in some countries possibly up to 90 percent (Tampep, 1999). This situation has caused a change in the thinking on violence: now 'traffickers' of sex workers are discussed more than their clients. Because so many of the migrants come from 'third world' countries, 'trafficking' discourses have become a forum for addressing 'development' projects such as structural adjustment policies of the International Monetary Fund. But the more active debates have concerned violence, in a way that constructs them as organized crime.

One of the fora of this highly conflictive discussion was the United Nations Commission for the Prevention of Crime and Penal Justice, which met various times in Vienna to elaborate protocols on the trafficking of migrant workers. Two distinct lobbying groups argued over definitions of words such as consent, obligation, force, coercion, deceit, abuse of power and exploitation. Two distinct protocols were produced, one which applies to the 'trafficking of women and children' while the other to 'smuggling of migrants'. The gender distinction is clear, expressing a greater disposition of women --along with children-- to be deceived (above all about sex work), and also expressing an apparently lesser disposition to migrate. Men, on the other hand, are seen as capable of migrating but of sometimes being handled like contraband, thus the word agreed on is not trafficking but smuggling. The resulting protocols now form part of the *UN Convention Against Transnational Organized Crime* (UN, 2000), which member countries will debate individually and decide to sign or not.

What is the problem? In an effort to save as many victims as possible, the protocols totalize the experience of all women migrants working in the sex industry, and all those who help them migrate—a wide array of family, friends, lovers, agents and entrepreneurs, as well as small-time delinquents and (probably, but this is not proved) big-time criminal networks—are defined as traffickers. Every kind of help, from preparing false working papers, visas or passports to meeting migrants at the airport and finding them a place to stay, is defined as the crime of trafficking.

The *Coalition Against Trafficking in Women* (CATW) specifically tries, both at the Vienna meetings and internationally, to fuse the two concepts of ‘trafficking’ and ‘prostitution’ and to define them both as crimes of violence against women. Not only everyone who helps people migrate and work in the sex industry but everyone who buys sexual services ends up defined as an exploiter, a rapist and a criminal. CATW favours legislation to penalize clients of prostitutes (CATW, 2000).

### **The booming sex market**

The problem with proposing the penalization of sexual ‘exploiters’, or clients of prostitutes, comes from the magnitude of the phenomenon, which is almost never confronted. Statistics are unreliable for all sectors of an industry overwhelmingly unrecognized legally or in government accounting, and which operates informally and relies on bribes, legal loopholes and facades. However, we can understand from the many studies of different aspects of the sex industry that it is booming. Prostitution and exploitation sites are so numerous everywhere that customers cannot be exceptional cases (yet they are often spoken of as if they were ‘perverts’ or ‘deviants’). Rather it is clear that adult and adolescent men everywhere consider it permissible to buy sexual services, and some estimates calculate that most men do it at some time in their lives.

More than 20 years ago, one Roman prostitute calculated this way:

Rome was known to have 5,000 prostitutes. Let’s say that each one took home at least 50,000 liras a day. Men don’t go more than once a day. That means that for someone who asked 3,000 liras in a car, to arrive at 50,000 she had to do a lot, maybe twenty or so. Figure it out, 20 times 5,000 comes to 100,000 clients. Since it’s rare for them to go every day, maybe they go once or twice a week, the total comes to between 400,000 and 600,000 men going to whores every week. How many men live in Rome? A million and a half. Take away the old men, the children, the homosexuals and the impotent. I mean, definitely, more or less all men go. (Cutrufelli, 1988: 26, *author’s translation*)

A French report calculated in 1977 that an average of 40,000 men a day have sexual relations with prostitutes (Crimi, 1979). In 1996, a Spanish NGO estimated that 300,000 prostitutes might have three clients a day, making a million buying sexual services every day in Spain (Hernández Velasco, 1996). Other measures may demonstrate the size of the clientele: counts of the number of overt sex businesses, figures on users registered at Internet commercial sex sites, condom sales in sex establishments, turnover of vehicles at a given business site, etc.

The fact that practically none of these consumers acknowledge what they are buying should not distract us. Millions of men lie every day about this aspect of their lives, to someone: wives, friends, girlfriends, children, and themselves. This is a powerful amount of bad faith or bad karma, but do we want to put all these people in jail?

### **Changing attitudes to sex and power**

Far from a utopic vision of freedom and equality for all people, what is being constructed here would have vast numbers of otherwise conventional people locked up or otherwise punished. Perhaps if the history of the penal justice system were more positive, we could say it would be worth it to get the cleaner, better society awaiting us afterward. But there is no such history in general; societies seem to be resigned to recidivist crime and unrehabilitated criminals. So why do we go on pretending prison works?

A focus on defining crimes and letting people know they are at risk of arrest for committing them furthermore relies on a theory of ‘deterrence’; that is, that potential criminals will not commit crimes if they know they may be punished for them. Conclusive evidence does not exist to show that this theory works, however, and perhaps least of all with sexual crimes. Many sexual activities are technically against the law, in both third and first world countries, but continue to be widely practiced, tolerated and accepted socially. There are States that forbid oral or anal sex or sadomasochism or homosexuality, but motivated people continue to engage in these practices. This is not to say that sexual exploitation or violence are the same as such practices but to demonstrate that penalizing sexual activities has a long history of failure. Above all, social efforts to abolish prostitution and penalize clients (in Europe and North America, where it might be thought possible) have failed for 200 years. Those involved simply move to less visible locations.

So where are the proposals that show a real utopian vision, of societies and cultures where exploitation is not routine? There do not seem to be many, as most projects make no attempt to work with victimizers/clients themselves as subjects. The proponents of this particular social change are largely women, and on this subject they distance themselves from men, making them potential criminals impossible to study, reason with or include in building a better world. This simplification also obscures the role of the many women who participate in exploitation/prostitution as procurers, business owners, managers and clients, as well as disappearing the fate of many male victims who deserve to be seen as needing support or help.

My suggestion is that we begin to move on to proposals that would work directly with people at all levels to change attitudes to sex and power. The changes would involve how we conceive of our personal desires and our potential power over others—absolutely fundamental changes. Thinking this way moves us away from classic prostitution debates and battles (a welcome relief) but also proposes to include ‘the other half’ of the problem in projects for change. Many of those working on the ground with victims of sexual exploitation cannot conceive of working with victimizers, whether they are sex business owners, taxi drivers or clients. But it should be remembered that not so long ago prostitutes were thought to be morally lax and contaminated, recalcitrant and generally unredeemable. That attitude has been changing, so we might contemplate possible change with those who exploit and commit violent acts, too.

If language is important to social movements, then the language being heard widely on the subject of sexual exploitation and prostitution needs reshaping. At the moment what is heard is disciplinary, which may make sense in the short run, but what we need are long-run, hopeful visions that do not continue to divide the world into two gendered camps in the traditional battle of the sexes.

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