

# Prostitution, Trafficking and A Conversation with

INTERVIEW CONDUCTED BY ANGELA MILES

*Cet article rend compte d'une entrevue avec la co-directrice de la Coalition contre le trafic des femmes dans laquelle le contexte politique du débat sur la prostitution et le trafic des*

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*femmes est examiné ainsi que la prise de position en général de la Coalition sur les problèmes afférents.*

Janice G. Raymond is Professor Emerita of Women's Studies and Medical Ethics at the University of Massachusetts in Amherst and Adjunct Professor of International Health in the School of Public Health at Boston University. She is also Co-Executive Director of the Coalition Against Trafficking in Women, an international NGO having Category II Consultative Status with ECOSOC, and with branches in most world regions.

AM: *I'm very pleased to have the opportunity to talk with you about the Coalition Against Trafficking in Women and the political context within which the struggle against prostitution and trafficking is happening as you see it. I'd like to start by asking you about the Coalition's general positions on the issues involved.*

JR: The Coalition Against Trafficking in Women (CATW) believes that it's a fundamental human right to be free of sexual exploitation in all its forms. Specifically, we work on issues of prostitution and trafficking within the context of opposing the global sex industry that is systematically violating women's rights on an ever increasing scale. I'll talk a little bit about some of our principles and philosophy because these underlie the rest of what I'll say.

The sex industry functions as a multinational industry, supporting prostitution and trafficking, the mail order bride industry, and sex tourism in many parts of the world. Many progressives who believe that globalized capitalism is a structural problem fostering inequality have a strange reluctance to criticize the sex industry. However, if we don't confront the sex industry, we will never adequately

confront the structural problems surrounding sexual exploitation.

Legally, CATW believes in de-penalizing the women in prostitution but in penalizing the so-called customer or buyer, and anyone who promotes prostitution and sexual exploitation, particularly traffickers, pimps and procurers. Sexual exploitation violates the human rights of anyone subjected to it, whether female or male, adult or child, from the north or the south. We make no distinction between the sexual exploitation of children and the sexual exploitation of adult women, in the sense that both, we maintain, should be actionable. Obviously there are distinctions between women and children. Women are not children and should not be treated as such. But it makes no sense only to make actionable the sexual exploitation of children when you consider that the average age of prostitution worldwide is 13 or 14. A girl's violation doesn't magically become a choice on the day she turns 18.

Sexual exploitation preys on women and children made vulnerable by poverty, by economic development policies and practices, and by traffickers who capitalize on restricted migration policies. As countries become more and more restrictive in their migration policies and practices, traffickers are the ones who have the consistent ability to facilitate migration for sexual exploitation and forced labour.

The Coalition works from the point of view that sexual exploitation eroticizes women's inequality, and that this is the basic attraction on the demand side. There is no supply without demand, and we believe that laws should not only focus on the pimps and the traffickers but also on the so-called customer. At the same time, no law will address the problems of trafficking and prostitution unless resources and economic alternatives are provided to women. Women will never find alternatives to prostitution unless resources and assistance are provided by governments. CATW has partner projects in several countries that provide housing, financial assistance and resources to help women out of prostitution.

Essentially, this means that we do not recognize prostitution as work. We say that prostitution is an industry, but it should never be recognized as a job, or legitimated as work. We think that legitimating prostitution by legalizing, decriminalizing, or regulating the sex industry does not dignify the women in prostitution. It only dignifies the sex industry. And it is the sex industry that is behind

# the Global Sex Industry

## Janice Raymond

the push for legal legitimizing of prostitution. Australia is a case in point here. Holland is another case in point. Germany is another. All have systems of, and promote, what I call “state-sponsored prostitution.” This is a very provocative term, and it is meant to be provocative in these times of state-sponsored terrorism. State-sponsored prostitution in any form, whether its legalization, decriminalization or regulation of the sex industry, is a form of state-sponsored sexual terrorism posing as sexual and economic freedom for women.

AM: *One doesn't often hear the basic premises of the “feminist abolitionist” analysis that you have outlined and what you call the “pro-sex work analysis” debated as two current and very different political positions. Instead, the pro-sex work position tends to be presented as a new, more up-to-date and nuanced analysis that has simply moved beyond the old fashioned and demeaning (to prostitutes and women) feminist critique of prostitution as exploitative of women. In the debates around trafficking, the pro-sex work advocates generally dismiss feminist abolitionist positions as being unable to acknowledge that not every woman who moves around the world for the purposes of earning money for “sex work,” is a victim.*

JR: The question, I think, comes out of an academic context in which these premises may prevail. Elsewhere, in feminist activist and NGO circles, this is not the case. I think the premises behind the question really demonstrate the ways in which many academics are out of touch with women's lives. We don't have trafficking from the United States or countries in Western Europe to, for example, the Philippines, but we do have trafficking from the Philippines and from Eastern Europe and the former Soviet bloc countries, to Western Europe, Australia, Japan, and the United States. For the most part, trafficking in women flows from poorer countries and countries in financial and political crises to richer or more financially well off countries. Victims of trafficking are women who are mostly poor and usually uneducated, (although that is not always the case with trafficked Russian and Ukrainian women) and who often turn to prostitution as a survival strategy.

Trafficked women don't have the wherewithal to facilitate a visa, plan their travel arrangements, and pay for all this. My point here is that this “nuanced” position of which you speak is actually very un-nuanced in the sense that it really ignores and denies the reality of most trafficked women's lives. It denies the fact that most traffick-

ing is facilitated by a whole list of people, starting with recruiters, those who accompany the woman to the destination country, the traffickers themselves, and the pimps

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and the madams in whose brothels and sex clubs the women end up. Most women who end up being trafficked don't wake up one morning and decide they'd like to “migrate for sex work.”

The Coalition did two major studies interviewing almost 200 women who had been trafficked in five different countries (Raymond, Hughes, and Gomez; Raymond, d' Cunha, Ruhaini Dzuhayatin, Hynes, Ramirez Rodriguez, and Santos). With one or two exceptions, every woman that we interviewed had some kind of facilitated migration. Facilitators were either a trafficking network, small or large, or in some cases, a husband, a boyfriend, or a group of men who got together and wanted to make money. In one or two cases the woman was independent. Trafficking is a system in which most women are exploited and victimized—a system that is allowed to flourish in part because academics and others are propping up the sex industry by romanticizing prostitution and trafficking as voluntary “migration for sex work.”

AM: *What about the view that when one's criticizing prostitution one is attacking prostitutes?*

JR: CATW is very clear to say that we are not in favour of criminalizing the individual women in prostitution. In countries where prostitution is illegal, it's mostly women who are arrested, charged, and prosecuted. The police don't often arrest the male buyers, the men who are buying the women, because in many instances, the police identify with the men. Does this mean we should legalize prostitution? No, it means we should get real about addressing the male demand for the sex of prostitution and penalize the buyers, as well as the pimps and the traffickers. We don't think any woman should be punished for her own sexual exploitation.

People who turn this anti-sex industry advocacy into a kind of anti-prostitute philosophy should be honest about the fact that they really don't want to see the buyers criminalized. Ultimately, many of these same defenders of the male demand for the sex of prostitution don't want to see the pimps criminalized either, because they argue that women have the alleged right to contract with any third party entrepreneurs who can further their "business interests." Defenders of prostitution as "sex work" have no institutional critique of the sex industry. Everything gets reduced to a very distorted and apolitical version of "choice." When you turn prostitution into work, you turn the whole industry, not just the women, into "workers."

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## So many women have been silenced or joined the community of denial in the face of a pornographic and prostitution culture that gets explained away as hip, avant-garde, or as sexually liberating.

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The pro-sex work proponents, by defending brothels, pimping and the buying of women, are really the ones who undermine women in prostitution, because in essence they are defending the interests of the sex industry and not of the women.

AM: *There's also a view that in criticizing the industry and system of prostitution you are failing to recognize and respect the fact that women in these systems are real people and have agency and are not simply victims.*

JR: This is a view that's been around for a long time in feminist and post-modern academic circles. My response is that women can be victimized without being eternal victims. We fought hard in the beginning of this wave of feminism even to get women recognized as victims of male violence. Traditional anti-feminists argued, for example, that every woman had the agency to resist battering, rape, sterilization abuse, whatever. So now, we have feminists denying women's victimization.

This argument for women's agency in the context of sexual oppression is used very selectively. Progressive people would never say, in looking at the Holocaust, that Jews were not victims of the Nazis. Holocaust denial is recognized for what it is—denial. Few would deny that African Americans were also victims of slavery. To acknowledge systematic victimization of women in the sex industry doesn't mean that you deny the victims' agency. But it may mean that you look for agency of the women in very different places, i.e., in their resistance to the sex industry rather than in their conformity to it.

I think what's really remarkable, and what I constantly learn about in my discussions with victims of prostitution and trafficking, is the innumerable and creative ways that women have had of surviving under the worst of condi-

tions. When you talk to women personally, when you hear their stories about what they have endured and how they have done it, there is no eternal or essential victimization here. Victims act against oppression in remarkable ways. Many women who have been in the sex industry are very smart, very creative, and very intelligent women who have been, yes, victims of male supremacy and victims of sexual exploitation, but who managed to resist, survive, and rebuild their lives. They are not passive protoplasm.

This argument of victims vs. agents is almost a straw person in my estimation. It's something that's put up so that you have to knock it down.

AM: *Seeing any recognition of women's victimization in prostitution as anti-prostitute and anti-woman invalidates at the outset any systemic feminist analysis of the institution of prostitution.*

JR: Exactly.

AM: *The charge of being anti-prostitute is also a powerful silencer in liberal circles.*

JR: Yes, and that's one of the failures of this brand of liberalism, that it has made women silent. It takes a tremendous amount of courage really to say, "no, that's not the way it is," especially when those who should be allies are actually antagonists. And so many women have been silenced or joined the community of denial in the face of a pornographic and prostitution culture that gets explained away as hip, avant-garde, or as sexually liberating.

AM: *In a culture where women are blamed and punished for everything, including prostitution and rape, and men are let off, it's very easy for people to see any criticism of prostitution as a criticism of the women involved and to believe that the only way to respect women is to defend prostitution.*

JR: Sometimes this is a basic inability to distinguish between the institution of prostitution and the women in it. People don't stop to think that you don't have to defend the institution of prostitution in order to defend the right of women not to be harmed. Of course, one can ignore the institution and argue that women in prostitution need the institution to survive. But that is misusing women's poverty and financial disadvantage in order to defend an institution that *keeps* women in poverty, harm's way and despair with no exit. Virtually all the women that we interviewed in our studies told us that they couldn't continue to service multiple men per day without separating themselves from the acts of prostitution. Most took drugs, alcohol, or other substances to achieve this separation. Even the little money that women did earn, which did not go to the pimps, the establishment or others, was spent in buying drugs or alcohol.

Sometimes, this collapsing of women in prostitution with the institution of prostitution is ignorance of what really happens to women in prostitution. Cultural and media portrayals of prostitution send the message that prostitution is sexy, that women earn a lot of money, and that they control the terms. The violence and violation are

drowned out by these messages, and the harm of prostitution to women is made invisible. And pro-sex work feminists add to this misrepresentation by portraying women in prostitution as “sexual outlaws” or as breaking the bonds of traditional sexual roles for women. Unfortunately, prostitution is a very traditional role for women.

I think it’s also interesting that the most debated issues within feminism have been those that have been represented in some way as sexuality. There’s little debate about domestic violence, for example, but when it comes to pornography and prostitution, and to a lesser extent, rape—wherever people’s notion of sex and sexuality is involved—then, it becomes contentious. Sexual exploitation, conceptualized as sexuality, is the last stronghold of male power within feminism itself.

AM: *I’ve always thought that one of the reasons this issue is so contentious and confusing is because there is a right-wing and misogynist opposition to prostitution that blames women and that the feminist abolitionist position can be confounded with. And because it’s an industry.*

JR: The confounding of feminist arguments against sexual exploitation with right wing arguments is an old tactic and one that is selectively used against radical feminists. For example, the Vatican was one of the strongest voices in opposition to the 2003 war in Iraq, but no-one seriously accused the anti-war movement of being in league with the Roman Catholic Church. Leftists in Turkey, traditionally hostile to any mixing of religion and politics, formed strategic coalitions with conservative Islamists to keep Turkey from granting launching rights to the United States in its war against Iraq. But no-one tried to confound the Turkish leftists and conservative Islamists. And no-one dared to confound the anti-war Left with the Vatican!

Unfortunately, fighting this battle of labels and this confounding of positions, drains a lot of energy from the real battles that women should be fighting. It’s a mistake to judge any argument, cause or group by the company that it finds itself keeping. Feminists may be uncomfortable knowing that some of the positions they take, for example on prostitution, are also those of folks who are on the wrong side of other issues. CATW has publicly opposed the Bush administration’s position on war, domestic policies, and homosexuality. U.S. feminists who work for the abolition of prostitution do not agree with the right wing agenda to cannibalize affirmative action and abortion rights. But we happen to agree that prostitution should not be legalized, decriminalized, or legitimated as “sex work.” And at certain points, we may find ourselves fighting the same battles, although sometimes for different reasons. Opposing the system of prostitution and the global sex industry doesn’t make you a conservative, a moralist, or an apologist for some other political group or party. It helps make you a feminist. There is a long independent history, dating back to the nineteenth century, of feminists and a feminism that opposed the

legitimation and regulation of prostitution as being harmful to women (Jeffreys).

The fact that there’s a global and powerful sex industry confounding these positions is also very much to the point. The sex industry promotes the view that those who oppose it are conservative, puritanical, moralistic prudes who are anti-sex when, in reality, opponents are anti-sex industry. There’s a whole industry out there whose job is to confuse feminist arguments against the prostitution industry with right-wing ideology and practice. There are governments, such as the Netherlands and Germany, whose gross domestic products are substantially increased by their legal recognition of prostitution as a legitimate

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economic sector. These governments give large amounts of money to NGOs who promote legalization/ decriminalization of prostitution. And unfortunately, many NGOs and feminist groups take this money, defend the legal recognition of prostitution, and brand those who disagree with them as anti-woman and anti-progressive.

AM: *I wonder if you could speak about the coalition’s experience of working on these issues internationally in this context, specifically at the United Nations?*

JR: CATW participates in many international forums, particularly when trafficking and sexual exploitation are part of the agendas of United Nations (UN) committees and conferences. I’ll give you one fairly recent example—the meetings leading up to the passage of the new United Nations Protocol on Trafficking in the year 2000. For two years, governments sent representatives to the meetings of the UN drafting committee in Vienna, working on a new Protocol Against Trafficking. The most contentious part of the Protocol was the definition of trafficking. CATW and the International Network of Human Rights representing over 140 NGOs actually won that debate, because we were able to convince the majority of countries that trafficking should be actionable with or without the consent of the victim. We argued that making force the only condition on which trafficking should be based would put the burden of proof on women to prove force. Thus, we campaigned for a broad definition of trafficking that would protect all women—not only those who had been forced, but those who had been deceived, manipulated, and whose vulnerabilities had been abused. Pro-sex work NGOs and pro-sex work countries, such as Holland and Germany, wanted a narrow definition of trafficking based on force or coercion that would limit women’s



Rochelle Rubinstein, "Power," linocut prints, each 12" x 12", 1988.

options and that would not protect the vast majority of women who had been trafficked.

The Coalition, and the 140 non-governmental organizations that joined us argued, for example, that many women who are trafficked are in local prostitution industries before they get trafficked, and they know that they'll be engaging in prostitution when they arrive in another country. But very few of them have any idea what awaits them once they get there. So although a woman may give initial consent, she doesn't consent to all that's done to her. But once she's given that initial consent, she's caught in the trafficker's trap, and she is eternally alleged to have given consent. We also argued that if you divide trafficking and prostitution into forced and voluntary, that the burden of proof is on the woman to provide the proof that she was forced. The burden of proof is not on the trafficker to prove that he did not exploit the woman. So we essentially argued that trafficking can take place with or without the consent of the victim.

All of these things that I've just mentioned were points that the pro sex work lobby worked to keep out of the definition of trafficking. Also, a lot of countries that had legalized prostitution did not want these elements in the definition of trafficking because they felt that it would cast aspersions on their legal recognition of prostitution. But in spite of tremendous opposition, the Coalition won this battle. We changed the opinions of many countries over the course of our political advocacy during the two years that the Protocol was being drafted. We did a lot of hard work to change the minds of governmental delegates who originally viewed prostitution and trafficking as victimless crimes.

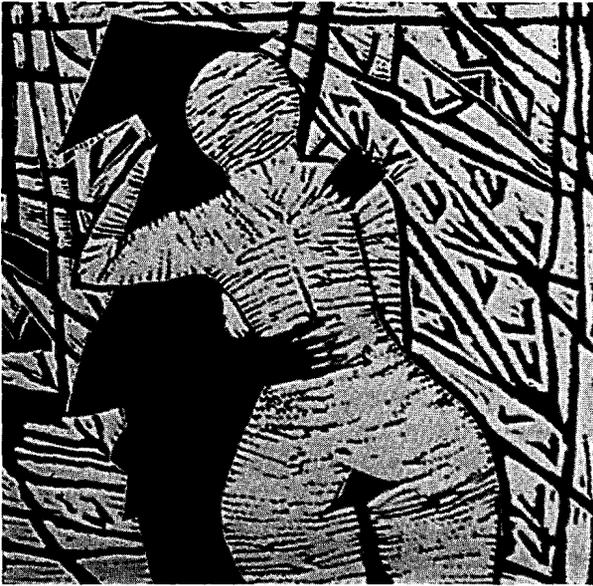
What we also realized, as we worked over these two years, was that we had a lot more NGO support than we thought. A lot of grassroots organizations are waking up to

the fact that prostitution does not equal women's rights, and that the real problem is not women's right to practice prostitution but women's right to a life in which prostitution is not her major option. NGOs in Vienna saw quite clearly how the "right to prostitute" is being promoted by certain governments in the name of feminism and women's human rights, and they were not fooled.

A real problem with legalization or decriminalization of prostitution, is that it basically promotes trafficking. In countries where you have a legalized or decriminalized system, you have the highest numbers of women who have been trafficked into that country from outside the country. It's that way in the Netherlands and Germany. 80 percent of the women who are in the red light areas in the Netherlands have been trafficked from outside the country (Budapest Group 1999). That's an astounding percentage. Ultimately, state-sponsored prostitution promotes trafficking.

Governments will argue for recognizing the sex industry on the basis of being able to control the rapid expansion of the sex sector. They say that state-regulated prostitution protects women in prostitution because the violence can also be controlled and the health of women can be monitored. They argue that sex venues can mandate that men will use condoms, which really means that you put the burden on women in prostitution to "negotiate" with the men to use condoms. And as anybody knows who's done any sex education or HIV/AIDS work, the negotiating power of women in ordinary heterosexual relationships is not that high to get men to use condoms, never mind in a situation of prostitution where he's saying to her, "I don't want to use a condom, and I'll pay you more if I don't use a condom." And of course, she needs the money, so she'll take it.

Also some proponents claim that where you have a



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legalized or a decriminalized system, you can fight HIV/AIDS because then you can target the women for health checks. That's a specious argument, because who do health checks protect? They don't protect the women. They protect the men. If we were really serious about fighting HIV/AIDS, a much more sensible anti-AIDS program would target the group who engages in the most high risk sexual behaviour: the men who buy sex. Even the World Health Organization has said that male to female transmission of HIV/AIDS is about 20 times more than female to male. The recent data on prevalence rates and gender specific spread of HIV/AIDS reveal that men drive the AIDS epidemic by their self-interested sexual promiscuity.

Thus, in terms of the sex industry, it's a joke that countries would basically mandate health checks for women if they don't mandate them for men also. This is not to advocate that both groups should be checked. It's only to point to the illogic of a policy that basically says, "We'll have safer sex and HIV/AIDS control if we health check the women under a regulated or decriminalized system of prostitution." It's originally the male who transmits it to the female. And men who engage in commercial sexual exploitation will also go on and transmit the infection to their wives and girlfriends and to other women in prostitution whom they will eventually use and abuse. So ultimately we see that state-sponsored prostitution policies that allege protection of women in prostitution do precisely the opposite. They legitimate the infection of the women. They are not about protecting the women; they are about protecting the men.

Sex trafficking is a modern day form of slavery. And there are many comparisons between the proposals to regulate or abolish race slavery and those to regulate or abolish sex slavery. Prior to the abolition of African slavery

in the United States and in other countries such as Britain, there was a regulationist vs. abolitionist debate in which the key question was whether to make the system better for the enslaved or abolish slavery outright. The regulators maintained, for example, that countries should restrict the number of people who could be brought over on boats from Africa, arguing, that if conditions on the ships were better, large numbers of slaves would not die. Others argued that the rations of slaves should be increased, thus reducing disease and making conditions more humane (Thomas). Unlike the abolitionists, the regulationist proposals kept the system of slavery intact and unchallenged, and promoted a "better" system of slavery.

Some of the same issues about regulation, decriminalization, and legalization are also recurring in the trafficking and prostitution context. Those who defend state-sponsored prostitution want to make the system "better" for women. But they have nothing to say about the system itself. Abolitionists maintain that the system of prostitution is the problem, and that no woman should have to engage in prostitution to survive. To legitimate the sex industry by regulating it is to tolerate the reality that a group of women can be segregated into sexual slavery because many men want, need, or desire the sex of prostitution. There are some systems that should not be tolerated. Sexual slavery is one of those systems, no matter how many academics and others try to pretty it up by making distinctions between those who engage in prostitution activities through force or voluntarily.

AM: Kathleen Barry, in her book *Female Sexual Slavery*, defined slavery not by how you got into it, but whether you could get out of it.

JR: Yes, and this is not to deny that some women do consent to their own exploitation. Of course that happens. We maintain, however, that consent is not the issue. The

issue is the exploitation. Women who consent are still subject to being exploited and to actual exploitation. When feminists first began to talk about battering, and domestic violence, people including the police used to say that if a battered woman consents to stay with her batterer, there was nothing they could or should do. It was her choice. Now, of course, we can arrest, prosecute and punish a batterer regardless of whether a battered woman consents. The issue is the violence and exploitation done to the woman, not whether or not she consented to it by remaining with him.

AM: *That's a very interesting parallel.*

JR: That's exactly the situation we're now facing with

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prostitution. Because a woman in prostitution allegedly consents, feminist abolitionists argue that government shouldn't legalize or decriminalize the institution and the individuals, such as pimps and "customers" who perpetrate her exploitation. It is necessary to prosecute those who are the perpetrators, regardless of whether the woman gives consent which, in most cases, is really compliance. With most women, it's not consent but a survival strategy that gets turned into a very westernized version of consent to legitimate an industry that depends on this forced/free distinction. Instead, we need to provide women with resources and help facilitate alternatives to prostitution, rather than keeping women *in* the sex industry where they have no real future.

AM: *But not prosecute the women?*

JR: None of us has ever advocated penalizing the women. We want to decriminalize the women. We don't want any legal sanctions against the women. In fact, that's probably the one thing that both sides agree on.

AM: *And, as with the wife beating, you don't force her to testify?*

JR: No.

AM: *I seem to remember reading in the UN protocol, that the women should be guaranteed the right to stay in whatever country they were in. There must have been quite a struggle around that.*

JR: Any UN treaty or legislation, whether it's a Declaration or whether it's a Convention, is only as strong and as enforceable as the governments that ratify it. That's a problem with all UN treaties and, in this sense, UN Conventions are more guidelines with an ethical force than specific legislation. UN Conventions certainly have a political power that is based on this moral force, and

when governments ratify a UN Convention or Protocol, they are agreeing to bring their national legislation into harmony with what they have ratified? Yet paradoxically, in every UN treaty, countries are allowed to implement the provisions of the treaty in accordance with their domestic laws.

There are certain protections for victims of trafficking that are recommended in the Protocol. But like everything else in the Protocol, countries that ratify can choose to implement these protections in accordance with their domestic laws. Basically, the UN Trafficking Protocol uses three strategies to address trafficking: protection of the women; prevention of the problem; and prosecution of the victimizers. There are various articles in the Protocol that address each of these three areas. One, as you rightly said, is the right of victims to remain temporarily or permanently in the country to which they have been trafficked. There are all sorts of provisions that countries can use to protect the women and to encourage them to give evidence against traffickers. We don't believe that women's testimony should ever be mandatory, or that a government should "trade" a visa for her testimony. It shouldn't be that kind of a quid pro quo. But we do believe that women should be given resources and assistance to be able to reclaim their lives, to integrate back into society, and to aid in the prosecution of traffickers. If we don't prosecute the traffickers, they'll just go on and violate the next group of women.

I want to return to the topic of legalization/ decriminalization of the sex industry. We are really facing a public policy crisis over the legalization and regulation of prostitution. By that I mean that there are too many countries that have either legalized or decriminalized prostitution (or are considering it) in the name of protecting women. In reality, however, decriminalized prostitution is a major source of revenue for the country or the government. For example, in Holland, the sex industry constitutes five per cent of the Gross Domestic Product. And that's why countries are leaping on this bandwagon.

There are all sorts of things to consider in this economic context of benefit to governments. In every UN conference over the past 20 years, feminists have argued that the real work done by women does not get represented in the system of National Accounts. Thus, much of women's work is not "counted," and women don't get the resources that men get. When a country legalizes or decriminalizes prostitution, it recognizes prostitution as "work." What better way for governments to claim, "Hey, we've just upped our employment statistics for women. We now employ over, I don't know, 70 to 75 per cent of the women in our country." Recognizing prostitution as "sex work" will enable countries to swell their female employment statistics. It will make it look like governments are providing decent and sustainable jobs for women, when in reality, the "work" they're providing for women is prostitution. What an irony!

In Australia, in the State of Victoria, prostitution was legalized in the 1980s. Proponents claimed that legalization would regulate and control an out-of-control industry. In fact, the industry has expanded exponentially in Australia, so that we now have all kinds of specialty brothels such as brothels for disabled men. Caretakers of these men, most of them women who are employed by the state, have to take the men to the brothels. These female caretakers are required to physically facilitate the sexual acts between the male “client” and the woman in prostitution. So now social care workers are being forced into taking men to brothels, and serving as sexual attendants, as part of their jobs (Sullivan and Jeffreys).

The agenda of the sex industry is to expand its market. Legalization/decriminalization is its primary tool. In the face of this industry which lives off women’s bodies, it’s quite naïve—almost quaint—to believe the injunctions of the same industry that legalizing prostitution will professionalize the women and dignify the “work.” That’s a ruse. State-sponsored prostitution really professionalizes and dignifies the sex industry. When you legitimate prostitution as work, you legitimate the whole industry.

What do pro-sex work feminists have to say about the sex industry? What do they say about an industry that is almost as big as the drug industry and the arms industry? Unfortunately, they don’t seem to be troubled at all by an industry that oppresses thousands of women. Instead, they want to give it legal legitimacy. Where have all the critics of globalized, exploitative capitalism gone when it comes to criticizing the sex industry. If the sex industry had no “sex” before “industry,” we’d have anti-globalization critics attacking it all over the world! But somehow, what gets represented as “sex” mutes criticism.

*AM: I think some feminists believe that the problem with trafficking or the cause of trafficking is the barriers between nations and the vulnerability that comes from crossing barriers illegally; that one shouldn’t be trying to criminalize trafficking but getting rid of national boundaries and the prohibitions on people’s movements. Then there wouldn’t be any place for traffickers.*

Well, there are lots of things that promote trafficking. Traffickers promote trafficking. Poverty promotes trafficking. A military presence in the country promotes trafficking. Policies of structural adjustment promote trafficking. Male demand for the sex of prostitution promotes trafficking. Repressive immigration policies are only one cause. If people think that the traffickers are going to be stopped by simply promoting a more humane migration policy, I think that’s pretty simplistic.

Of course we have to promote humane migration policies so that people are not kept out of countries but are allowed to migrate. But at the same time, we have to address other factors. We also have to address the reason why large numbers of people are migrating. We have to address oppressive global economic policies that are responsible for developing countries and countries in finan-

cial crisis encouraging large numbers of people, mainly women, to migrate out of the country for income and labour. Two thousand women leave the Philippines each day. Each day! Not each week, but each day!

Trafficking is not simply a migration crime, or a mere labour violation, but a human rights violation. Migrants seeking work continue to be exploited not only through illegal recruitment but also through the process of legal recruitment. Although governments must continue to guarantee the right to travel and migrate, governments must also come to terms with how these rights are opportunistically exploited by policies promoting strategic and systematic economic development based on mak-

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ing certain developing countries, such as the Philippines, dependent on the income of overseas contract workers, many of whom end up being trafficked, and the vicissitudes of international market demands. In fact, our Philippines research team who authored the Philippines country report that was part of CATW’s five-country project on trafficking in the migration process ultimately recommended that the Philippines phase out overseas contract work as part of the Philippines national development strategy. Instead, they recommended that countries in the South must establish an economic/development agenda that seeks to stem the drain of human resources from their countries.

*AM: Can you elaborate a bit on the relation of “pro-sex work” NGO’s and states with the same or compatible agendas?*

The government of the Netherlands promotes itself as the champion of anti-trafficking policies and programs, yet cynically has removed every legal impediment to pimping, procurement, and brothels. In the year 2000, the Dutch Ministry of Justice argued for a legal quota of foreign “sex workers,” because the Dutch prostitution market demands a variety of “bodies”. Also in the year 2000, the Dutch government sought and received a judgment from the European Court recognizing prostitution as an economic activity, thus enabling women from the European Union (EU) and former Soviet bloc countries to obtain working permits as “sex workers” in the Dutch sex industry if they can prove that they are self employed. Anti-sex industry NGOs in Europe have stated that traffickers are taking advantage of this ruling to bring foreign women into the Dutch prostitution industry by masking the fact that women have been trafficked, and by

coaching the women how to prove that they are self-employed “migrant sex workers.”

In the one year since lifting the ban on brothels in the Netherlands, even the Dutch National Rapporteur on Trafficking has stated that NGOs in the Netherlands report that there may be an increase of victims of trafficking. Forty-three municipalities in the Netherlands want to follow a no-brothel policy, but the Minister of Justice has indicated that the complete banning of prostitution within any municipality could conflict with “the right to free choice of work” as guaranteed in the federal Grondwet or Constitution Bureau NRM.

In January, 2002, prostitution in Germany was fully established as a legitimate job after years of being legalized in so-called *eros* or tolerance zones. Promotion of prostitution, pimping and brothels are now legal in Germany. As early as 1993, after the first steps towards legalization had been taken, it was recognized (even by pro-sex work advocates) that 75 per cent of the women in Germany’s prostitution industry were foreigners from Uruguay, Argentina, Paraguay, and other countries in South America. After the fall of the Berlin wall, brothel owners reported that nine out of every ten women in the German sex industry were from eastern Europe and other former Soviet countries.

The sheer volume of foreign women who are in the prostitution industry in Germany—by some NGO estimates now up to 85 per cent—casts further doubt on the fact that this many women could have entered Germany without facilitation. As in the Netherlands, European NGOs report that most of the foreign women have been trafficked into the country since it is almost impossible for poor women to facilitate their own migration, underwrite the costs of travel and travel documents, and set themselves up in “business” without outside help.

In the Netherlands, the push for legalization began in the 1980s. Initially, it was the government who launched the legalization agenda. Of course, any government will say that it was responding to pressure from NGOs, but if you follow the money trail, it was the government who initially set up women’s NGOs to facilitate the legalization agenda, under the anti-trafficking heading, by providing these NGOs with infusions of money. The Ministry of Women, which is part of the Ministry of Labour, was one of the first to take up the issue in the government, and they funded groups such as the Dutch Foundation Against Trafficking (STV) and later the Global Alliance Against Trafficking. Both these groups arose *after* the Dutch government began to push for legalization. If you look at the funding sources of these two NGOs, you cannot help but believe that these NGOs arose initially to promote the “sex work” agenda of the Dutch government, and to promote the sex industry as a legitimate economic sector from which the government would derive enormous tax benefits.

Contrary to claims that legalization and decriminali-

zation would regulate the expansion of the sex industry and bring it under control, the sex industry now accounts for five per cent of the Netherlands economy. Over the last decade, as pimping became legalized, and then brothels decriminalized in the Netherlands in 2000, the sex industry expanded 25 per cent. At any hour of the day, women of all ages and races, dressed in hardly anything, are put on display in the notorious windows of Dutch brothels and sex clubs and offered for sale—for male consumption. Most of them are women from other countries.

Of course governments nowhere say, “Oh, we want to legalize prostitution because we want more money from sex sector revenues.” They say, instead, “we want to legalize prostitution because we feel it will regulate the worst abuses of the industry, give women more protection, and promote the health of women and reduce the violence.” And people believe these claims because they sound good. But they promise what they don’t deliver.

If you look at the web sites of other NGOs, such as the Network of Sex Work Projects, you find links to advertisements for the sex industry. Opening up the Network of Sex Work Project web site at [www.nswp.org](http://www.nswp.org), one finds a section under the heading of “Commercial Sex Information Services” and then under “Commerce,” listing “Adult Entertainment Businesses.” Since this web site is maintained by the Network of Sex Workers Alliance in Vancouver, one finds sex industry listings for Vancouver and lower mainland Canada organized by region. Further, sex businesses are encouraged to send their listing details to the site where, it is claimed, they will be advertised for free.

AM: *Is there any debate in the Netherlands about this?*

JR: What’s interesting is that there seems to have been little debate in the Netherlands about legalization historically, leading up to full legalization at the end of the 1990s. Various Dutch academics who are pro-sex work, and who have written about the recent history of prostitution legalization in the Netherlands, have commented on the fact that basically the government set out to do what it wanted to do, NGOs were formed and funded, and they supported the government (Outshoorn). There was next to no debate in the Netherlands. That’s rather amazing because certainly there was an international feminist counter movement at that time. Kathleen Barry’s book and other articles that opposed legalization had been written, and there was international feminist activism against the sex industry and systems of prostitution, although it was not as well organized at that time and was certainly not the international issue it is today.

Today, in the Netherlands, we see a crack of an opposition to Dutch governmental policies, even from MPs who are beginning to think that they made a mistake in promoting legalization of the sex industry. But it’s too little and probably too late.

AM: *I imagine there’s a disparity of resources between “feminist abolitionist” groups and “pro-sex work” groups working on trafficking?*

JR: This disparity of resources can be seen clearly whenever the two groups are at UN meetings advocating for key legislation against trafficking. For example, over the period of two years that the Coalition attended every meeting of the committee that was meeting in Vienna to draft the new UN Protocol Against Trafficking that I mentioned earlier, the contrast in resources was starkly apparent. CATW started off sending one person. Then we got the resources to send two. And at the last two meetings, we were able to send four representatives to lobby the delegates. The other side, so to speak, had the resources to support many more advocates at these meetings.

Furthermore, if you look at the budgets of pro-sex work groups such as the Trafficking Initiative at the International Human Rights Law Group, the Coalition Against Slavery and Trafficking (CAST), the Global Alliance Against Trafficking in Women (GAATW), or the Network of Sex Work Projects, CATW is clearly underfinanced and outspent. Our funding is a matter of public record, and anybody can check it. The disparity is simply outrageous. We have received no funding from the current U.S. government, as have groups like the Coalition Against Slavery and Trafficking (CAST) and the International Human Rights Law Group who are pro-sex work! Figure out that irony, and that alignment when accusations are hurled about who is "in bed with the right."

AM: *But feminists with "pro-sex work" positions seem to see themselves as in a minority position, struggling against the goliath of government and the right wing and the majority of feminists whom they believe do not recognize women's agency or respect prostitutes.*

JR: That's really laughable. Many governments are sex industry-friendly, and there are very few countries now where the act of prostitution is illegal. Even in Muslim countries, there's a variety of State positions. Prostitution is legal in Tunisia. In Indonesia, there are state-run brothels, as in Turkey. I think it is really deceptive to portray the majority of governments as ideological giants who oppose systems of prostitution and the sex industry. Even very conservative religious countries, countries that are certainly not promoting women's rights, have legalized prostitution industries.

Furthermore, if you look at countries that are proposing legalization of prostitution or that have already legalized it, they don't fall under any monolithic political ideology. Legalization is not the province of only left-leaning or of right-leaning governments. Italy may be on the verge of legalizing brothels under the Berlusconi government, following the proposal of conservative parliamentarian, Alessandra Mussolini, who is the granddaughter of World War II fascist leader of Italy. At the same time, you have the Green Party in Germany and in other countries like New Zealand and the U.K. defending the legalization of prostitution. The Catholic Church in some areas is pro-sex work. Roman Catholic Bishops in Czechoslovakia recently came out with a statement saying that it was the

lesser of two evils to legalize prostitution rather than to continue it as illegal.

AM: *I'm hearing you say that the "pro-sex work" or "prostitutes' rights" positions are very compatible with certain right-wing as well as liberal and left state agendas? That they are not feminist alternatives?*

JR: That's correct. Another point here. We don't call the pro-sex work position the "prostitute's rights" position. We call it the pro-sex work position because there are many prostitutes' rights positions. For example, there are groups like Sage and Breaking Free in the United States, who are founded by survivors of prostitution and who work with women in prostitution industries, and who do not agree with so-called prostitutes' rights groups like Call Off Your Old Tired Ethics (COYOTE), the Red Thread or the Network of Sex Work Projects. In the latter groups, prostitutes' rights get reduced to issues like safe sex, negotiating with pimps and brothel owners for better pay, and celebrating prostitution as an employment choice for women. Unfortunately, people look upon only these kind of groups as promoting prostitutes' rights because they have a monopoly on the public relations efforts that define the issues.

Most people in the United States have heard of COYOTE. One of the reasons for COYOTE's media presence was that it got money from the sex industry in California in its heyday to mount a public relations campaign to promote prostitution as work. We did an investigation of COYOTE. COYOTE claims to represent women in prostitution. But historically, COYOTE's leadership and most of its membership were never in prostitution (Jenness).

It's important to realize that prostitutes' rights or groups of women who are/have been in prostitution differ just like other groups of women on issues of "prostitutes rights," and legalization/decriminalization of prostitution. It's also important to state that there are many groups of women who have been in prostitution, and who are in prostitution, who do *not* recognize prostitution as work, and who do not support the legalization and decriminalization of the sex industry. They know that effective rights for women in prostitution come from resources that help women to exit the sex industry and provide them with alternatives. But few people know about these groups because they are the "prostitutes' rights" groups who are busy providing services for victims, and they do not have huge public relations operations that beep out messages supporting the sex industry.

AM: *Does COYOTE provide direct services for women in prostitution?*

JR: No. They're a public relations effort. The media loves them because they make prostitution look sexy. Even sociologist Valerie Jenness in her 1993 book, *Making It Work*, which is sympathetic to the pro-sex work groups, acknowledges that the success of groups like COYOTE is in "institutionalizing an organizational

myth”—i.e., in convincing the public that it is a “working prostitutes’ organization” composed mainly of women in prostitution. She writes: “Contrary to COYOTE’s public image, only a small percentage of its members have worked as prostitutes, and an even smaller percentage are active prostitutes who are also active in the organization. On occasion, St. James [the founder of COYOTE] has admitted that COYOTE is *not* an organization constituted by prostitutes” (114).

A lot of the claims of the so-called prostitute’s rights organizations are based on this kind of “organizational myth” and should really be investigated. On the other hand, you have groups like Breaking Free in Minnesota, founded by African American survivors of prostitution and whose membership is mainly women who have been or are currently in prostitution, providing direct and multiple services mainly to African American women. Breaking Free is a real prostitutes’ rights organization, not a fifth column for the sex industry. Sage in San Francisco is another genuine “prostitutes’ rights” NGO. Both organizations were founded by women who have been in prostitution and are providing direct services to prostituted women. These organizations provide support groups, outreach to women on the streets, safe sex and addiction programs, and health services that address the range of problems that women in the sex industry experience. Both groups also provide economic options, housing, education, and training to help women find alternatives to prostitution. And by the time they get finished providing all of those services, they don’t have the means to be out there doing the public relations work. It is really outrageous that the so-called “prostitutes’ rights” groups merely promote women’s alleged right to remain in prostitution, not to get out of it.

The Coalition helps facilitate women in prostitution speaking for themselves. At conferences we attend, and projects that we’re involved in, we help provide survivors of prostitution with a platform so that they can get a different message out—that women have the right to resources that help them out of prostitution—not that keep them in prostitution. CATW in the Philippines assists groups such as BUKLOD, a group of women who were formerly in prostitution around the former U.S. military bases in the Philippines. Most of these base areas are now sex tourism centers, similar to what happened earlier in Thailand. The U.S. military helped create and expand the sex industry in Thailand during the Vietnam war when Thailand became the rest and recreation area of U.S. forces in the region. When the military left, Thailand became a centre of sex tourism. The same thing has happened in the Philippines. The U.S. military left and Olongapo, site of the former U.S. Subic Bay naval base, has become a centre of sex tourism. These are the groups you don’t hear about maybe because they promote “prostitutes’ rights” to a future without prostitution.

AM: *You’ve described a feminist abolitionist position*

*around prostitution. What about the non-feminist abolitionists?*

JR: Yes, there are abolitionist positions that are not based mainly on feminist analyses of prostitution as exploitative of women. Some of these positions may be punitive toward the women involved. However, there are also conservative women, in some of these organizations, who are getting the feminist message. Although these women are fighting prostitution from a more religious or moralistic position, the more they see the harm to women the more feminist they become. You cannot fight the sex industry, I am convinced, and not become a feminist in some way.

AM: *If you’re a woman.*

JR: There are many groups that are working against trafficking and prostitution for different reasons than the Coalition, but they’re learning. And there are many good women in those groups.

AM: *Are you saying that you can’t have a pro sex work position if you put the interests of women at the heart of your approach.*

JR: I would say that you can only have a pro-sex work position if you ignore or deny the fact that women in prostitution are being sacrificed and set aside as a class to service men sexually—this time, in the name of a woman’s right to choose what to do with her body. But this argument is a ruse—men’s rights posing as women’s rights.

The pro-sex work position doesn’t want to address the invisibility of the men. The least discussed part of the prostitution and trafficking chain has been the men who buy women for sexual exploitation in prostitution, pornography, sex tourism, and mail order bride marketing. There are many pro-“sex work” NGOs who don’t want buyers penalized because they allege that some buyers help women escape, or that men who buy women for commercial sex are victims too.

Most male “customers” who buy women for commercial sex don’t debate the alleged distinctions between trafficking and prostitution, between child and adult prostitution, or between forced and voluntary prostitution. Most male “customers” don’t stop to ask whether women and girls choose or are forced to be in prostitution. In fact, if men do learn that force has been a means of initiating and keeping some women in prostitution, this can be a sexual turn-on. Force has been an intrinsic part of the repertoire of many men’s sexuality outside of prostitution. It has been noted by many women in prostitution that unwanted and abusive sex is the standard treatment that prostituted women receive from large numbers of male buyers.

Likewise, most men who use children also use adult women in prostitution. Rather than regarding child prostitution abusers as pedophiles, which implies that they are biologically flawed or psychologically pathological, men who use children are for the most part what one researcher

has termed “habitual prostitute users”. Everyday, the same men who buy women also buy children. In fact, the more virginal the child is thought to be, the more men will pay for her. Furthermore, most male buyers don’t care if the female bodies they use are aged 14, 16, 18 or 30.

You can only defend prostitution as “sex work” by making men’s rights to women’s bodies invisible and by segregating *that* group of women as a prostituted class. Is this putting the interests of women at the heart of the approach?

*Janice Raymond has been the recipient of grants from the National Institute of Justice, the Ford Foundation, the U.S. Information Agency, the National Science Foundation, the Norwegian Organization for Research and Development (NORAD), and UNESCO. In 2001, she co-authored a major report on Sex Trafficking in the United States: Links Between International and Domestic Sex Industries, funded by the U.S. National Institute of Justice; and in 2002, she co-published a multi-country project in the Philippines, Indonesia, Thailand, Venezuela and the United States entitled Women in the International Migration Process: Patterns, Profiles and Health Consequences of Sexual Exploitation, funded by the Ford Foundation. Prof. Raymond is the author of five books and multiple articles, translated into several languages, on issues ranging from violence against women, women’s health, feminist theory and bio-medicine, the most recent which is Women as Wombs: Reproductive Freedom and the Battle Over Women’s Bodies (Harper San Francisco, 1994). She lectures widely around the world on all these topics.*

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## CLARE BRAUX

### Monologue

So seldom, so seldom, so  
seldom you speak to me now.  
A mumble now and then. Where  
is our common ground, my son?  
O you who live in rarefied  
corporate zones.

Rare is the speak of sons.  
The look they give you  
as if a spy or an enemy lurks.  
Do I dare remember?  
Do I go on singing  
to the infant?  
O pitiless reality: a mother’s  
strangled scream  
of loss.

Let us go then  
into madness,  
I and you,  
my corporate son.

*Clare Braux’s poetry and short stories have been published in various literary magazines in Canada and the United States.*