Migrant Sex Workers: Wasn’t I glad to be saved?

Is it more helpful to victims of trafficking to perceive them as migrant sex workers in need of labour rights or as victims of globalised sexual exploitation?

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To reference this essay (Harvard style):
Each year around the globe thousands of people, mainly women, cross borders to do sex work. Any woman who travels via a third party (with or without consent) is considered to be ‘trafficked’. There is divided opinion over what is the best approach towards these ‘victims’ of trafficking. Some feminist’s see trafficked women as victims of global sexual exploitation, while many sex workers consider themselves legitimate workers in need of labour rights. But which approach is more useful to the ‘trafficked’ woman? The politics of protection are always problematic; treating women as victims denies their agency and positions them as ignorant, helpless victims in need of rescuing. Regulating the sex industry and giving sex workers labour rights validates their profession whilst respecting their agency. Women trafficked by force, without consent, would not be employed under International Labour Laws so trafficking would cease (or at least decrease) and women currently being exploited would be free to continue work under legal regulation or return home. Because the United Nations (UN) has declared that the consent of the trafficked person will be irrelevant if they are engaged in sex work at their destination, this essay will concentrate on migrating female sex workers positioned as victims of trafficking. Sex work was the term coined by commercial sex workers to redefine their work as a form of income-generating employment, while ‘prostitute’ is still used by those in advocacy of abolition so both terms will be used as appropriate (Sullivan 2003: 71).

The International Labour Organisation estimates that 2.45 million trafficking victims are currently being exploited globally and a further 1.2 million are trafficked annually (Morrison and Schiff 2008: 193). Of these an estimated 80% are women and girls. But just what does it mean to be ‘trafficked”? There are competing definitions about what constitutes trafficking. The most common definitions include force or coercion in the movements within or across national and international borders. For example the Global Alliance Against Trafficking in Women (GAATWA) (in Sullivan 2003: 72) defines trafficking (in women) as:

“all acts involved in the recruitment and/or transportation of women within and across national borders for work or services by means of violence or
threat of violence, abuse of authority or dominant position, debt-bondage, deception or other forms of coercion.”

In this definition trafficking always involves force but is not limited to prostitution or sexual exploitation. The United Nations Trafficking Protocol of 2000 (in Sullivan 2003: 80) defines trafficking as the recruitment, transfer or harbouring of persons through threat or coercion for the purpose of exploitation. Exploitation includes, at a minimum, prostitution or other forms of sexual exploitation as well as forced labour or slavery. The protocol then states that if any of these conditions are present “the consent of a victim of trafficking… shall be irrelevant” (in Sullivan 2003: 80). Under this protocol force is no longer required as a condition of trafficking (only third party involvement resulting in sex work) therefore woman freely migrating for sex work become trafficked (Sullivan 2003: 83). This reinforces the assumption that the destination of all trafficking is prostitution and since no woman chooses to be a prostitute, all of them are trafficked (Bandyopadhyay et al 2007: 86). Victims of trafficking are either implied or explicitly stated to be female.

The principle causes of trafficking are believed to be poverty and gender inequality and through this explanation women are denied autonomy or agency. But Bandyopadhyay et al (2007: 90) argues that poverty does not inevitably lead to trafficking but rather it limits opportunities and promotes migration; most people leave home by choice. Sex work presents as an available employment choice; “make love take three minutes…make rice take eleven hour in sun…skin turn black; body have pain” (Bulbeck 1998: 180). Although the idea of free choice is a western construction:

“for much of the world’s women the very idea of choice seems like an unimaginable luxury…they do not choose to be uneducated, to have large families and no access to contraception…to see their children die of preventable disease” (Self 2007: 5)

Sex work brings money and money increases choices. The choice to migrate may be motivated by many factors including: financial gain; to seek a better life;
Sex Trafficking

to escape parental or marital violence or labour, or to seek love. Bandyopadhay et al (2007: 91) argues that most who enter the field of sex work remain after they could have returned home, this is partly due stigma and fear of family reaction, but also because it is an income-generating activity. The choice to enter sex work may have been shaped by greater social and political factors but it was still a choice. Sex is not the same for everyone and sex-critical feminists are guilty of imposing their own sexual standards on sex workers. Sex-critical scholars consider all heterosex to enact the oppression of women, reducing intercourse to rape, therefore the power in sexual relations is considered exclusively masculine. But sex work can offer women a sense of empowerment.

Sex work can be a source of power for women. Empower (2009), an organisation of sex workers, argues that

“sex workers are the most assertive women in society. Prostitution is not about dominant males gaining access to passive women’s bodies, it about women setting sexual limits, gaining economic strength and acquiring a detailed knowledge of men’s sexual and emotional needs”

These sex workers argue they are not passive victims of sexual exploitation but see themselves as ‘rebels’; rebelling within a patriarchal structure to gain social and economic advantage. Odzer (in Bulbeck 1998: 184) also argues sex workers are “pioneers in advancing women’s autonomy by breaking the mould of suppression and passive females.” Sex workers are aware of the critiques levelled against them by radical feminists but they are negotiating the patriarchal system with knowledge, intellect and agency. Abolition scholars argue that prostitution is objectifying and thus a form of visual sexual harassment. But sex worker Kate Holden (2005: 2) argues “I am not reduced by someone’s gaze. My body is beautiful and desired; I feel beautiful and desired”. Many sex workers can set the parameters of each transaction and state what they are willing and unwilling to do or even refuse clients (Bandyopadhyay et al 2007: 88). Discourses around sex work also seem to neglect the fact that human beings enjoy sex; “it is a life enhancing, joyful and creative experience” (Self 2007: 6).
Rather sex work is usually framed as dangerous and exploitative of women victims.

Radical feminists employ a neo-colonial approach to sex work whereby third world ‘prostitutes’ are positioned as helpless victims in need of rescue. A dichotomy is constructed between voluntary Western sex workers and victimised third world prostitutes. Doezma (2001: 25) argues that it is the ‘legacy of empire’ that places prostitution central to many feminist campaigns, reinforcing a hierarchy of civilisation where the Western feminists are positioned as the superior, civilised saviours. To maintain this distinction they refuse to acknowledge third world women’s participation in their own anti-prostitution campaigns. The Coalition Against Trafficking in Women (CATW), a Western based abolition organisation, uses very degrading language to construct prostitutes as ‘injured bodies’ in need of saving, describing them as “empty holes surrounded by flesh, waiting for a masculine deposit of sperm” (in Doezma 2001: 26). Is this description any less degrading, dehumanising and damaging than the act of sex work itself? Sex worker and pro-sex feminist Amber Hollibaugh describes the assumptions embedded in feminism:

“I must be stupid or I could have done something better than that; I must have been forced against my will or I was just to young to know better; I must have a prefeminist conscious; I had a terrible family life; I must have hated it; I was trash and this proves it; and finally, wasn’t I glad to be saved” (Hollibaugh 1996: 226).

By framing the ‘injured prostitute’ as the ontological and epistemological truth the right to self-representation and all other experiences are denied (Doezma 2001: 28). ‘Suffering bodies’ are constructed as coloured, working class and colonised, while ‘saving bodies’ are white, middle class and Western. Kempadoo (in Sullivan 2003: 71) argues that the radical feminist anti-trafficking campaign is both racist and neo-colonialist, positioning third world women as ignorant, traditional victims in an attempt to illustrate global sexual exploitation.
It is argued that prostitution is a form of male sexual violence against women and that trafficking in women represents the increasingly globalised sexual exploitation of women. The founder of CATW, Kathleen Barry, argues that all sex enacts power over women and that

“sexual exploitation is a political condition, the foundation of women’s subordination and the base from which discrimination against women is constructed and enacted” (in Sullivan 2003: 69)

Consent to prostitution should be disregarded because choice or consent is not possible under conditions of male domination. However this ignores the fact that all choices that women make are enacted ‘under conditions of male domination’ or within a patriarchal system. So why should the decision to engage in sex work be disregarded but the decision to work in a sweat work be accepted? Both involve a choice to participate in paid labour under unfavourable conditions. Furthermore it is dangerous to state that all prostitution is rape because this means that a sex worker can never be raped (Sullivan 2003: 76). Jeffreys (1999: 180) also argues that the choice to do sex work is socially and politically constructed out of poverty, child sexual abuse, homelessness and family obligation. But again I would state that all our choices are influenced by external factors and discourses; we are forced to make decisions based on our social and economic position. Furthermore sex work does not always involve females servicing male clients; there are male sex workers and female clientele utilising both male and female workers. It is too simplistic to frame sex work as male dominance over women at the neglect of alternative relations of power.

Radical feminists neglect issues of male prostitution. The word ‘prostitute’ implicitly means ‘female prostitute’ which often gets translated into ‘objectified female body’ (Jeffery 2008: 14). Minimal attention is given to men and boys in academic writing on prostitution/sex work. In a discourse analysis of 166 recently published scholarly journal articles Jeffrey (2008: 11) found that men were mentioned in only 16% of articles. Men were more likely to be referred to as ‘sex workers and women as ‘prostitutes’ reflecting the assumption that men have
autonomy and thus men make choices but women are victims. Similarly when people cross borders through a third party, men are more often referred to as ‘smuggled’ and women as ‘trafficked’. The invisibility of men and boys as sex workers raises some important questions for the radical feminist approach who argue that “all prostitution is exploitative, regardless of women’s consent” (CATW 2009). Are men’s bodies being objectified through ‘prostitution’? Are women clientele of male prostitutes contributing to the global sexual exploitation of women or are they subverting it? Do power relations remain unchanged by sex workers servicing same-sex clients? Jeffery (2008: 11) found that the sexual orientation of male sex workers was always addressed but females were assumed to be heterosexual. It is difficult to obtain accurate numbers of sex workers in general, let alone gender segregated data, but SIN, the South Australian Sex Industry Network, estimates that 10% of sex workers in South Australia are male and a further 2% are transgender (Reid 2009). The existence of male sex workers challenges the notion that prostitution is a form of sexual violence against women.

There are still some inherent problems in the recognition of sex work as ‘work’. Firstly this reinforces the idea that women are commodities to be bought or sold, because overall “men create the demand: women are the supply” (Miriam 2005: 2). This would also reinforce men’s perceived right to sexual gratification by/through women. However there is divided opinion over whether clients are buying sex workers ‘bodies’ or their ‘services’. In addition to unequal gender and power relations of predominately male purchase and female supply, there is a global gender imbalance of women crossing borders to sell their services while men cross borders to purchase. Furthermore the more powerful countries in the international political economy send the men and the poorer countries sell women and children to these men (Pettman 1996: 199). Sex tourism and relations between client and prostitute mirror relations of domination and subordination/exploitation of the first and third world (not just of male and female). Jeffreys (1999: 181) also makes an important point in that prostitution is
the only form of work that merely requires a woman’s body to be present, not even moving, thinking or conscious. Regulating the sex industry is not without its problems.

It is important to acknowledge that women are being forcibly trafficked into sex work. While I am arguing for the respect of sex worker’s agency and the understanding that people choose to migrate for sex work, some people are still forcibly trafficked and exploited in slave like conditions. They are those who are regularly beaten, abused, starved, raped and kept in chains to prevent them escaping. Being forced into prostitution is extremely damaging, Jeffreys (1999: 183) cites reports from public hospitals that 15% of suicides are prostitutes and up to 75% of prostitutes have attempted suicide. Furthermore many ex-prostitutes suffer recurring anxiety, depression, nightmares, and flashbacks and satisfy the criteria for Post Traumatic Stress Disorder. The scale of global trafficking should not be underestimated either; the UN estimates that sex trafficking generates US$5-7 billion in profits annually (Carrington and Hearn 2003: 3). It is problematic to distinguish between forced and voluntary sex work because this creates a binary of the innocent women who deserves pity and punishment for her abusers versus the willing ‘whore’ who sacrificed her right to social protection (Bindman 1997). Without belittling the experiences of forcibly trafficked people I am choosing to focus on all those considered trafficked under the UN protocol.

The best solution to improve the lives of sex workers and end trafficking is the regulation of the sex industry. Most of the problems encountered in sex work are similar to other low status jobs in the informal sector and if sex work were legal then it would be subject to International Labour Law including laws such as occupational health and safety. Sex workers want the right to work with autonomy and security, free from exploitation and oppression (Bandyopadhyay et al 2007: 92). Social and legal recognition of sex work as legitimate work will assist in reducing stigma and the resulting discrimination. Patrolling nation
borders does not stop illegal crossing but if the sex industry bans the employment of trafficked workers then trafficked persons will be longer be recruited (Bandyopadhyay et al 2007: 93). Sex work would become a legally recognised contractual service between consulting adults (aged 18 years plus). Although Raymond (2003: 316) argues that in the Netherlands where sex work is legal 80% of the women are trafficked. However she fails to define ‘trafficked’ and it is logical that women would migrate to countries with more favourable work conditions. This solution is potentially problematic for current workers who were forcibly trafficked and further relocation assistance may be required.

If the industry was not illegal and subsequently driven underground, it would be easier to report illegal trafficking or exploitation. Currently in areas where sex work is illegal, to approach authorities can result in arrest. As it stands now anti-trafficking measures do not protect women from violence and abuse but rather police and punish female migrant sex workers (Sullivan 2003: 72). In China, for example, ‘rescued’ sex workers are sent to rehabilitation camps for two or three years and have their records permanently marked (Bulbeck 1998: 181). Currently in Australia immigration law is given precedence over trafficking law, therefore women who have illegally entered Australia through a third party are considered illegal immigrants and promptly deported rather than seen as victims of trafficking whose abusers should be punished (Carrington and Hearn 2003: 1). Human trafficking is intrinsically embedded in the context of migration for the purpose of labour. By regulating the industry this will empower sex workers and eliminate exploitation.

Treating ‘victims’ of trafficking, whether they be migrating or forcibly trafficked, as victims of global sexual exploitation is not useful or empowering. As Doezma (2001: 31) argues the politics of protection is always problematic for women and feminism. The radical feminist approach is reflective of colonial relations as white women are setting the standards by which all women should live. All feminists need to act in support of sex workers expressed opinions, not
treat them as inferior, ignorant, powerless victims. The experiences of forcibly trafficked women into sexual exploitation should not be demeaned, however it is inherently problematic to assume that all sex workers are trafficked victims. CATW argues that prostitution, as sexual exploitation, denies women the human right to self-determination, but how is victimising women any less degrading and a violation of the right to self-determination than sex work?? Embracing abolition compromises the economic and survival strategies of women with few other options. Sex work does not simply enact male sexual violence and control over women, abolition scholars fail to discuss women’s role in managing the economic transaction, male prostitutes or sex workers servicing same sex clients. The power relations in these relationships are very different to males buying females bodies. An important issue to be explored further is child prostitution and child trafficking, however a regulated sex industry would not employ child sex workers. Radical feminists make an important critique of what it may mean to regulate the sex industry but their approach is neo-colonial, disempowering and degrading. The more useful approach is to acknowledge sex workers agency through the regulation of the sex industry that will prevent the trafficking of people into it.
Reference List


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