

Prostitution: Rights of Women or right to women?

Par Elaine Audet

Stella, a Montreal group created in 1995 that advocates for the rights of prostitutes, has demanded that prostitution be completely decriminalised and that there be recognition of "sex workers." This position is not accepted unanimously. In fact, for most feminists, prostitution is seen as a consequence of the sexual exploitation of women and constitutes a violation of human rights. From this perspective, it is necessary to abolish prostitution and criminalise customers (johns) and pimps.

In this necessarily short article, I will focus on prostitution by adult women, touching only incidentally men's and children's prostitution and transnational traffic in women.

Since the seventies, there has been a trend towards recognition of the concept of "sex workers" in Quebec, Europe and the United States. Viewing prostitutes as "sex workers" suggests that they are merely labourers providing a "social" service and should be given, therefore, the same rights as other exploited workers who are crushed by the forces of globalisation, and turned into marketable objects.

In Quebec, members of Stella have spoken the loudest in favour of the liberalisation of prostitution. They reject the idea that prostitutes should be treated as victims and say that most prostitutes have freely chosen this role, finding in their work a source of empowerment. No doubt, prostitutes have great courage. Testimonies from these women, such as that in Jeanne Cordelier's memoirs of prostitution, highlight this : " When the door of the room bangs, there's no escape... Dead end, no emergency exit (1). " But despite this courage, and the claims of Stella, there is room for scepticism, especially when data from an international study show that 92% of the prostitutes would leave prostitution if they could (2).

A gradual slide toward dehumanisation

In debates about prostitution, all words are loaded, in particular the concepts of rights, free choice, sexual workers. Concerning the latter, for example, the French ex-prostitute, Agnès Laury, believes that seeing these women as " merchandise sold by men to men " (3) would be closer to their reality.

We live in a consumerist/consuming society where priority goes to individualism and to the unrestrained consumption of people and things, the ne plus ultra becoming for us to consume one another. In such a context, viewing prostitutes

as sex workers erases feminist opposition to the marketing of women on a global scale. It allows the johns to assert that women do this by "choice," even by "taste," thereby hiding what all studies demonstrate : that women prostitute themselves out of necessity.

Patriarchal culture rests on the principle that the unique duty, and source of power, of women is to satisfy men sexually in marriage or by prostitution. The existence of prostitution, and viewing it as "sex work," hides the extent of this sexual slavery and reinforces the notion that women are simply interchangeable objects that must be accessible and ready for all men at all time and everywhere.

The interests at stake

When we consider who would profit from the liberalisation of prostitution, it becomes clear that it would NOT be prostitutes or women in general. Rather, the beneficiaries will be pimps, dealers, organised crime, customers, and all those who view sexuality as but a mechanical act, deprived of reciprocity and of any responsibility. Liberalisation will only benefit those, whatever their social status, who want to be able to purchase power over a woman.

Of course, it is impossible to speak about prostitutes as a whole ; their situations will differ considerably according to whether they are call girls, escorts, or nude dancers ; whether they work on the streets or in massage salons ; whether they are autonomous, or must give most of the money they earn to a pimp.

Girls are often recruited for prostitution at about age thirteen when many of them have been made vulnerable by violence, poverty, unemployment, and drugs in the environments where they live. The majority have experienced forced dressage by pimps or members of street gangs who seek to depersonalise a woman until she loses the ability to act on her own initiative or even to think for herself. Many girls have spent time in shelters, reform houses or prisons ; more than half are drug addicts. Living in and experiencing such circumstances, how can one talk about a girl's/woman's free choice to prostitute ?

On an international scale, revenues from prostitution are about \$72 billion a year, now more lucrative than the traffic in weapons and drugs. This translates into millions of dollars in Canada, where a pimp collects on average \$144,000 a year from each of his prostitutes (4). Although, 5,000 to 10,000 persons in Montreal make their living in the prostitution business, many others have some interest in the expansion of such a profitable market. And given their connections, these potential prostitution-profiteers have the financial and media resources to deflect legitimate critique of prostitution and to exaggerate the importance of division within the feminist movement by adopting the position of a "free choice" minority who pretends to speak for all prostitutes. In so doing, they mostly only support liberalisation to retain their own control.

The merchandised body

The present movement for the liberalisation of prostitution is rooted in the general movement to liberalise trade, and serves this neo-liberal approach by framing prostitution as "good" for the economy. Thus, in the media and at the UN, there is an increasing tendency to present the sex industry as a solution to economic problems or, even more, as a road toward development.

In this regard, it is of interest that the UN-based International Labor Organization (ILO) promoted a 1998 report that supported the legalisation of prostitution because : " the possibility of an official recognition would be extremely useful for extending the taxation net to cover many of the lucrative activities connected with it (5). " This position is clearly an admission that sex is an industry and that it can contribute directly and indirectly, and in extensive ways, to employment, national income, and economic growth.

Prostitution constitutes one of the most violent forms of collective oppression of women and, with but a few exceptions, it is always under the coercive control of pimps (6). Therefore, how can we invoke the free use of one's own body as a human right when the conditions in which prostitution is practised are such as to violate explicitly the respect and dignity of the person recognised by the Convention for the "Repression of traffic in human beings and the exploitation of someone else's prostitution," adopted December 2nd 1949 by the United Nations ?

Many prostitutes, breaking the general "law of silence" enveloping them, have spoken out about their constant exposure to all kinds of humiliations, physical and sexual aggression, and theft, as well as to the "Russian roulette" of forced sexual relations without condoms or other protections. And even if not all men are violent, those seeking sex with a prostitute necessarily buy the power to be violent with impunity. " I was afraid, conscious that the situation could become uncontrollable at any moment ", says a prostitute from Quebec (7). Moreover, " The beaten girls who do not lodge a complaint have integrated the message society is sending back to them that prostitution is a package deal...that one must accept even the unacceptable (8). " For how long will the right of men continue to be systematically confused with the Human Rights ?

Many arguing for the total liberalisation of prostitution try to discredit feminists who are opposed to this position by saying the latter are moralising, their discourses, thereby, victimising and stigmatising prostitutes. Nevertheless, the neo-abolitionists are not responsible for prostitutes' working conditions or for the hostility of those who see their neighbourhood transformed in an open market for women and drugs. Because we have not been able to extirpate a problem's causes, must we legitimate its consequences ?

Trails for action

No individual can remain indifferent to a problem which, in the end, concerns and touches us all. It is clear that whatever else it does, the liberalisation of prostitution (and of pimps and customers) as demanded by Stella, will not provide a real alternative to the growing misery of prostitutes and might, instead, only make things worse.

Similarly, with the Bloc Quebecois's proposition for a return to brothels. This "solution" would have the state become the principle pimp, a parallel to how the state has replaced the Mafia in provincial casinos. The example of the Netherlands shows that legalisation institutionalises and legitimates the sex "industry", lets pimps masquerade as "foremen" and legal "entrepreneurs," and rationalises the marketing of prostitutes locally or transnationally.

The only hope for improving the lot of prostitutes and ending the marketing of women resides in the example provided by Sweden which, in 1999, passed legislation that criminalised pimps and customers, but not the prostitutes. This policy led to a reduction by half in the number of prostitutes, even if it did not succeed in completely eradicating underground prostitution. However, the Swedish government continues to pursue its efforts by constantly injecting new funds for detoxification programs, for the reinsertion of prostitutes, and for educating customers. Of interest, and encouraging, is that the European Lobby of Women, comprising around 3500 groups, has urged the adoption by other governments of a position similar to that of Sweden (9).

In Quebec, there is a consensus that governments at all levels should cease acting toward prostitutes as if they were criminals and, instead, give them access to the health, social, legal, and police services they are requesting. Debates arise between groups on the subject of criminalising the customers, the pimps being already subject to Canadian laws, even if these have so far been applied only in very limited ways.

In establishing policy here, Quebec can find inspiration in the Swedish experience and in the approaches of cities such as Toronto and Vancouver where there are efforts to give prostitutes the help and protection they need, to put in place means of resistance to pimps and dealers (often the same), and to dissuade and sensitise customers. The abolition of prostitution can only be a long term objective, but we need now to question all social, economic, and sexual relations of domination, and take immediate steps to fight poverty and violence against women.

"To come out of it," says ex-prostitute Agnes Laury, "one needs an unshakeable will not to go back on the sidewalk, to be helped and mostly to be totally cut off from the milieu" (10). In short, to "come out of it" is to pass from the status of victim to that of "survivor", of a woman who fights. It is time for us all to break the silence about the buying of sexual services and to ask if it is not really the discretionary power of men to sexual violence that underlies prostitution, not

women's choice. Analysing prostitution this way is not a matter of puritanism, but of asking fundamental ethical questions about the marketing of humans. Instead of invoking a "free choice" to sell one's body to justify prostitution, couldn't we call for the humanity principle, to a freely accepted limit on using humans as merchandise, such as was done in the face of slavery, to abolish the marketing of both sexuality and reproduction ?

Notes

- 1 Françoise Guénette, entrevue avec Gunilla Ekberg, « Le modèle suédois », Gazette des femmes, mars-avril 2002, Vol. 23, no 6.
- 2 Jeanne Cordelier, *La dérobade*, Paris, Hachette, 1976.
- 3 Agnès Laury, *Le cri du corps*, Paris, Pauvert, 1981.
- 4 Conseil du statut de la femme, *La prostitution : profession ou exploitation ? Une réflexion à poursuivre*, juin 2002. [Gazette des femmes](#). Ce document est disponible [en version intégrale](#) (pdf) ou [en version synthèse](#) (pdf).
- 5 Lin Lean Lim, *The Sex Sector : The Economic and Social Bases of Prostitution in Southeast Asia*, Genève, Organisation internationale du travail (OIT), 1998.
[Janice Raymond, Legitimizing prostitution as sex work : UN Labor Organization \(ILO\) calls for recognition of the sex industry, 1998](#)
- 6 Delphine Saubaber, « Paroles d'anciennes », *L'Express*, 22.08.02.
- 7 [La parole aux prostituées](#)
- 8 Ibid.
- 9 Françoise Guénette, entrevue avec Gunilla Ekberg, « Le modèle suédois », Gazette des femmes, mars-avril 2002, Vol. 23, no 6.
- 10 [Les survivantes](#)

On line in Sisyphe, 14 september 2002.

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