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# Emputada: A Transnational Critique of Trafficking, Prostitution, and Global Sex Worker Organizing

Alexandra Douglas

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# **Honors Paper**

Macalester College

Spring 2008

**Title:    Emputada: A Transnational Critique of  
Trafficking, Prostitution, and Global Sex Worker  
Organizing**

**Author: Alexandra Douglas**

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# Emputada\*

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## A Transnational Critique of Trafficking, Prostitution, and Global Sex Worker Organizing

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Alexandra Douglas  
International Studies  
Advisor: Scott Morgensen

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\**Emputada* is a colloquial term used in South America, like its synonymous idiom *dar la cara de puta*, to express anger or being ticked off; specifically it also connotes a need to express one's anger verbally. I use it here as a play on words as the root word of "emputar" is "puta" meaning "whore;" it literally therefore says "whored off." My usage of the term when writing about the sex industry grew out of the II Encuentro Nacional of sex workers in Bolivia, where when accounting the abuses taking place in the sex industry sex workers would continually say "Estoy emputada;" "me da la cara de puta."

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## **Abstract**

This thesis provides a genealogy of the international sex trafficking discourse, as defined juridically through the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, by annotating how the category and definition of "sex trafficking" emerged from multiple articulations of race, sexuality, and migration. By providing a comparative example of how trafficking and sex work is conceptualized within the sociopolitical infrastructures of three distinct locations--St.Paul/Minneapolis, SanFrancisco, and Cochabamba--I demonstrate how trafficking, as defined in international discourse, both has its historical roots in the west and continues to serve as a method of (neo)colonial control.

## Acknowledgements

This work, while still in progress, is the synthesis of many research projects over the last two years. It has only been made possible by the endless support and encouragement of friends, family, advisors, and communities which have opened their doors to me. Most particularly, I am indebted to the women of El Grupo Libertad who first brought me into their lives and challenged me to think critically about the sex industry. I am also largely indebted to Oscar and Gladys Olivera, and their children Diego, Sasha, and Libertad, for offering their home, hearts, and support as I undertook that first project.

As always, I am also forever grateful to my own parents, Steven and Deborah Douglas, who have always understood and supported my travels and research, with only ever voicing a few words of caution despite the fact that I know they were always worried; I would never be able to count the times they have scraped me off the floor and helped me put myself together again, and still granted me the freedom and independence to live my life again.

I want to thank my thesis advisor Scott Morgensen, who has supported and provided encouragement for this project since I was living in Bolivia, a point at which he did not know me personally. He has dedicated countless hours, even in the summer and over holidays, to providing me with answers to my questions, a rich bibliography, and constant inspiration. I also want to thank my other two committee members, David Moore and Lauren Martin. David has known and supported me unconditionally for four years as an academic advisor and friend, and willingly stepped into read this thesis despite his busy schedule and it being a topic outside of his field. Lauren, after only having met me once during my research in the summer of 2007, jumped on board with deep enthusiasm which helped remind me why this was important while writing those last 80 pages. All of their comments and feedback will shape this paper as it goes into its next phase of existence.

I also want to acknowledge that portions of this paper have been explored in a great variety of courses over the past two years. Most especially, I want to acknowledge SIT Bolivia, and its academic directors Heidi Baer-Postigo and Ismael Savaadra for their feedback on my first extensive essay on Bolivia's sex industry, as well as the Spanish instructors Chichi and Lupe (who has since passed away) for their countless hours of editing. Also during my time in Bolivia, I owe enormous thanks to Crista Weiss who served as my project advisor and Claudia Lopez and others at the Fundacion Abril who helped organize the logistical aspects of the book project. Other portions of this paper have been explored in "Postcolonial Theory" with David Moore, "Transnational Sexual Politics" with Scott Morgensen, "Postnationalism: the European Union" with James von Geldern, and Lilly Project supervised by Eily Marlow and Lucy Forester-Smith. In many of these courses, I have written final papers which I have later adopted to fit this thesis, at times extracting/modifying entire paragraphs.

I am grateful for my friends and housemates who have supported me throughout this process, among them are Elsa Miguel Leal, Audun Solli, Leah Roth-Howe, Katie Grudnowski, Katarina Hrubá, Airiin Lehtnets, Justin Lee, Blythe Austin, Niki Littel, Urvashi Wattal, Pierangelo Rossi, Paul Maximilian-Bisca, Diego Ponce de Leon, Daniela Ramirez Camacho, Becca Sheff, all of those in my IC4L group, the nonnormative

sexualities study collective, and so many more who have offered their moments of love and support along the way. They have put up with my busy schedule, my failure at correspondence. They have brought me coffee, stayed up with me all night, made me laugh and taken me out when I started to push a bit too much, and always embraced me with love. This was surprisingly one of the easiest writing processes I've ever had, despite its length, time crunch, and unrelated crises, made possible only by these incredible people. Thank you.

And to all of the sex workers out there fighting for thier rights, defining and redefining the sex industry, I hope this thesis can contribute to your conversation and your fight.

Que sigue la lucha, en solidaridad.

Alexandra



# Preface

## La Cara de Puta: Un monologo

\*For an English Translation see Appendix A

**Author's Note:** I originally wrote and performed this monologue in the fall of 2006. Since then, it has been used by Bolivian sex workers in their public protest against abusive laws and social stigma. I include it here, in its original format, to remind my readers of the real stories and lives that inform this thesis. Moreover, it should serve as a reminder of the inherent privilege and inequalities that exist in trafficking and prostitution discourse, made evident by the mere fact that this thesis—and most other writings on the subject—are in the English.

### I

Los hombres en fila

Hartos hombres

Ellas...diosas.

Escúchame, diosas.

Lindas chicas

Ganan la plata, de lindo

¿Qué debo hacer?

Entras. Un rato te acuestas

Vas a ver, vas a ganar la plata

Es así

Listo pues, ni modo

Mira, recuerda. Celestes, plomos

Pucha, la plata

Ya no sabia que hacer con la plata

Compré una mini

Bailaba, bailaba

Los hombres me tratan bien

Yo, ahora...diosa

Escúchame, diosa.

### II

¡Ay! Mamita.

Imagínate como los años pasan

Veinte años ya

Estoy en este ambiente

Por favor, que ya no hayan mas

violadores

Dice ¿Cuánto? Veinte.

¿Tan caro?

Oye. Veinte bolivianos.

No te hemos dicho veinte dólares.

Cojudo de mierda, veinte bolivianos.

Por veinte bolivianos quieres satisfacer  
tu necesidad

Y tú me dices que es tan caro.

Imagínate, veinte bolivianos

Si fuera por ellos, gratis mamita.

Ahora entramos por 15, 10, 5

### III

Mujeres casadas, mujeres solteras

Jóvenes, mayores

Con hijos, sin hijos

Con dientes, sin dientes

En minis y en polleras

De La Paz, Oruro, Sucre, Potosí

Cantantes, empleadas,

Estudiantes, profesoras

Morenitas, blanquitas, chinitas, negritas

Religiosa, sin religión

De Tarija, Beni, Pando, Cochabamba y

Santa Cruz

Prostituta, prostituta, prostituta

Escuche bien la palabra

PRO-STI-TU-TA

No suena exactamente como el titulo  
doctora

Pucha, la mayoría de la gente no quiere

Aún decir la palabra

Me dice

Ramera, proxeneta

Mujer de la calle

Buscona, Mujerzuela

Mujer de la noche

Campana, flauta

Put a, puta

PUTA

### IV

Yo tengo trece años  
No sé qué es el sexo  
Grave pues  
Recién empezando  
Yo cerradita  
Me duele

Yo tengo casi sesenta años  
Y viera lo que pasa en la pieza, qué les  
hago  
Que de este ladito, que de otro ladito  
Que de acá  
Los atiendo bien

## V

Cuando yo era niña  
Me gustaba la música  
A toda la familia le gustaba  
Éramos parte de la música  
Tocábamos folklore  
Me gradué de la normal a mis 17 años

Entonces conocí a mi esposo  
Era del ejército  
Tuve mis tres hijos  
Yo, contenta  
Participé en el Club de Madres  
Fui presidenta dos años

Entonces me divorcié de él  
Conocí a mi otra pareja  
No tuvimos nada  
Estuve con la moral baja  
No pude mantener a mis hijos

Bueno, me metí en el ambiente.  
Lo conocí por una amiga en Oruro  
Las otras compañeras me cuidaron  
El trabajo, sí, es sacrificado  
La gente nos grita, nos maltrata, opina  
Pero por lo menos tengo un techo para  
dejar a los niños

Yo, contenta  
Mantengo mis cinco hijos, un nieto

Me siento madre superada  
Una madre realizada

## VI

Mi juventud,  
Mi madre falleció cuando tenía 11 años  
Mi hermana me cuidaba  
Pero me trató mal  
Pues saqué los pies de la casa  
Escapé en la noche

Me fui al oriente  
Trabajaba en una panadería  
Trabajaba como empleada  
Pero yo no sabía hacer las cosas

Entonces encontré a un amigo de mi  
hermana  
Me dijo que su familia me iba a cuidar  
Estaban yendo a Perú  
Me llevaron con ellos  
Feliz era

El día de festividad de Perú  
Un 28 de Julio  
Él me violó  
Le conté a su mujer  
Pero ella solamente me volvió a violar

Cebolla, zanahoria  
Tomate, cuchillo  
Ya no me gusta cocinar  
En mi vida  
Me han metido de todo en la vagina

## VII

Te digo,  
Yo *escogí* este trabajo  
Más antes tuve un amigo  
Que era, así, ratero  
Quería enseñarme a robar  
Pero yo no había nacido para eso  
Es muy feo

Pues, trabajaba de empleada domestica  
Pero te cuento  
Eran una pareja, marido y mujer  
Me fui a trabajar  
Estaría unas dos semanas  
Me daban almuerzo

Pero el hombre quería algo conmigo  
Yo no lo quería  
Pues el hombre hizo llamar a la policía  
Me hizo detener un mes  
Una mentira que había robado la tele

Yo no le he robado  
No soy para eso  
Un mes en la cárcel con la misma ropa  
Me estaba pudriendo  
Porque yo no quería a ese hombre

¿Trabajar así es mejor que lo que yo  
hago?  
¿Eso es trabajar honradamente?  
No gracias, prefiero decidir  
Con quien voy a meterme

### VIII

Yo tenía 16 años cuando me metí en el  
ambiente  
Yo tenía 36  
Yo 13  
Yo 25, 15, 18, 23, 41

Entré por gusto, diversión  
Necesidad, esclavitud  
Yo sabia cuidarme, yo no  
Me trataban bien  
Me trataban mal

Nunca he trabajado en un local  
He tenido mis dueños  
Gano 300 dólares por noche  
En una buena noche gano 60 bolivianos,  
Es mejor que una empleada  
Y no robo a nadie

Mi familia sabe en lo que trabajo

La mía no  
Por lo menos he sacado a mis hijos  
adelante  
Me quitaron mis hijos por el ambiente

Entramos por varios motivos  
Algunos ni económico, ni moral  
Para algunas, es nuestro trabajo  
Para otras, es nuestra actividad

Tenemos diferentes caras, cuerpos  
Gustos, experiencias, y opiniones  
Pero a todas, nos dicen  
Putas.

¡PUTA!

### IX

Mi hija,  
Ella sabe en lo que trabajo  
Cuando alguien le había dicho  
Tu madre es una tal  
Les dije, mi madre será lo que sea  
Pero es una madre que me lleva adelante

Pero sabes que  
Ahora mi hija tiene su departamento  
Y a mi ella me ha rechazado

Mami, no puedes venir a la casa  
Pues mi dueño sabe que eres de la  
Aroma

Ahora a ella le discriminan  
Que me discriminan  
Es así

Ya no sé como comunicarme con mi hija  
Ni que hacer, ni darle un centavo  
Nada

¿Por qué?  
Dice que su dueño de casa  
Me ha visto por aquí  
¿Y qué soy?  
Soy puta

X

Bueno, alquilar un cuarto, una casa  
Todos necesitan un lugar para acostarse  
Venir, descansar después del trabajo  
Cocinar, cuidar los hijos

Pero buscamos un cuarto  
¿Dónde trabaja?  
¿Qué hace?

¿A qué hora se recoge?  
¿A qué hora sale?  
Disculpe, pero no doy cuartos a putas

Hay otros que no se dan cuenta  
Después de un mes  
¡Ay! Señorita  
Putas había sido  
Desocúpamelo  
No más mi cuartito

He tenido que desocupar  
¿Cuántas veces?  
Algunas veces llevo un mes  
Otras cinco  
Ahora me he tenido que ir  
A vivir a los quintos infiernos

XI

Ok, subo al micro  
Tengo derecho a subir al micro  
Y me conoce algún cliente  
Está cuchicheando  
Y yo, bueno, también no soy nada santa

El chofer,  
Su espejito lo pone no mas así para  
mirarme  
Yo: Joven, ¿Hay que pagar adelantado?  
No señora, al bajar no más  
Yo pensé que por eso me estaba mirando  
Pero es testarudo y sigue mirando

Le digo

Joven, hay que mirar adelante  
Por eso vienen los accidentes  
Otros miran

Yo les digo, ¿Qué?  
¿Nunca has visto una puta caminar en  
micro?  
O ¿Qué? ¿Soy extraña?  
Nos sacan de las casillas, mamita  
Nos mira

O sea  
Una puta ya no tiene derecho caminar  
En micro, en avión  
¿En qué?

XII

Una noche un cliente vino a ocupar los  
servicios  
Estaba en movilidad  
Pues me llevó a un hostal  
Dio un nombre falso

Dentro del cuarto  
Me violó  
Argumentándome que por el pago  
Podía hacer conmigo lo que quería

Me asfixió  
Sin escuchar mis suplicas  
Señor, por favor, no. No lo quiero

Se cansó  
Y me encerró bajo llave en la habitación  
Y se fue

Con suerte, logré huir por la ventana  
Rompiendo el vidrio  
Corriendo por mi vida

Pero soy puta  
Porque me pagas, me tienes  
¿No ve?

XIII

Una noche  
Una noche normal  
Estuvimos durmiendo en el alojamiento  
Habíamos chupado, cuidado a los  
clientes

A las tres en la mañana  
Llegaron los militares  
Había habido balacera

Como un golpe del estado  
¡Abran las puertas carajo!  
Las puertas eran de fierro  
Pero disparaban, entraban

No sabíamos que hacer  
Los machos todavía estaban en los  
cuartos  
Los militares disparaban donde ponían  
los whiskeys

Todos nosotros corrimos a un cuarto  
Parecíamos fila de cemento, ataucados  
Encima uno del otro  
Porque si disparaban allá  
No nos iba a llegar

¿Qué pasó después?  
Adivinas.  
Somos putas.

#### XIV

Muchas veces la prensa viene a la calle  
Para sacar fotos de nosotras  
Poner nuestras caras en la televisión  
Nos filman donde ellos quieren

Si estamos bien o estamos mal  
Salimos toditas  
Están mirando como estamos trabajando  
Como estamos caminando  
Si caminamos borrachas o sanas  
Si caminamos chueco o si caminamos  
recto

Algunas veces entran a las habitaciones  
Donde estamos haciendo nuestra  
actividad  
Los clientes encima de nosotros  
Nos filman  
Mostrando nuestras caras  
Nuestros cuerpos

Pucha, nosotros también somos madres  
Somos amigas  
¿Por qué vienen?  
No tienen motivo  
No hemos hecho nada delincuente

¿Qué?  
¿Las putas no tienen el derecho de  
confidencialidad?  
Pensé que era parte de la constitución.

#### XV

Un día un cliente me violó  
Me pegó  
Y se fue sin pagar  
Estuve en la plazuela  
Al lado de la policía de la cárcel de  
varones

Fui a pedirles ayuda  
Me dijo  
¡Vieja fea! Ya no sirves  
Déjalo en paz  
Vete o te vamos a arrestar

Pero sabes que  
El próximo día, algunos funcionarios  
Vienen en sus uniformes a nuestra  
esquina  
Nos piden nuestros carnets de identidad  
Entonces nos obligan a atenderles gratis

¿Qué vamos a hacer?  
Tienen nuestros carnets  
Sin carnets, estamos trabajando  
ilegalmente  
Nos pueden arrestar

Sí, soy vieja fea  
Ya no sirvo  
Gracias por su ayuda

### XVI

Cada semana tenemos que ir  
Al Centro de Salud  
Para hacer exámenes de nuestras vaginas

Espero en el cuarto, casi desnuda  
Entra un practicante  
Hola Doctor, ¿cómo estás?  
¿Esto es un examen normal?  
Sí, doctor  
Pero estoy con dolor del estomago  
¿Me puedes atender, por favor?

Me abra las piernas  
Me mira  
Yo, expuesta 15 minutos  
Entonces mete sus dedos en mi vagina  
Sin guantes

Me toca  
Me toca con sus manos ásperas y  
callosas  
Tres dedos en mi vagina  
Me duele  
El doctor con ojos cerrados

Estás de buena salud, señora  
¿Mi estomago, Doctor?

### XVII

Los médicos, la policía, la fiscalía  
Ya estoy cansada  
La alcaldía, la prensa, los militares  
De solamente ser una vagina

Los dueños, los clientes, la gente  
¡Basta!

Soy una persona  
La prostitucion solamente es un trabajo

Mierda, discúlpame la lengua

Pero me da

### LA CARA DE PUTA

Decidí usar este formato para introducir el trabajo porque es una manera de complicar los estereotipos de la prostitucion a través de historias reales de las compañeras de la Calle Aroma. Mi meta era mostrar las complejidades del trabajo sexual, especialmente el hecho que cada trabajadora sexual es una mujer, aun mas una persona con su propia identidad, aunque la sociedad pone el nombre de "puta" a todas. Pues, puse historias buenas al lado de historias malas, historias de mujeres que fueron violadas y forzadas al trabajo sexual e historias de mujeres que escogieron el trabajo para mejorar sus vidas y las vidas de sus familias. Pero también, traté de mostrar que, a todas, la sociedad les da maltratos y violaciones de derechos y que ellas, como personas, están cansadas de ser las "putas" de la sociedad, que no son su trabajo, sino personas.

El titulo del monologo viene de la expresión "dar la cara de puta." Cuando estuve en La Paz por el II Encuentro Nacional, las compañeras, cuando hablando de denuncias y maltratos, casi siempre terminaban su denuncia con "discúlpame la lengua, pero me da la cara de puta." Me tocó la expresión porque ellas la usaron para expresar su rabia y rebeldía frente a los

maltratos que llevan por ser trabajadoras sexuales. La ironía de la frase cuando usado por veinte “putas” en un cuarto denunciando la sociedad era fuerte. Porque realmente, ellas son las caras de putas y están con ira de ser siempre la “puta” de la sociedad. Y esto, en todas maneras, expresa todo el contenido de mi proyecto de tanto en la teoría como en la discusión. Son individuos, con diferentes opiniones y experiencias. Todas llevan maltratos y todas quieren justicia por sus vidas y sus cuerpos. Pero no es fácil cuando todas también son tan diferentes y enfrenten discriminación de todas partes.



# I

## Introduction

*Trafficking in persons is a modern day form of slavery, a new type of global slave trade.*  
~Condoleeza Rice<sup>1</sup>

*Trafficking in human beings is one of the greatest human rights challenges of our time.*  
~US Department of State Trafficking in Persons Report<sup>2</sup>

*Two hundred years after the end of the trans-Atlantic slave trade, we have the obligation to fight a crime that has no place in the 21st century.*  
~ Antonio Maria Costa<sup>3</sup>

*Human trafficking has no place in our world today and my slogan is: 'React. It's time.'*  
~Ricky Martin<sup>4</sup>

Since the turn of the twentieth century, the idea of human trafficking has plagued the thoughts and consciousnesses of people around the world. In a world where slavery is banned by almost every country and numerous international treaties,<sup>5</sup> the buying and selling of human beings as dehumanized property should be impossible. We believe, as a people, that slavery is something out of our history, not our present. Nonetheless, people are continually forced into unpaid or bonded labor, forced to work under a physical and psychological whip without consent or agency. What we thought was only our dark colonial legacy is actually our reality. However, as I argue in this thesis, colonial legacies go beyond continued physical enslavement to construct the very modes of public policy and government which are meant to protect against such massive exploitation.

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<sup>1</sup> Rice, Condoleeza. "Letter from Secretary Condoleeza Rice." In *Trafficking in Persons Report 2007*. Office to Monitor and Combat Trafficking in Persons. 2007.

<sup>2</sup> US Department of State. *2003 Report: Victims of Trafficking and Violence Protection Act of 2000: Trafficking in Persons Report*. 2003. <http://www.state.gov/g/tip/rls/tiprpt/2003/> Accessed July 2007.

<sup>3</sup> UN.Gift. "Opening Remarks by Mr. Antonio Maria Costa, Executive Director, UNODC." [www.ungift.org](http://www.ungift.org), February 2008.

[http://www.ungift.org/index.php?option=com\\_content&task=view&id=847&Itemid=1141](http://www.ungift.org/index.php?option=com_content&task=view&id=847&Itemid=1141)

<sup>4</sup> USA Today. "UN: Human trafficking is slavery, must be battled." 14 February 2008.

[http://www.usatoday.com/news/world/2008-02-14-human-trafficking-un\\_N.htm](http://www.usatoday.com/news/world/2008-02-14-human-trafficking-un_N.htm)

<sup>5</sup> "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms."

Article 4, Universal Declaration of Human Rights, 1948. See also the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.

This paper focuses on the *colonial rationalities* that architect the legal discourse surrounding modern day slave trade, or what today is most often referred to as human trafficking. As should be evident from my terminology, this paper is not a human rights report, nor does it document any actual cases of human trafficking, even though it draws deeply from my fieldwork on the sex industry in three global cities. Rather, this paper traces a genealogy of the international sex trafficking discourse, as defined juridically through the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children. Unlike typical sex trafficking reports which merely draw deep parallels between the transatlantic slave trade and contemporary human trafficking, I am examining how colonialism's political rationalities—the ways in which colonialism organized its practices to govern its subjects and produce sovereign rule—have shaped contemporary trafficking laws and politics. This means in highly theoretical terms that I am focusing, to borrow the terms of David Scott, on the *targets* of colonial power, or the “object or objects that [colonial power] aims at, and the means and instrumentalities it deploys in search of these targets, points, objects,” and the *field* of its operation, “the zone that it actively constructs for its functionality.”<sup>6</sup> In other words, I am examining how, through its historical formations during the height of colonialism and US racial segregation/violence, trafficking discourse emerged as a field through which colonial or dominant powers could control and govern the Other. By focusing on the “targets” or “fields” which motivate, rationalize, and functionalize trafficking discourse, I demonstrate how—despite a racial, gendered, and national “decentering” of trafficking law within the last century—trafficking continues to serve as a method of control over the

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<sup>6</sup> Scott, David. “Colonial Governmentality.” *Social Text*, No. 43, Autumn 1995. 193.

racial, sexual, and national Other by the west, and does little, in fact, to combat global exploitation.

The grounds for this argument developed out of originally unconnected interdisciplinary fieldwork in three locations: St. Paul/Minneapolis, Minnesota, San Francisco and the larger Bay Area, California, and Cochabamba, Bolivia. In the fall of 2006, I interned with El Grupo Libertad, the sex workers' union of Cochabamba, Bolivia. While looking for an internship site and a future group with which to do an ethnographic field study, I was introduced to the members of El Grupo Libertad by a mutual friend and alliance, anti-globalization activist and Bolivian water wars leader Oscar Olivera. El Grupo Libertad then asked me to begin research on a book they planned to write discussing both their personal experiences in the sex industry and the union's political platform; simultaneously they agreed to let me use both the interviews I did with them and my observations as a participant-activist in their union as part of my academic studies.<sup>7</sup> Despite being a non-sex working "gringa," I was immediately accepted by most members of the union precisely because of the trust I had gained from Olivera, who would likely be considered their closest and most powerful political ally. This "in" into sex worker street life and organization undoubtedly enriched the information I received; however, to the extent that the politics of this connection influenced the information I received from the sex workers I cannot say. No apparent tensions ever emerged; I express this unique situation so as to locate myself within the sex workers' union as a person who simultaneously would have been viewed as an outsider<sup>8</sup>—young, college-

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<sup>7</sup> The Bolivian segment of this project was approved by a Bolivian IRB in September 2006.

<sup>8</sup> I discuss the dynamics of my own identity on the street, i.e. as often being taken for a worker on the street, in negotiating my responses to outsiders and the sex workers, and managing the few minor conflicts that

educated, white, US-American—and as an ally to the anti-globalization, anti-imperial, indigenous (in cultural and anti-racist contexts), and labour movements in which Olivera served as a leader, and many women in the union took active part. As the women’s formulation of their identity through these other movements (that is, outside of references to “sexuality”) is crucial to my study, I think it is important to remember that to some extent my own positionality would have influenced this telling.

My time in Bolivia was the first extensive exposure I had with sex industries—I had no more than known friends who worked in the industry when I was younger and living in Thailand—and it was my first exposure to sex worker organizing. When I began working with El Grupo Libertad my views on prostitution were largely unformed, although due to my experiences in Thailand I was not inherently against sex worker organizing.<sup>9</sup> Given my position as an intern/researcher *for* the union, I also largely worked under the organization’s authority. My own beliefs and experiences of the sex industry, therefore, grew mostly out of this role.

When I moved back to the US in January 2007, I was still greatly interested in the politics of sex worker organizing as both an activist and scholar. I, therefore, continued in this line of work through a grant I received in the summer of 2007 to examine “varying social infrastructures, and how these structures simultaneously both assist and control sex

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did occur in relation to my whiteness and US-American citizenship, fully in the paper I wrote while I was working for the Union. See Douglas 2006.

<sup>9</sup> The first time I came into direct contact with sex workers while living in Thailand during high school, I was not sure where my feminist background meant me to understand the sex industry. The sex workers I met were my classmates, girls and boys between the ages of 13 and 18 who entered into the sex trade to simultaneously put themselves through school and financially provide for their families. My first reaction was outrage: outrage that kids had to sell their bodies, outrage that sex was the only way for them to bring themselves out of poverty. I was informed by my friends, however, that this attitude was patronizing and did not respect the choices my classmates made in order to pull themselves ahead in life; a thought which stayed with me strongly when I began my work in Bolivia.

workers' lives, and/or impede the development of true social justice for sex workers.”<sup>10</sup> I focused this research in St. Paul/Minneapolis, MN and the San Francisco Bay Area, CA as they were two sites of historically drastically different forms of organizing around the sex industry in the United States. Even though I designed my research in an interdisciplinary fashion—drawing from anthropological, sociological, and historical methodologies—I expected to find a fairly clear distinction between the abolitionist and sex workers' rights perspective at these two sites.

Yet as I delved deeper into the project, I began to note that the responses I received did not fall into such clearly prescribed boundaries as the abolitionist and sex workers' rights perspectives project. On the fringes of interviews, I noted some of the original sex workers' rights activists in San Francisco noting how they were continually forced to speak only about the positive aspects of the industry, because negativism already dominated the discourse from an anti-prostitution perspective; I also noted that they struggled within the movement to find space to speak about perspectives of difference. At the same time, I encountered younger sex workers who took part in the movement who had developed a strong sense of pride around being a sex worker and part of this broader movement to the point that an identity around being a sex worker had been born; among these sex workers were many academics whose curiosity about the subjectivity of being a sex worker brought them into sex work itself. The movement had long rejected researchers who examined “systems of prostitution” without ever speaking to a sex worker; hence sex workers began to create their own canon of literature based on their investments in authenticity. Nonetheless, the combination of struggling for rights

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<sup>10</sup> Douglas, Alexandra. “Whores and madonnas: Beyond the dichotomies and towards an integrated sex workers' rights movement.” Lilly Project. St. Paul, August 2007.

and a new voice to portray the authentic lives of sex workers created a new version of the sex worker. Sex workers were being created from the movement, rather than the movement only allowing people to claim the struggle for rights as their own.

I thus came to believe that the sex worker identity I saw growing out of the sex workers' rights movement's legacy in California represented a very particular cultural identity. The movement developed there simultaneously with the rise of the HIV/AIDS crisis and queer politics. Moreover, it developed in a time when the abolitionist movement—which dominated the social topography of Minnesota—was very strong and vocal. The dialogue that developed between these two polar positions pushed sex workers' rights activists towards advocating a stronger position of self-determination and identity. Partly as a result of abolitionists labeling the sex workers' movement as “prostitution,” the sex workers' advocacy for labor rights got pushed to the side by a politicized identity politics that promoted agency and self-determination. In this way, I would argue that the sex worker identity developing in San Francisco was/is dependent upon the radical feminist argument that sex work is inherently violence against women. The two polar positions thus shaped and recreated each other through an ideological battle, yet the camps formed remained invested with the qualities specific to the cultural context where these battles took place.

In retrospective comparison, the sex-positive sex worker identity with its influence from queer anarchism that is rooted in San Francisco does not have a place in the sex workers' movement in Bolivia. Bolivia has very few feminist roots and never developed a full feminist movement. While strong stigma and discrimination exists against sex workers, there has also never been an abolitionist movement. On the other

hand, Bolivia has an extremely rich history of social and labour organizing, which include the indigenous and anti-globalization movements that define the present moment. Having undergone a number of social revolutions and dictatorial regimes throughout the last century, Bolivian political activity revolves around mass social mobilization. The sex workers' movement therefore developed, and has largely continued to function, as mass movement. Sex workers did not organize because of outside influence or prior knowledge of sex worker organizing throughout the world, but rather, because in times of social crisis, that is the culturally appropriate way to respond. When they originally organized in 1996, their platform and support mirrored the historical labour and growing anti-globalization movements of Bolivia. Many of El Grupo Libertad's values are shared with sex worker movements worldwide, yet the fundamental approach remains unique to its cultural context and the specific meaning assigned to the term and identity of "sex worker."

However, while the struggles of sex workers in the United States or Europe have been well documented, the voices, struggles, and political movements of sex workers outside the Global North have been nearly invisible to the world outside their local setting. The few voices of global sex workers that have emerged in widespread publication<sup>11</sup> in recent years through the ethnographies and anthologies of scholars like Kamala Kempadoo, Jo Doezema, and Denise Brennan speak to the diversity of spatial, temporal, political, and social locations from which sex workers conceive of their profession, and are defining and organizing their political activism; their research largely coincides with my own in Bolivia.<sup>12</sup> These narratives account for histories of western

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<sup>11</sup> This broadly implies Western publications, raising other questions of global power dynamics altogether.

<sup>12</sup> See Brennan 2004, Kempadoo 1998 and 1999, and Doezema 1998 and 2001.



colonization, domination, and economic dependency, and their racialization, exoticization, and sexualization of nonwestern peoples which inform into the contemporary sex industry. In this way, the stories of global sex workers' movements are constructing a new political identity for the sex worker that recognizes the multiple and intersecting arenas of human and sex worker life, and rejects monolithic and essentialist portrayals of the "sex worker" that dominate the canon of prostitution studies. Nonetheless, despite the traceable and contextually specific formations of sex worker and anti-prostitution organizing, as well as the emerging body of knowledge about alternative understandings of the sex industry, international prostitution debates continue to be defined by and made normative through anti-prostitution and sex worker debates in the west, the articulations of which became most visible through the 1980s feminist "sex wars," based among many sites in Minnesota and California.

Today, western forms of anti-prostitution and sex worker organizing are taken as representative in global prostitution debates in the context of new formations of international laws on human trafficking. The most significant effect of this is a trafficking definition that distinguishes between forced and voluntary forms of prostitution. Not only does this dichotomy *not* represent the struggles and demands of Bolivian or other global sex workers, but trafficking laws and policies also make it increasingly difficult for them to migrate.<sup>13</sup> As became evident when I met "trafficking victims" in Minnesota, trafficking laws failed to understand and account for their identities as migrants and/or national cultural subjects. Rather, it tended to view them as "injured victims,"<sup>14</sup> recreating and enacting various modes of racial stereotypes and Third

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<sup>13</sup> See Kempadoo 2005, Sanghera 2005

<sup>14</sup> Also see Brown 1995, Doezema 2001, Kempadoo 1998

World othering in the name of law and service provision. Simultaneously, however, neither (many) migrant sex workers—nor the women I worked with in Bolivia—could relate to or claim the cultural identity of “sex worker” born out of the San Francisco sex workers’ right movement. The voices of global sex workers were, therefore, at best marginalized, if not rendered entirely invisible on the international agenda by the normativity of western abolitionist and liberationist thought and practice.

Given this context, when I began my research for this thesis, I wanted to focus on a transnational comparison of organizing around prostitution, sex work, and human trafficking. Yet as should be evident from the descriptions above, any work attempting to describe the sex industry is fraught with contradictions. While common practice in decolonial or anti-imperial studies is to “decenter” the focus on the west by putting forward the perspectives of nonwestern or previously colonized peoples, such a tactic would only provide a small window into global conceptualizations of the sex industry. While undoubtedly important work, the voices of Bolivian sex workers, for instance, could no more define international law than those of San Franciscans. “Writing back” to empire, or only making visible how colonialism has excluded or constructed nonwestern peoples, does not necessarily address or disrupt the ways in which colonialism enacts power in the lives of oppressed peoples. I therefore sought a theory that could account for both the vast diversity of persons and experiences constituting the sex trade *and* the powerfully contingent relation between (neo)colonialism, patriarchy, and the global sex industry. In taking these two points in tandem, I must emphasize that when examining individual experiences such a theory must never ignore the power relations of

hierarchical social structures, nor interpret them as deterministic, but must examine how diverse subjects arise, unthink, and negotiate these structures from situated locations.

My pursuit of such analysis has grounded my work in feminist appropriations of postcolonial and transnational theories. At its most basic, the connection between my analysis and these theories is that the global sex industry as we know it today is inconceivable without the history of colonialism.<sup>15</sup> As scholars like Ann Stoler and Roderick Ferguson point out, colonial projects produced race through formations of sexuality, and sexuality through racial formations. Following Foucault's argument that both race and sexuality in their modern and colonial forms are techniques for the scientific definition and regulation of populations, colonialism was therefore a context for producing a governmentality of racialized sexuality, based in producing "official" knowledge of race and sexuality that permitted new forms of social control.<sup>16</sup>

Colonialism, and the capitalist system which drove it, consolidated and legitimated its power through ideological abstractions that divided the world into the "civilized" and "savage," white and black, male and female, master and slave classes. Within this system, sexual control over women became a form of control over colonized peoples. As Chandra Mohanty describes, "The institutions of direct control of colonial rule—the military, the judiciary, and most important, the administrative service—have always been overwhelmingly masculine."<sup>17</sup> European women came to the colonies much later than men and their role typically remained in the home, unrelated to the project of ruling. Nonetheless, the presence of white women legitimated colonial rule along racial

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<sup>15</sup> See Brennan 2004, Kempadoo 1998 and 1999. See also Agustin 2007

<sup>16</sup> See Foucault 1978, Stoler 2000, and Ferguson 2004.

<sup>17</sup> Mohanty, Chandra Talpade. *Feminism Without Borders: Decolonizing Theory, Practicing Solidarity*. Duke University Press, 2003. 59.

lines as the white woman upholding the “proper” and “civilized” gender and sexual morality called for “protection” from the “savage” brown or black man. At the same time that white woman upheld “civilized” virtues, which excluded the sexual, male colonizers also constructed the “savage” native woman as her binary opposite: erotic and tantalizing. Yet the native woman’s race disallowed her as a partner for the colonial administrator, as that would diminish his authority. Although she could only be used for temporary and non-marital sex, including in quasi-familial relationships fully structured by the inequalities among their racial classes and that of their children. In the US American plantation South, the brown or black woman was seen as property to be used for the master’s pleasure, but was suitable for nothing else. Encounters between colonizers and native women therefore often took the form of rape. Taken together, rape, prostitution and concubinage became models of solidifying colonial rule and de-masculinizing native men, imagined as the true subjects of colonization, by controlling native women’s (racialized) sexuality through establishing the subordination of native women to white men.<sup>18</sup>

While times obviously have changed with the “official” end of state sponsored colonialism, any analysis of today’s sex industry, whether in the titles of pornographic films, travel agencies’ marketing literature on sex tours, or advertisements for foreign wives reveals its racialization of sexuality along boundaries drawn during the colonial encounter. The “exotic” and “erotic” in western sexuality discourses and their universalization are deeply entwined with images of the nonwestern racial “other.” But as with most such representations, the sexual “other” is set up in a binary relation to that

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<sup>18</sup> See Mohanty 2003, Stoler 2000, Fox-Genovese 1989, Hurtado 1989, Sungari and Vaid 1989, Callaway 1987, Giddings 1984, Davis 1983, Etienne and Leacock 1980, Blassingame 1979,

what is considered “proper,” establishing “good” and “bad” counterparts. Therefore, if women of color and Third World women are exoticized and eroticized as the sexual “other,” or “bad” women, then white women come to represent “proper” or “good” women whose sexual relationships are intended for marriage and family, leaving brown or black women to represent sexual relationships suitable only for short-term, non-marital follies, or pornographic encounters. While it is not my purpose to discuss the connotations of pornographic relationships here—connotations which I find highly problematic—I emphasize them here because, given that socially pornographic encounters were (and continue to be) less socially acceptable than committed marital sex, this distinction creates and highlights racial, sexual, and class hierarchies. White women are obviously involved in the sex industry, but their experiences in the sex industry are governed by the difference their whiteness represents. As Kamala Kempadoo says:

Even with the heightened exoticization of the sexuality of Third World women and men, they are positioned within the global sex industry second to white women. White sex workers invariably work in safer, higher paid and more comfortable environments; brown women—Mulatas, Asians, Latinas—form a middle class; and Black women are still conspicuously overrepresented in the poorest and most dangerous sectors of the trade, particularly street work. Whiteness continues to represent the hegemonic ideal of physical and sexual attractiveness and desirability, and white sexual labor is most valued within the global sex industry.<sup>19</sup>

I would add that white sexuality is also that which is most protected. As I will demonstrate later in this chapter, it was *only* when white women were being forced into the sex industry that the issue of “trafficking” (then known as the “white slave trade”) came into international discourse in the late 1800s, emphasizing the importance of racial/ethnic structuring in the global sex trade through its lack of concern with the long state-sanctioned “black slave trade.” Thus, I can only re-emphasize my original point:

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<sup>19</sup> Kempadoo, Kamala. *Global Sex Workers: Rights, Resistance, and Redefinition*. New York and London: Routledge. 1998. 11.

the racialization, exoticization, and sexualization that define the global sex industry of today are inconceivable outside of the history of colonialism, which any account of the sex industry must examine as such.

Throughout this thesis, I construct my theoretical framework by appropriating certain theories and methods of postcolonial theory, by which I refer to the discursive examination of the west/rest power relationship in the aftermath of empire, as colonialism historically structured and became reinscribed in social life as colonial governmentality.<sup>20</sup> By doing so, I am asking my readers engage the sex industry in two ways: by first viewing the structure of the global sex industry as an effect of colonialism, and then, imagining what “post” this formation would look like. How would the global sex industry appear if we moved beyond colonial structures and sought an anti-racist, anti-sexist, anti-imperialist framework for its analysis? In this way I am using “postcolonial” as a critique of what I consider “outmoded philosophical, aesthetic and political theories,”<sup>21</sup> drawing deeply on a post-structuralist analysis of discourse and governmentality. This in effect means that I am rejecting the dominant relations put forth, in this case by colonialism, on the sex industry as hallmarks of truth. Instead, I am exploring how the sex industry appears on the international agenda in relation to systems of power, in relation to how the dominant relates to the dominated. I am looking at how colonialism has historically framed our discourse on the subjects of sex work, prostitution and human trafficking, *and* how that framing carries over into the world of post-independence. In using “postcolonial” in this way, I closely examine the structures and hierarchies of power, domination, and oppression that operate the global sex industry.

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<sup>20</sup> See Mohanty 2003, Sandoval 2000, Spivak 1998, Alexander and Mohanty 1997, Grewal and Kaplan 1994, Blaut 1993, Shohat 1990, Trinh 1988, Said 1979, Chinweizu 1975, Nkrumah 1965, and Fanon 1964

<sup>21</sup> Shohat, Ella. “Notes on the ‘Post-Colonial.’” *Social Text* 31/32 (1992): 99-113. 101.

At the same time, in using the term “postcolonial” I also reference specific spatial and temporal moments in history in which nationalist struggles resisted colonial powers, the moments of literal post-coloniality. While for many the term “postcolonial” is already problematic for its ambiguity when taken in this meaning,<sup>22</sup> in my appropriation of the term I do not limit postcolonial’s usage to only nationalist movements. Rather, I refer to specific anti-colonial struggles as they have taken place on multiple levels, be it through indigenous, feminist, anti-globalization, or global sex worker movements.<sup>23</sup> For my purposes here, I embrace the ambiguity of the term because it requires a tracing to each specific cultural and historical moment of post-colonial encounter to engage with clarity of terms; i.e. to understand its usage, it requires examining how people—in my case sex worker and anti-prostitution activists—engaged, acted, and resisted broader dominant structures in varying and specific spatial and temporal realities. The ambiguity requires specificity. As I later engage with the three locations in which I did my field work in a postcolonial framework, I am examining how specific locations interact with the broader international discursive sphere. On the whole, by looking at the sex trade through both lenses of the “post” colonial, I am requiring intellectual histories (the theoretical formation of racisms, sexism, etc) to enter into relation to and in conversation with strict historical, geographic, and cultural chronologies (specific sites of anti-colonial

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<sup>22</sup> Decolonization dates range from the late eighteenth century (for example, the US) to the late twentieth century (Angola or Mozambique). Yet even these dates are vague as for centuries countries have been colonized, decolonized, then become the colonizer and so forth. For examples of how the ambiguity of the term becomes problematic, see Shohat (1992). The question becomes: when does the post-colonial begin? Given the historical breadth these dates encompass, can the term “postcolonial” possibly capture the diversity of experiences?

<sup>23</sup> In this way, I am both appropriating and rejecting the cultural feminist idea that all women are colonized subjects. I let myself assume this problematic usage precisely to demonstrate where it fails to express the postcolonial or postmodern moment.

resistance). Yet there remains one gap that is crucial to the subject of this thesis, that is to say, transnationalism.

One of the greatest phenomena of the literal post-colonial era (as the time period after the broad sweep of decolonization movements) is the increasing interconnectivity and permeability of local, national, and global borders as result of the dependencies created between previously colonized and colonizing nations. Scholars have observed that international movement for sex work has taken place since the mid-to-late 1800s; for instance, Buenos Aires boomed as a center for Russian and European working women in the 1860s, a sixth of Russia's registered prostitutes were "non-Russian" in the 1880s, Curacao hosted women from all over Latin America during World War II to service US-American and Dutch navies.<sup>24</sup> As Kempadoo says, "Specific political, economic and social events shaped the women's involvement in the sex trade at different times, in different places, within the context of a globalizing capitalist system, colonialism and masculinist hegemony."<sup>25</sup> Nonetheless, the last twenty years have seen an explosion of transnational migration (in general) unlike any other time in history. The International Organization on Migration (IOM) estimates that today 192 million people are transnational migrants, meaning roughly one in every 35 people, three percent of the global population, or, if making up the population of one country, the fifth largest population in the world. The impetus for such global migration stems from changes in the global economic system since the 1970s<sup>26</sup> like structural adjustment programs, outsourcing of production, international trade agreements, and national debt repayment

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<sup>24</sup> See Guy 1990, Bernstein 1995, and Kempadoo 1994.

<sup>25</sup> Kempadoo, Kamala. *Global Sex Workers: Rights, Resistance, and Redefinition*. New York and London: Routledge. 1998. 14.

<sup>26</sup> Note the close correspondence between the US's rise as the global economic power and sweeping decolonization movements, see Beaud 1998.



programs which have placed enormous pressures on national economies, as I will discuss in chapter 5 when discussing sex work in Bolivia. On the home front, this pressure has caused increased hardships for working people around the world, influencing changes in traditional agricultural systems, landlessness, urbanization, and poverty. Such hardship necessitates transnational migration. Due to the influence of Western economies/politics in all international agreements, these changes have placed unequal pressure on the global north and the global south, meaning that most transnational movement flows north. Such an explosion of migration has had un-doubtable effects on global sex industries, even though here I argue that these effects are not as simple as they are often portrayed.

Scholars today increasingly examine what has become commonly understood as the “feminization of migration.”<sup>27</sup> This phrase implies that while today more than half of the world’s migrants are female, the term “migrant” still connotes a male gendering and still requires a signifier to connote it otherwise. The transnationalization of the world in economic and neoliberal terms (as in transnational capital) has meant that women, as a whole, can often no longer afford to stay in the household in economic, rather than cultural or political terms. They must contribute to the family wage income beyond, or, in most cases, in addition to, their contributions as the traditionally unpaid (un!)productive labour of industrial capitalism.<sup>28</sup> As Barbara Ehrenreich says, “This pattern of female migration reflects what could be called a worldwide gender revolution. In both rich and poor countries, fewer families can rely solely on the male breadwinner.”<sup>29</sup>

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<sup>27</sup> See Ehrenreich 2002, Parrenas 2001, and Hondagneu-Sotelo 1994.

<sup>28</sup> See Wallerstein 1996.

<sup>29</sup> Ehrenreich, Barbara, and Arlie Russell Hochschild. *Global Woman: Nannies, Maids, and Sex Workers in the New Economy*. New York: Metropolitan Books. 2002. 3

Yet even as women from all parts of the world make up the new labour force, they encounter gendered, classed, and racialized divisions of labour. Women continually face lower wages and longer hours than men in an already lagging market, and on the whole must still care for all of the household duties previously delegated as “women’s work.” As Ehrenreich further describes, even as “women took on paid employment, the men in their families did little to increase their contribution to the work of the home.”<sup>30</sup> Therefore, the burden of familial provision, most especially for single mothers, has largely fallen to women, meaning by proxy the “impoveritization” of women who are not able to make ends meet in the transnationalized world. For “high powered” women in the developed world, making a career as a single woman in a “male world” often means that she depends on women from the Third World to care for her house, children, and other needs, which only feeds off of women’s needs to work and the impoveritization of women in developing countries. Ehrenreich calls this the “care deficit” or the cycle in which western capitalisms *pull* “care” from the global south for their own enrichment and poverty *pushes* women from the global south northward. Yet beyond sheer economic forces, this deficit is racialised through colonial tropes which consider women of color as “especially gifted caregivers: they are thought to embody the traditional feminine qualities of nurturance, docility, and eagerness to please.”<sup>31</sup> Women migrating from the global south—precisely because of the transnational conditions of (post)modernity—are seen as racialised and “traditional” bodies.

Such classed and racialized illustrations of women migrating from the global south as they are stereotypically “poor” and “uneducated” connote that *these* women, by

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<sup>30</sup> Ehrenreich 9.

<sup>31</sup> *Ibid.* Similar descriptions are often used to describe the sexualities of “Third World” women and serve as the justification for many men on sex tours, seeking “mail-order” brides, etc.

comparison to white women who have the choice to work, have no choice in the matter. Despite such stereotyping, most studies on transnational migrant women demonstrate that women crossing borders are *not* the poorest of the poor, nor are they uneducated.<sup>32</sup> Many migrant women even hold high school, college, or post-graduate degrees. Yet the “poverty as force” rhetoric underlies many arguments about transnational migration and calls upon classic notions of the bourgeoisie’s need to “help” those in the working class. But whereas governments, human rights activists, and feminists raise few concerns as it relates to domestic employment, or may even see it as an “opportunity” for those employed, transnational migration for sex work has come under intense scrutiny in the global spotlight.

The rapid migration and dislocation of today’s world has led many migrant women to turn to the sex industry as a means to earn a living, just as many migrants (female and male) have turned to professions other than those in which they were trained in order to find work. Many, and most commonly anti-trafficking activists, argue that transnational sex work has intensified in the last two decades, most especially giving rise to an epidemic of transnational sexual slavery. Yet as I think Kempadoo rightly points out:

Given the lack of figures and documentation of what in most countries is an outlawed and underground activity, and the multiplicity of activities worldwide that constitute “sex work,” it is virtually impossible to state with certainty that numbers have increased. Also, as with any activity in the informal sector, information on populations involved, income, types of activities, and international migration and trafficking routes is imprecise. A glaringly obvious example of the inaccuracies that exist is related to the number of prostitutes in Asia. Figure for the city of Bombay in India range from 100,000 (*Asia Watch* 1993) to 600,000 (Barry 1995)—a difference of half a million. In the case of

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<sup>32</sup> See Portes 2006.

Thailand, figures for “child prostitutes” range between 2,500 and 800,000, with the age range being equally as imprecise (Black 1995).<sup>33</sup>

Another clear example of this is that the CIA first stated that there were 50,000 human trafficking victims coming into the United States each year;<sup>34</sup> today, the estimate is between 14,500 and 18,000—cut by nearly two thirds. All of these examples demonstrate a socially-conscious person should be very wary of these discrepancies, and thus, suspicious of the research as well. This is not to say that the sex industry has not grown because of transnational migration; it also in no way devalues the horror of sexual exploitation and slavery. Rather, this position challenges activists to always question social research (including mine) by continually examining the operations of power—the political rationalities, mentalities, and techniques—that construct any academic or governmental intervention into the lives of others. Thus, throughout this thesis, I am asking my readers to look at the trafficking discourse as a transnational and postcolonial construct, a postmodern field in which colonial legacies continue to produce official knowledges, research and laws which permit the social control of the other.

In the following chapter, I will outline how I have applied postcolonial and transnational analysis to international trafficking discourse to expose it as part of a continued colonial rationality. To do this, I will foreground, first, the historicization of trafficking and prostitution discourse on the international agenda, demonstrating how trafficking discourse emerged on the international sphere as a distinctly colonial construct. Second, I demonstrate how the ideological battles fought on the trafficking

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<sup>33</sup> Kempadoo Kamala and Doezema, Jo (eds.). *Global Sex Workers: Rights, Resistance, and Redefinition*. New York and London: Routledge. 1998. 15.

<sup>34</sup> Central Intelligence Agency briefing, *Global Trafficking in Women and Children: Assessing the Magnitude*, April 1999.

front, *while continuing to exist within the trafficking framework*, continually reinscribe (despite their radical and resistive fronts to this discourse) these very colonial constructs. In contradistinction to this treatment of prostitution and trafficking as a closed discourse, I then contend that the internal tropes of the contemporary discourse—that the prostitute is either the ultimate sexual slave or the most subversive sexual agent<sup>35</sup>—matter much less than: 1) the larger discursive field in which trafficking discourse functions and upon *whose* rights and privileges it is premised; 2) the individuals in the sex industry, whether “forced” or “voluntary,” who are acting within systems of agency and constraint to shape their own lives. In doing so, I develop a new framework for re-examining the sex industry and sex trafficking, my hope being that at the very least a new vantage point will bring new directions of discussion and critique.

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<sup>35</sup> See Wendy Chapkis’s discussion of the feminist debates over the meaning of sex in “The meaning of sex,” *Live Sex Acts*, 1997.

# **II**

## **Trafficking Discourse**

International discourse on sex work and prostitution has largely taken place throughout the last century in the process of defining international protocols on human trafficking. Within this discourse, definitions of trafficking in relation to the sex industry open up fierce ideological debates. That the dispossession and forced movement of people described through trafficking in persons is a reality of the twenty-first century is not in question; it is considered a gross violation of human rights that must be addressed both locally and internationally, including by persons on all sides of the prostitution debates. The disagreement lies in defining what constitutes as human trafficking. On one side lies the more traditional abolitionist perspective which equates all forms of sex work and prostitution to sex trafficking; on the other lies human rights activists aligned with sex workers' rights activists who argue that working in the sex industry can be a rational choice. Over the course of many debates on this topic in international arenas, a compromise over this disagreement emerged as a distinction between "forced" and "voluntary" prostitution in the most recent UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* (2003) supplementing the UN *Convention Against Transnational Organised Crime* in 2000.<sup>36</sup> A postcolonial and transnational analysis of the forced/voluntary dichotomy demonstrates how this distinction falls short of addressing the deeper questions of rights raised by human trafficking; most particularly, despite having began as a resistive claim by sex workers, this forced/voluntary distinction actually reinforces racial and national stereotypes of "victims of trafficking" as migrants from the Third World. The result has been that anti-

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<sup>36</sup> The Palermo Protocol, as it is commonly called, came into force in December 2003 and to date has been signed by 117 members and ratified by 114. See UN Office of Drug and Crime 2003.

trafficking campaigns often serve as modes of criminal and immigration control that ignore the actual conditions of exploitation for sex workers worldwide who migrate.

To make my argument, I trace the history of the institutionalization of human trafficking on the international scene to demonstrate: first, how human trafficking emerged as a (neo)colonial construct in and through the rhetoric of the white slave trade; and second, how even after anti-trafficking organizing recognized the sexual exploitation of nonwhite/nonwestern peoples or the possibility of a “voluntary” sex worker, the distinction of forced from voluntary continues to be determined by western terms that use race and class stereotypes to know *who* has the agency to choose sex work or not. Once again, I emphasize that I in no way dispute that severe (and for that matter, non-severe) forms of sexual violence can take place in contexts of migration within and across national borders. Rather, I argue that the discursive field of significance, or “slot” (following Michel-Rolph Trouillot) that emerges as “trafficking” is *not* created through the exploitation of bodies, but through the fear of the sexual and social “other.”

The first international agreement to suppress human trafficking, what was then known as the “white slave trade,” developed in 1904 between the heads of state of many western European nations and all of their colonies under the title “The International Agreement for the Suppression of the ‘White Slave Traffic.’” The purpose of the treaty was to coordinate the information relative to the “procuring of women or girls for immoral purposes.”<sup>37</sup> The hype around “white slavery” had begun as journalists in western Europe and the United States published exposés of young white women being purchased for the purposes of prostitution. Most famously, British journalist William Stead published an article in 1885 saying that he was able to purchase a thirteen year old

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<sup>37</sup> The International Agreement for the Suppression of White Slave Traffic. Paris, 1904.



girl for five pounds for the purpose of Parisian prostitution.<sup>38</sup> The public was immediately outraged and began organizing a series of public protests throughout the two continents. This then sparked a trend of sensationalist journalism which, according to Nicky Roberts, began to follow a common story line that “involves white adolescent girls who were drugged and abducted by sinister immigrant procurers, waking up to find themselves captive in some infernal foreign brothel, where they were subject to the pornographic whims of sadistic, non-white pimps and brothel-masters.”<sup>39</sup> Historical records, however, at least in Britain where some of the largest protests took place, suggest that the women involved in the system of “white slavery” were actually prostitutes who engaged in the sex industry for various economic reasons.<sup>40</sup> They had not been procured un-willfully, most especially not by sadistic foreign or non-white pimps.

Nonetheless, the belief that a white slave trade existed pervaded throughout western societies despite lack of substantial evidence. Wendy Chapkis argues that:

...[the belief] was fueled by more general anxieties about changing gender, sex, class, and race relationships at the turn of the century. The idea of a “white slave” unconsciously spoke not only to the experience of the white working class laboring under harsh conditions of early industrial capitalism, but also to the racial fears of an increasingly ethnically diverse population.<sup>41</sup>

The turn of the century in the United States experienced the largest immigration movement into one country up to that point in history; between 1880 and 1930, it is estimated that some 23 million migrants came to the United States, primarily from

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<sup>38</sup> Stead, W. T. “Maiden Tribute to Modern Babylon.” *Pall Mall Gazette*, 1885.

<sup>39</sup> Roberts, Nicky. *Whores in History: Prostitution in Western Society*. London: Harper Collins, 1992.

<sup>40</sup> Chapkis, Wendy. *Live Sex Acts: Women performing erotic labor*. Routledge, NY, 1997. 41. Also see Walkowitz 1980, page 247. Similarly, federal investigations in the United States found that few, if any, women in the cases they investigated reported “white slavery” or coercive acts as their means of entry into the sex industry. See Chapkis 42, or D’Emilio and Freedma, 1989, 209.

<sup>41</sup> Chapkis 42.

southern and eastern Europe.<sup>42</sup> Such mass migration brought with it multiple forms of racism and xenophobia. As Chapkis notes, even a 1901 U.S Senate report blames men migrating from the European continent to have brought “vile” and “bestial” sexual practices to the United States. The same report makes special mention of Jews, which it blames for “importing” and “preying” upon young girls.<sup>43</sup>

Moreover, simultaneous to the fear of foreign migration, the belief in “white slavery” was fueled by the racial tensions present after the emancipation of US slaves. The years following the US Civil War led to some of the most violent periods of racial violence in US-American history. Lynchings of black men took place almost daily under the rubric of protecting “white womanhood,”<sup>44</sup> even though today it is evident that these claims of rape were almost always (if not always) false. Thus, the fear of the social “other,” embodied through the scapegoating of black and foreign men for the “procuring of women or girls for immoral purposes,”<sup>45</sup> gave justification for legal (or socially accepted) criminal action and control of the “other.” However, racial and cultural tensions were not the only factors that drove the belief in white slavery.

The idea of a “trafficked” young white girl also gave expression to the societal pain of seeing young white women<sup>46</sup> leave the traditional spheres of domesticity and enter into public labor, which at its heart already challenged ideas of proper (white) womanhood. The rise of industrial capitalism in the early twentieth century caused a shift in traditional distinctions of private and public life for white women; “proper”

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<sup>42</sup> Steinberg, Stephen. *The Ethnic Myth*. Boston: Beacon Press, 1989. 33.

<sup>43</sup> Chapkis 43.

<sup>44</sup> Segal, Lynne. *Slow Motion: Changing Masculinities, Changing Men*. New Jersey: Rutgers University Press, 1990. 177.

<sup>45</sup> The International Agreement for the Suppression of White Slave Traffic. Paris, 1904.

<sup>46</sup> I emphasize white women here because through systems of slavery, bonded labor, or racialized class differences, women of color had long been working outside the private sphere.

young women walking or working in urban public spaces without the supervision of a male or elder chaperone were seen as “dangerous,” or being exposed sexual prowess of men. Therefore, society viewed women traveling alone as particularly vulnerable, and as any “proper” white woman would never willingly do so, society assumed that she had been coerced and/or trafficked. The only exception to this was perhaps the spouses of colonial officers traveling to meet their husbands. These women, however, were designated as “lady travelers,” and, as noted earlier in this chapter, their presence often legitimated colonial rule and racial violence under the rubric of protection.

Contextualizing this first international document on trafficking demonstrates how, from its inception, the trafficking discourse was intertwined with intersecting “moral” discourses of social control of immigration, race, and sexuality. The definition of “trafficking” was inherently tied to the west and its legacies of colonial rule. The exposure of *white* women to sex or work was seen as an “abomination” or “immoral,” even though, as already noted, throughout colonial history the sexual exploitation of black women was relegated as a “right to ownership,” or in other words, a means of social control and domination over people of color. In the 1904 document “International Agreement for the Suppression of the White Slave Trade,” this differing racialized (or racist) treatment is made explicit by a clause which allows plenipotentiaries to extend (or not) the protections guaranteed by the Agreement to women in their colonies.<sup>47</sup> The signatory nations then could also choose to specify or exclude particular clauses when applying the international laws to the colonies (which all but Britain, France, and the

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<sup>47</sup> Britain denounced the Agreement with regards to its colonies, France and the Netherlands acceded the rights to all their colonies, and all others reserved their right to accede for a later date. See The International Agreement for the Suppression of White Slave Traffic. Paris, 1904. “Proces-Verbal of Signature, Articles 1-3.”

Netherlands chose to do).<sup>48</sup> While the United States did not take part in the 1904 Agreement, this differential treatment is similarly demonstrated by laws like the Chinese Exclusion Act of 1882, which forbade the immigration of any Chinese woman to the United States as she would likely become a prostitute and spread immorality among youth.<sup>49</sup> White slavery laws did not offer black or Chinese women protection against exploitation. Rather, in the efforts to protect white women's morality, it proposed measures which could further regulate and criminalize the actions of people of color; a trend which I argue still exists despite vast changes in trafficking rhetoric.

The next major document that effected international trafficking policy was the *Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others* which was approved by the General Assembly of the UN in 1949.<sup>50</sup> Ratified in the aftermath of World War II and the institutional birth of universal human rights, the language of this document changed in that it no longer spoke directly about race or morality. Rather it spoke about the trafficking of "persons." Moving away from the direct religious rhetoric of morality, the document spoke of the "evil" of trafficking and prostitution that is "incompatible with the dignity, and the worth of the human person and endangers the welfare of the individual, the family, and the community."<sup>51</sup> The document explicitly states in Article 1 that anyone who "exploits the

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<sup>48</sup> This demonstrates how anti-white-slavery activists had very little concern for "native" prostitutes. See Guy 1991, Gritner 1990.

<sup>49</sup> Lubheid, Eithne. *Entry Denied: Controlling Sexuality at the Border*. Minneapolis: University of Minnesota Press. 2002. 38. Also see Bisnaugh (2000); Reddock (1985)

<sup>50</sup> Three other international trafficking documents were passed in-between these two documents, in 1910, 1921, and 1933. These documents all dealt with similar trafficking issues. I include this particular document because it is the first major trafficking document after the creation of the UN. It also makes a significant shift by including all forms of prostitution under the title of "trafficking."

<sup>51</sup> *Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others*, 1949.

prostitution of another person, even with the consent of that person”<sup>52</sup> should be punished. This 1949 clause demonstrates an important break with the first document in that, in addition to criminalizing “who has caused them [white women] to leave their country,”<sup>53</sup> it puts forward a direct critique of prostitution and the sex industry. The document not only discredits the consent, or agency, of a woman in prostitution, but it criminalizes the running or financing a brothel, or renting rooms/buildings where prostitution takes place. The justification for this position on prostitution within the document is that there exists a direct correlation between prostitution/trafficking and a cause-effect danger to the individual, their family, and the surrounding community.

I would like to draw attention to two important factors of the 1949 Convention. First, note the shift in rhetoric on female sexuality between these two early trafficking documents. In 1904, the signatory nations deemed it their responsibility to “have a watch kept...[for] women and girls destined for an immoral life”<sup>54</sup> because of foreign pimps and traffickers. Historically, this corresponded with shifting norms of proper white womanhood where fears of women entering the work force and public sphere, or traveling alone, caused great social anxiety, let alone the added moral anxieties of a woman publicly sleeping with a man, especially a man of color. The document embodied a protectionist stance for proper white womanhood which of course had embedded racist and classist as well as sexist premises. By 1949, the tone of this stance has changed. The question of morality was dropped and replaced with the rhetoric of civic welfare, which deemed *the act* of prostitution as dangerous for the individual and community. This shift moved the emphasis of trafficking discourse from “rescuing” women abroad to

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<sup>52</sup> *Ibid.*

<sup>53</sup> The International Agreement for the Suppression of White Slave Traffic. “Article 3.” Paris, 1904.

<sup>54</sup> The International Agreement for the Suppression of White Slave Traffic. “Article 2.” Paris, 1904.

criminalizing the sex industry and including all forms of prostitution within the definition of trafficking on the international sphere, making anti-white slavery synonymous to anti-prostitution. As Emma Goldman, the founder of anarcha-feminism, notes in her early essays critiquing “reformist feminism” led by middle/upperclass Euro-American women, the anti-prostitution movement was an imperialist bourgeois movement grounded in “saving” the “fallen” sisters.<sup>55</sup>

Secondly, it is important to note that while the 1949 Convention removed explicit racial references, in practice the document was still geared towards protecting women in normatively white metropolitan societies. In light of World War II, the international ambient became increasingly apprehensive of witnessing another outbreak of violence caused by ethnic or racial tensions. The emergence of the Universal Declaration of Human Rights in 1948 marked efforts by global nations to prevent state-sanctioned discrimination and violence; all international documents from 1948 forward then began erasing ethnic and racial inequalities from their clauses. Nonetheless, the *erasure* of racial discrimination within international documents did little to actually change certain dominant forms of state-sanctioned discrimination. In 1949, European colonialism still had a stronghold on the African continent and Jim Crow laws still legally segregated whites and blacks throughout the United States. It would be two more decades before the world reached its height in civil rights organizing<sup>56</sup> and before the majority of national independence movements saw success; meaning that despite the 1949 Convention, women of color still did not receive legal recourses to confront exploitation. What the

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<sup>55</sup> See Goldman’s essays “The Traffic in Women,” “Victims of Morality,” “Woman Suffrage,” and “The Tragedy of Women’s Emancipation.” Reprinted in Shulman (1996).

<sup>56</sup> Civil rights organizing took place throughout the world from roughly 1950-1980. In the United States, the movement culminated with the passage of the Civil Rights Act of 1968.

1949 Convention then signifies is a rhetorical move away from the racial and colonial legacies implicated in trafficking discourse with the simultaneous failure to change or confront these historical legacies which shaped actual sociopolitical practice. Nonetheless, the definitions and legal implications of the 1949 Convention went unchallenged and defined the trafficking discourse until the question of what defined “consent” came up in the 1980s.

A massive shift in addressing trafficking in persons came about in the 1980s from an increased awareness of women’s issues in the international arena. The 1980s hosted the peak of western feminist organizing around prostitution both from an abolitionist and sex workers’ rights perspective (a vicious debate known as the “feminist sex wars”) as I will discuss throughout this thesis.<sup>57</sup> As will be elaborated in Chapter Three, the radical feminist movement of the 1980s began focusing feminism not only on disenfranchisement, but on how sex inequality was a cultural and social *construct*. Theorists like Catherine MacKinnon began to theorize male dominance, and ultimately blamed sex inequality/violence entirely on how males had sexed and sexualized females within patriarchal social systems. Their response to this domination was then to advocate the rejection or erasure (illegality) of all forms sexuality, most particularly those deemed most violent like prostitution. While radical feminists in theory rejected laws based on obscenity or morality, their promotion of abolition often aligned them with more conservative factions. In response, sex radical feminists (as I will discuss in Chapter Four) organized by saying that, while a culture of male dominance existed and oppressed women, responding to this dominance by discrediting sexuality further oppressed women

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<sup>57</sup> For more information on the development of the sex workers movement see Gail Pheterson (1989). For more information on the anti-prostitution movement see Barry (1984).

by erasing their choice and confining them to patriarchal moral standards. While both of these perspectives were born of and stayed within a certain modernist ideology, their battling as two political agendas lead to the forced/voluntary distinction in trafficking documents that we see today.

The early evidence of a counterargument to abolition (religious or radical feminist endorsed) became evident when, in 1979, the first major document dealing with the rights of women, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), was adopted. CEDAW defined discrimination against women as:

Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.<sup>58</sup>

Under this premise, Article 6 addresses trafficking and prostitution by calling all states to “take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.”<sup>59</sup> The language of the article mirrors the 1949 Convention, seemingly reflecting an anti-prostitution stance. However, Jo Doezema points out:

When the text was being drafted, Morocco introduced an amendment to Article 6 which called for the suppression of prostitution in addition to the suppression of the exploitation of prostitution. This amendment was found unacceptable by the Netherlands and Italy, because they considered that the new amendment of suppression of prostitution unacceptable. The amendment was rejected, thus it can be argued that Article 6 does not consider all prostitution inherently coercive.<sup>60</sup>

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<sup>58</sup> UN. *Convention on the Elimination of all Forms of Discrimination Against Women*, 1979. <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article1> Accessed June 20, 2007.

<sup>59</sup> *Ibid.*

<sup>60</sup> Doezema, Jo. "Forced to Choose: Beyond the Voluntary v. Forced Prostitution Dichotomy." In *Global Sex Workers: Rights, Resistance, and Redefinition*, edited by Kemala Kempadoo and Jo Doezema, 34-50. New York: Routledge, 1998. 39.



The rejection of the Moroccan amendment by Netherlands and Italy reflects their emerging policy of tolerance (in Dutch, *gedoogbeleid*)<sup>61</sup> on prostitution: prostitution is unavoidable and, therefore, is best handled by harm reduction practices. Such a regulationist stance does not necessarily imply the acceptance of the radical sex workers' rights politic that was simultaneously developing throughout the United States and western Europe; the Netherlands and Italy did not challenge the assumption that prostitution should be equated with exploitation, nor did they put forward a recommendation to address sex workers' rights. However, their opposition to the complete suppression of prostitution both alluded to emerging theories on sexuality and foreshadowed the burgeoning conflict over the notion of "consent."

The first document that made a clear distinction between women forced into prostitution and women who voluntarily chose to enter the profession was the Declaration of Elimination of Violence Against Women (1993).<sup>62</sup> In its definition of violence against women, the Declaration states specifically *only* "forced prostitution." By highlighting only the forced, coercive side of prostitution, the document discursively recognized a non-forced element in some sectors of prostitution, codifying the international community's recognition that views of prostitution and female sexuality had changed. The distinction set forward by this document then set the standard for all future documents pertaining to trafficking and violence against women. Later documents like the Vienna Declaration and Program of Action (1993) and the Beijing Platform of Action (1996) rejected abolitionist rhetoric in their final versions. Yet until the UN *Protocol to*

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<sup>61</sup> The policy of tolerance had been practiced throughout the Netherlands on and off for centuries. In the 20<sup>th</sup> century, the re-emergence of *gedoogbeleid* began in the 1960s; however, it was not until 1988, almost ten years after CEDAW, that prostitution became a legal profession.

<sup>62</sup> See Article 2b

*Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*, supplementing the UN *Convention Against Transnational Organised Crime* in 2000, the United Nations did not have a coordinated policy towards prostitution and human trafficking; thus, varying UN bodies often took differing ideological positions on the issue. When the UN decided to develop a comprehensive international approach to addressing human trafficking worldwide, debates over how to define prostitution in relation to sex trafficking once again became heated.

By this point in history, the feminist “sex wars” that defined the 1980s had essentially ended, but their “camps” remained strong on both sides and each had a strong international presence. In her article “Trafficking in Lives: How Ideology Shapes Policy,” Melissa Ditmore describes her experiences in negotiating the UN Optional Protocol on Trafficking.<sup>63</sup> Ditmore worked on the Protocol as a member of the Human Rights Caucus, a group which “sought to separate sex work and trafficking, and to define trafficking based upon working conditions.”<sup>64</sup> She describes the malice between the Caucus and the oppositional camp on prostitution, the Human Rights Network, as a “rancor that existed between feminist factions addressing trafficking in persons”<sup>65</sup> that is difficult to convey. One example she provides is the description of herself and other

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<sup>63</sup> The UN Optional Protocol on Trafficking refers to a document that was drafted prior to 2000 Palermo Convention (or the Convention Against Transnational Organized Crime) and then later reviewed in 2001, before the trafficking portion of the Convention was adopted in 2003. The Optional Protocol consisted of a series of deliberative meetings in which expert lobbying factions on prostitution and human trafficking developed an “optimal” trafficking protocol. The lobbying groups were divided into two blocs and led by two primary NGOs which then worked with other outside allies. The first bloc worked under the name of the “Human Rights Caucus” and was led by the International Human Rights Law Group (headquartered in the US); this group advanced a more sex workers’ rights perspective. The second bloc called itself the “Human Rights Network” and was led by the Coalition Against Trafficking in Women (also headquartered in the US); this group advanced an abolitionist perspective.

<sup>64</sup> Ditmore, Melissa. “Trafficking in Lives: How Ideology Shapes Policy.” In , edited by Kamala Kempadoo, Jyoti Sanghera and Bandana Pattanaik, 107. Boulder and London: Paradigm Publishers, 2005. 111.

<sup>65</sup> *Ibid.*

members of the Caucus included in the Coalition Against Trafficking in Women (CATW)<sup>66</sup> newsletter which described them as “pro-prostitution” advocates. Ditmore says that “this language is akin to the use of the term “pro-abortion” by activists who seek to ban abortion.”<sup>67</sup> Nonetheless, it is this language of pro- versus anti-prostitution that defines the international discourse.

The debates over the definition of trafficking in the Optional Protocol resulted in the classic forced/non-forced, or voluntary, distinction present in other documents. The language of the Protocol only condemned the “exploitation of the prostitution of others or other forms of sexual exploitation” in cases where “threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person”<sup>68</sup> were also present. This final definition of sex trafficking allowed for interpretive leeway by all signatory nations. The Protocol does not inhibit forceful criminalization of the sex industry, however, nor does it require any nation to criminalize prostitution if they would rather deal with trafficking through regulated prostitution.

One problem with this definition is that it then ignores exploitative conditions of sex workers who rationally chose to enter into the sex industry; it especially does not condemn oppressive conditions created through the criminalization of sex work by the state. In her article “Forced to Choose: Beyond the Forced v. Voluntary Prostitution

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<sup>66</sup> CATW was founded by Kathleen Barry and represents a strong abolitionist approach to prostitution and sex work. They consider all sex work as a violation of women’s rights and wish to criminalize all aspects of the sex industry. See < <http://www.catwinternational.org/> >

<sup>67</sup> Ditmore 112.

<sup>68</sup> UN Office on Drugs and Crime. “Protocol to Prevent, Suppress and Punish the Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime.” [http://www.unodc.org/unodc/en/crime\\_cicp\\_signatures.html](http://www.unodc.org/unodc/en/crime_cicp_signatures.html) (accessed June 20, 2007).

Binary,” Jo Doezema challenges the forced/voluntary distinction in international politics. She describes how sex workers’ movements worked to discredit traditional approaches to the sex industry by emphasizing the element of self-determination when entering the sex trade, that “prostitution...[is]a matter of personal choice and form of work.”<sup>69</sup> The sex workers rights movement’s work in the 1980s codified the distinction between “forced” and “voluntary” prostitution in the international definition of human trafficking, in theory recognizing the right to self and bodily integrity and determination. Yet as Doezema points out, “the distinction between voluntary and forced prostitution, a radical and resistive attack on previous discourses that constructed all prostitutes as victims and/or deviants, has been co-opted and inverted, and incorporated to reinforce systems that abuse sex workers’ rights.”<sup>70</sup> That is to say, the definition of trafficking put forward in the Palermo Protocol does not challenge abuses and violence against sex workers; it only protects “innocent” victims.

Most international agencies and organizations focus on condemning forced prostitution; rarely do they stand up for sex workers’ rights. Doezema reasons that this results from two factors:

Firstly, though the international community may be agreeing on condemning only forced prostitution as a human rights violation, this does not imply agreement on how to deal with voluntary prostitution; how it is to be defined, if it should be regulated by the state or left to the workers to organize, or even if it exists at all. In fact, it is because there is no agreement about “voluntary” prostitution in the first place that the consensus on “forced” prostitution has come into being. It can be seen as a compromise: those who, for whatever reason, wish to eliminate all prostitution can at least be satisfied that the “worst” abuses are being dealt with and those who support self-determination are relieved that this right

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<sup>69</sup> Doezema, Jo. “Forced to Choose: Beyond the Voluntary v. Forced Prostitution Dichotomy.” In *Global Sex Workers: Rights, Resistance, and Redefinition*, edited by Kemala Kempadoo and Jo Doezema, 34-50. New York: Routledge, 1998. 38, emphasis in original.

<sup>70</sup> Doezema 47.

is not threatened... Secondly, most organizations that acknowledge and support the right to self determination place much more emphasis on stopping forced prostitution than on sex workers' rights..."<sup>71</sup>

The second aspect she points out has proven true, not as much because most organizations who support self-determination want to ignore sex workers' rights, but that the Bush administration placed restrictions on US humanitarian assistance which now requires any organization receiving US federal funding (domestic or international) for work in HIV/AIDS or human trafficking to make a formal pledge stating their opposition to sex work, prostitution, and trafficking. Moreover, these restrictions will not allow any money to go to programs which work towards the empowerment of persons in the sex industry through needle exchange, vocational training, medical exams, abortion services, or any other harm reduction practice on the basis that such programs "promote, support, or advocate the legalization or practice of prostitution."<sup>72</sup> The ramifications of these restrictions for sex workers' rights or harm reduction organizations across the globe are many and would require their own separate analysis.<sup>73</sup>

But it is precisely in Doezema's first point in the quotation above—that it is because there is no consensus on "voluntary" prostitution that causes actual consensus around "forced" position to form—that her thesis that the forced/voluntary prostitution dichotomy has been co-opted by anti-prostitution activists develops. She demonstrates how only at the convergence and the agreement of the two positions on sex work that forced prostitution is a gross violation of human rights do the anti-prostitution

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<sup>71</sup> Doezema 41-42.

<sup>72</sup> TVPRA 22 U.S.C Paragraph 7110 (g) (2) (2003).

<sup>73</sup> For examples of some preliminary analyses, see Ditmore (2005) or the Center of Gender Health and Equity (2005). The John Hopkins University's Bloomberg School of Public Health has also reviewed scientific evidence and concluded that programs which use strategies of empowerment, organization, and unionization are most effective in reducing risks of HIV/AIDS among sex workers. See <<http://medicine.plosjournals.org/perlserv/?request=get-document&doi=10.1371/journal.pmed.0040207>>

campaigners gain their greatest strength. Precisely because of the recognition of a “voluntary” prostitute, to be eligible for protection under international trafficking law, the trafficking “victim” must prove that she is innocent, i.e. that she did not voluntarily choose to be part of the sex industry. This then dichotomizes sex workers into “guilty/‘voluntary’ and innocent/‘forced’ prostitutes,”<sup>74</sup> reinforcing the classic whore/Madonna dichotomy which criminalizes women who break sexual norms and believes they deserve “what they get.” Simultaneously, such guilty/innocent rhetoric only upholds and protects the woman who has *not* willingly engaged in the sex industry. As Doezema describes it, “This bears frightening resemblance to rape trials, in which a victim’s chastity will determine the severity of the crime.”<sup>75</sup> Human rights, or the question of exploitation of the body (whether forced or voluntary), do not come into question when the trafficking protocol is placed under critical examination.

Going beyond Doezema’s argument, I also argue that the current trafficking protocol is structured and determined by Euro-American (neo)colonial frameworks developed out of intersecting discourses on sexuality, race, migration, and the law. As I noted in discussing the 1904 Agreement on the Suppression of the White Slave Trade, the notion of “trafficking” enabled western heads of state to criminalize and take social control of the “other” under the rubric of protecting white womanhood. The migration of women of color was also controlled as they were framed as more “prone to” prostitution and transgressive sexuality, and would be a bad influence on white women and men. At the center of these laws controlling the “other,” however, was the effort to uphold proper and normative modes of whiteness, or what can also be read as the dominant control of

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<sup>74</sup> Doezema 42.

<sup>75</sup> Doezema 46.

the west over the rest. By laying out how the rhetoric of trafficking has shifted throughout the last century, one is also able to see how trafficking discourse has responded to and shifted with the changes of global political climate, yet fundamentally has not altered its center from upholding western dominance. Trafficking discourse in the 21<sup>st</sup> century, in the postcolonial world, has not questioned the colonial “slot” which trafficking laws were intended to fulfill.

Looking again at the creation of the Optional Protocol on Trafficking which Ditmore describes, it is important to note where these “feminist factions” she describes come from. The first bloc, the Human Rights Caucus, in which Ditmore worked, was led by the International Human Rights Law Group (an organization which now goes by the name Global Rights); the second bloc, the Human Rights Network, was led by the Coalition Against Trafficking Women. Both of these groups are headed in the US. In the creation of the Optional Protocol, the only nonwestern groups called to consult on the Protocol, for one, worked *under* this western leadership, and secondly, were funded by or closely tied to western organizations, most often through having western executive directors or boards. As members of the Human Rights Caucus put forward a sex workers rights perspective, the image of the possibility of a “voluntary” sex worker position developed in the image of a “liberated” western whore who was able to transcend sexual boundaries. Moreover, she did not *need* to work in the sex industry; her participation in “the life” was because she liked it and it was her right. Rhetorically, this then created the image of the negative, forced side of the trafficking dichotomy as all the “Others” who could not meet this criteria—Third World women, women of color, and poor women who

are “forced” into their circumstances by poverty, underdevelopment, war, or displacement.

Given Doezema’s valid claim that there is no consensus between anti-prostitution and sex worker organizers *except* around “forced” prostitution, the “trafficking victim” became defined, discursively, as all of these “Others.” Emotive anti-trafficking campaigns focus on images of women and children victimized through forced prostitution, almost always as a result of poverty or being tricked into prostitution or servile marriages while seeking a better life or the “American Dream.” Moreover, they focus almost exclusively on poor, young women of color in developing countries or migrant workers living in the US or Europe. The rhetoric of “poverty as force” paints a racialized and classed image of the trafficking victim, thereby creating a social construction in which all women of color, not from the upper classes, from the nonwest, migrating to the US and Europe become potential trafficking victims.

While this racialized/classed image of the trafficking victim could be read as a level of protection against exploitation for migrant women who enter the sex industry for economic reasons (poverty as force), this reading is skewed and oversimplified for a number of reasons. First, it creates a dichotomy between races and classes in which white women are able to choose, whereas “other” women are not, reinforcing Chandra Mohanty’s evaluation of stereotypes of the Third World/nonwestern woman as “ignorant, poor, uneducated, tradition bound, domestic, family oriented, victimized, etc”<sup>76</sup> in comparison to the western woman who is “believed to have (or at least has the potential to have) control over her income, body and sexuality: the emancipated, independent,

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<sup>76</sup> Mohanty, Chandra Talpade. “Under Western Eyes: Feminist Scholarship and Colonial Discourses.” In *Third World Women and the Politics of Feminism*. Bloomington: University of Indiana Press, 1991. 56.



postmodern woman.”<sup>77</sup> Not only are such dichotomies racist, but they defy what scholars know about transnational migration. As noted at the beginning of this chapter, most migrant women crossing borders are not the poorest of the poor, nor are they uneducated.<sup>78</sup> The belief that 800,000 (IOM estimation) to 27 million (Salvation Army) people (of which an estimated 70% are women) have been trafficked across borders while “duped” relies on stereotyping and the refusal to address the root causes of migration.

Second, the racial and national stereotyping of the trafficking victim also leads to a vilification of Third World governments, cultures, and families. Considering most “destination” countries are accredited as western, and trafficking is closely associated with international gangs and crime syndicates, “source” countries often get blamed for being culprits and conspirators of the trafficking business. In one of the first US intelligence analysis reports of trafficking into the United States, the report identified Chinese, Vietnamese, Korean syndicates with a small number of “Japanese, Filipino, Thai, Laotian, Cambodian, and Polynesian” men who aid them; Russian, Eastern European groups; and Latin American families and brothel owners (as well as two pages “intentionally left blank”) as the primary beneficiaries of human trafficking.<sup>79</sup> Moreover, each year, the US State Department issues a “Trafficking in Persons” report labeling and ranking countries throughout the world according to their compliance and/or success in

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<sup>77</sup> Kempadoo, Kamala and Doezema, Jo (eds.). *Global Sex Workers: Rights, Resistance, and Redefinition*. New York and London: Routledge. 1998. 11.

<sup>78</sup> Portes, Alejandro and Ruben G. Rumbaut. *A Portrait of Immigrant America*. 3rd Edition. Berkeley and Los Angeles: University of California Press, 2006. 9.

<sup>79</sup> O’Neill, Amy Richard. “International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery and Organized crime.” Center for the Study of Intelligence, DCI Exceptional Intelligence Analyst Program, US Government, 1999. Available at <https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/books-and-monographs/trafficking.pdf>. Accessed 24 June 2007. 13.

addressing human trafficking. The penalties for receiving an upper tier (bad) ranking may result in the withholding of “non-humanitarian, non-trade-related assistance.”<sup>80</sup> Problematically, this sort of penalty simultaneously cuts funding for developing structural support to build sustainable socio/political/economic systems,<sup>81</sup> while upholding a capitalist system (through continued trade assistance) which perpetuates the very inequalities that make it unviable to stay within local communities.

Third, while women categorized as “forced”—or innocent—prostitutes are eligible for international trafficking protections (i.e. legal ramifications against their exploitation), the intersection of trafficking discourse with immigration gives way to a number of other issues. Primarily, being labeled as “trafficked” is simultaneously a ticket for deportation. This is also the case for migrants in almost all countries—even where prostitution is legal—who are caught practicing prostitution. Since 1904, trafficking documents have focused on repatriation as a measure of “protection” of trafficked persons. This means the return of the trafficked person to their home country, often without consideration of economic motivation for migration. While repatriation was originally intended to save white women from their foreign brothels and pimps, today repatriation is often a way to control migration, inversely supporting the original measures taken by trafficking protocols to regulate in particular the movement of nonwestern people and people of color. In most countries, once a woman is officially deemed “trafficked,” she is granted permission to stay in the destination country as long

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<sup>80</sup> US Department of State. “Trafficking in Persons Report.”  
<http://www.state.gov/g/tip/rls/tiprpt/2006/65983.htm>

<sup>81</sup> It is important here to understand what distinguishes “humanitarian” aid from general “development” aid. Humanitarian assistance is direct relief meant to save lives; most often it is offered in times of crisis. On the other hand, development aid addresses the underlying socioeconomic structures of a society, and it is this funding that is being cut (among many things) with a bad ranking by the “Trafficking in Persons” report.

as her case is “pending,” or in some countries (like the US) only as long as she is willing to testify against her traffickers. Many migrants thus consider this a mere “stay of deportation,” because only in rare cases are permanent resident visas granted to trafficked persons. The rest of the time trafficked persons are kindly repatriated with the assumption that trafficked persons would prefer to be rehabilitated and reintegrated into their families and home countries. What repatriation ignores, even in cases where extreme exploitation has existed, is the original impetus for immigration, and why returning to one’s home country may not be desirable or often even safe.

The focus on immigration within trafficking protocol also signifies increased border control and surveillance at the entry points of “destination” countries. In Article 11, the Palermo Protocol states, “Without prejudice to international commitments in relation to free movement of people, State Parties shall strengthen, to the extent possible, such border controls as may be necessary to prevent and detect trafficking in persons.”<sup>82</sup> The link between trafficking/organized crime and organized crime/immigration<sup>83</sup> turns trafficking primarily into a matter of “national security” rather than an issue of human rights or exploitation. In countries where immigration is becoming an increasingly politically divisive issue, trafficking clauses are often attached to immigration reform bills, as it is an issue which seemingly transcends political divides. Given the raced and classed stereotypes of the trafficking victim, this then allows for racial and economic profiling of women and men seeking entry into foreign states.

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<sup>82</sup> UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children. [http://www.uncjin.org/Documents/Conventions/dcatoc/final\\_documents\\_2/convention\\_%20traff\\_eng.pdf](http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf) Article 11.

<sup>83</sup> The US defines organized crime as “the result of the growing numbers and variety of individuals and groups reaching advanced countries...” See Ruggiero, Vincenzo. “Global Markets and Crime.” In *Critical Reflections on Transnational Organized Crime, Money Laundering, and Corruption*. Ed. Margaret E. Beare, 171-182. Toronto: Toronto University Press, 2003. 174.

Ultimately, the discursive connotations embedded within the forced/voluntary dichotomy of the trafficking protocol mean that even the “innocent” protected victim, read as nonwestern or nonwhite, is criminalized and controlled, thereby continuing the colonial legacies on which trafficking was founded in a new guise. The language of choice put forward by the sex workers’ rights movement meant to dispel myths and stereotypes surrounding sex work and prostitution on the question of female sexuality. Instead, as Doezema points out, it created a monolithic reading of the sex industry from both sides of the debate—either monolithically horrible or monolithically empowering—which recreated the whore/Madonna dichotomy that moralizes and criminalizes women who break with sexual norms. Simultaneously, the debates over sexuality ignored the histories of racism, classism, and xenophobia that have made sexuality fundamentally raced, classed, and nationalized. Therefore, these debates created international laws that developed—historically and contemporarily—in and for the white west, and made those formations normative in the universal claims of international law. Such geographic racialization of law then emphasized the “protection” of destination countries’ (largely seen as western states) national security, enabling both the vilification of nonwestern states and racial, class, and national profiling in an era defined by transnational migration. Therefore, ironically, neither of the trafficking discourses’ internal tropes—the ultimate sexual slave or the subversive sexual agent—receive protection within the actual discursive field in which trafficking law functions. The voluntary worker chooses her lot in life; the forced victim is deported and denied economic rights. Both are criminalized. The trafficking “victim” does not exist.

Discrimination and exploitation, however, do and are rampant both within and across borders. The question becomes: how do we create a social and legal framework that moves beyond the colonial structures which currently define trafficking discourse? How do we destroy the “slot” of controlling sexuality, race, and migration that trafficking fulfills, and create an entirely new anti-sexist, anti-racist, and anti-colonial framework to combat exploitation? In an attempt to move towards an answer to these questions, in the following chapters I put forward three case studies of how sex work and prostitution have been institutionally ordered within three locations in order to comparatively examine both how traditional/dominant ideologies have been produced and engaged in the west, and how sex workers worldwide have long been organizing under alternative methodologies which incorporate multiple aspects of their identities as specific to their contexts.

# III

## St. Paul/ Minneapolis

*Women used in prostitution, porn and stripping are victims.*  
~Vednita Carter<sup>84</sup>

*...when women's bodies are on sale as commodities in the capitalist market, the terms of the original contract cannot be forgotten: the law of male sex-right is publicly affirmed, and men gain public acknowledgement as women's sexual masters—that is what is wrong with prostitution.*  
~Carole Pateman<sup>85</sup>

*There is a long history of the woman as dirt and sexual abuse as such being conjoined. And the prostituted woman is the dirtiest woman because she is the most purely sexual woman. When one sees her, one is looking at sex. And when one sees her and is looking at sex, one is looking at dirt.*  
~Andrea Dworkin<sup>86</sup>

*Prostitution is a form of sexual violence affecting women's bodies, their health and self-image, and undermines other gains women have made...Once we remove women's subordination in society there will not be prostitution.*  
~Sheila Jeffreys<sup>87</sup>

*Prostitution is rape that's paid for.*  
~Janice Raymond<sup>88</sup>

As noted in the previous chapter, early organizing around trafficking in the United States and Europe revolved around moral principles of proper white womanhood. At the turn of the twentieth century, feminist organizing had only just begun around the theme of prostitution; but these early precedents form an important genealogy to the “forced” end of the dichotomy that is present in trafficking discourse today. In this chapter, I will provide a brief introduction to early feminist organizing around prostitution. I will then rapidly move into the theoretical arguments made by radical feminists in the 1980s on the role of prostitution in a culture of male dominance. Finally, the bulk of this chapter will

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<sup>84</sup> Carter, Vednita. Personal correspondence.

<sup>85</sup> Patema, Carole. *The Sexual Contract*. Stanford: Stanford University Press, 1988. 208

<sup>86</sup> Dworkin, Andrea. "Pornography, Prostitution, and a Beautiful and Tragic Recent History." In *Not for Sale: Feminists Resisting Prostitution and Pornography*, edited by Christine Stark and Rebecca Whisnant, 137. North Melbourne, Victoria, Australia: Spinifex Press Pty Ltd, 1999.143.

<sup>87</sup> Jeffreys, Sheila. *West Australian*, 13 December 1995

<sup>88</sup> Raymond, Janice. 11 December 1995.

focus on how these theories of prostitution and male dominance have organized anti-prostitution advocacy in the Twin Cities, Minnesota, a historical site of anti-prostitution organizing in the United States. My goal in this chapter is to outline how a specific ideology of prostitution has institutionally shaped—at legislative, law enforcement, advocacy, and service provider levels—the environments in which sex workers live and work. Most particularly, I am examining how anti-prostitution organizing (which forms the basis of the “forced” side of the trafficking lobby) structurally addresses the postcolonial and transnational concerns that I raised in chapter two: how, in one location, does it address histories of racism embedded into trafficking discourse? On what basis is a woman’s self-determination recognized or determined? How does it (or does it not) acknowledge or address transnational migration?

### *Early feminist organizing*

As noted in the last chapter, the rise of industrialization combined with other social forces that pushed women into poverty in the mid-to-late nineteenth century meant that many women turned to the sex industry for economic means. The entry by women into the workforce in general, let alone the sex industry, caused the general public great moral fear as was reflected in the early anti-trafficking documents. However, even prior to this, it caused governments to fear the spread of venereal disease which (much like its shocking parallel to the 1980s HIV/AIDS crisis) was largely blamed on prostitutes and prostitution. In Great Britain, this fear caused the Parliament to pass the Contagious Disease Prevention Acts of 1864, 1866, and 1869 which required any woman thought to be a “common prostitute,” which in essence meant any poor woman, to undergo physical



examination.<sup>89</sup> Any infected woman was then interned at what Nicky Roberts describes as “pseudo-medical prisons for whores.”<sup>90</sup>

The Contagious Disease Prevention Acts led to some of the first expressly feminist organizing around prostitution, and brought the issue of prostitution to international attention. By 1869, two groups had formed in attempts to repeal the Acts: the National Association for Repeal of the Contagious Disease Acts and the Ladies National Association for the Repeal of the Contagious Disease Acts. Early feminist Josephine Butler led the movement to repeal the Acts, not because she sided with prostitutes as we see in the sex workers’ rights struggle today, but because she and other feminists recognized that the Acts threatened the civil liberties of all women: any woman could be picked up by a police officer for being a “common prostitute,” and she had no protection against prejudices embedded in the police officer’s word. Eventually, however, feminists like Butler, who was deeply rooted in her Christian faith, came to conclusion that prostitutes—especially children—were *victims* of male vice. Butler advocated the abolition of the regulationist system,<sup>91</sup> which she saw as the implicit licensing of male vice as “natural” and, thus, the sanctified oppression of women. She

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<sup>89</sup> See Walkowitz 1982.

<sup>90</sup> Roberts, Nicky. *Whores in History: Prostitution in Western Society*. London: Harper Collins, 1992. 248. For Descriptions of these “whore” hospitals can be found in William Sangers book *History of Prostitution* (1895). Sanger had been a physician at one of these hospitals on Blackwell’s Island in New York City. The hospital was “free” for the treatment of venereal disease, however, one could only receive service there if she had been convicted of a crime of “debauchery.” Similarly, in California, the quarantine of sex workers existed well into the 1990s, when advocacy by sex workers’ rights groups finally forced its removal.

<sup>91</sup> The regulationist system referred to here is not the same as what we often call regulationist systems today, like that in place in the Netherlands. Regulationist systems that developed in the latter part of the Middle Ages focused on enforcing particular locations, dress, and conduct. In some areas it also meant designating the religion or ethnicity of a prostitute in order to ensure that no “mixing” took place. In other places, it actually meant providing prostitutes for the clergy and/or military.

once wrote: “Their system is to obtain prostitution *plus* slavery for women, and vice *minus* disease for men!”<sup>92</sup>

The entrance of feminism into the prostitution debate caused a significant shift in rhetoric. In the dominant Christian moral discourse, the prostitute, the fallen woman, was/is the archetypal sinner. “She has, as a sinner, made her bed, so to speak, and so she must lie in it, unless she chooses to be saved by divine grace.”<sup>93</sup> By claiming the sex worker as a *victim* of male vice, feminists like Josephine Butler rejected the notion that the woman had made her own bed. Rather, she was *forced* to lie in the sinful bed of another; or in other words, male dominance subjugated and controlled her, forcing upon her the most perverse of sexual practices. The subject of critique within prostitution then became the male,<sup>94</sup> and the system of patriarchy which sexed and sexualized the female body. Moreover, on the opposite side of this equation, Butler emphasized the “reclaimability of prostitutes” who she continually argued had not lost their “womanly virtues” because of their participation in prostitution. In Butler’s perspective, prostitutes were “economic victims,” arguing that “among the causes which make it humanly speaking *impossible* for many to escape the worst fate’ [prostitution] were ‘sheer hunger’ among the very poor and the ‘denial to women of the admission to trades and professions.’”<sup>95</sup> Prostitution did not inherently have to do with morality; the prostituted woman therefore could be reclaimed.

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<sup>92</sup> Butler, Josephine. Speech given to the Federation Conference at Neuchatel, 19-21 September 1882. Reprinted in *Shield*, 21 October 1882, pg. 95.

<sup>93</sup> Brock, Rita Nakashima and Susan Brooks Thistlethwaite. *Casting Stones: Prostitution and Liberation in Asia and the United States*. Minneapolis: Fortress Press, 1996. 236.

<sup>94</sup> Butler once said: “the *purchaser* is thrice guilty, beyond the seller; because he is seeking carnal pleasure only; she can have no pleasure, but much rather misery, and is in the quest for money only.” In *The Hour Before Dawn*, page 261.

<sup>95</sup> Jordan, Jane. “General Introduction.” *Josephine Butler and the Prostitution Campaigns: Diseases of the Body Politic*. Eds. Jane Jordan and Ingrid Sharp. New York: Routledge, 2003. 6.

Perhaps surprisingly, Butler strongly objected to criminalization or any legislation on sexual matters. She believed, rather, that voluntary Christian reclamation would “make redundant” any legislation because men would recognize that chastity was as much their responsibility as women’s. However, other movements organizing around prostitution at the time same time took a different perspective, campaigning for the criminalization of prostitute, client, and all others involved in the industry. It was in this climate that anti-prostitution feminists organizing continued through the early part of the 20<sup>th</sup> century, without much change or prominence, until theoretical debates over female sexuality reached their height during the anti-prostitution/anti-pornography campaigns in the United States during 1980s.

### ***Radical feminist organizing***

Many feminists coming out of the sexual liberation movement of the 1960s and 70s felt that, while the movement had offered liberation to men, women, though supposedly more sexually free, still battled massive amounts of sexual and domestic abuse.<sup>96</sup> The sexual liberation movement had represented the belief that much of women’s oppression was tied to ethical mores of sexual behavior. The development of contraceptives meant that women could take off their chastity belts and have sex more freely with more partners without the fear of pregnancy confining them to the home. Overall, it meant “the freedom to have sex where and when one wished.”<sup>97</sup> Throughout the sexual liberation years, women made gains through increased sex-education in

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<sup>96</sup> Clarke, D. A. “Prostitution for Everyone: Feminism, Globalisation, and the ‘Sex’ Industry.” In *Not for Sale: Feminists Resisting Prostitution and Pornography*, edited by Christine Stark and Rebecca Whisnant, 149. North Melbourne, Victoria, Australia: Spinifex Press Pty Ltd, 2004: 151.

<sup>97</sup> Allyn, David. *Make Love, Not War, The Sexual Revolution: An Unfettered History*. 5.

schools, access to birth control, emergency contraceptives, and abortions, and more openness about lesbian sex. Yet many feminists felt that the withering of sexual repression meant to come with sexual liberation never arrived. Instead, Kathleen Barry described it as, "Sexual liberation has brought into the home many of the bizarre sexual activities that men have demanded with prostitutes."<sup>98</sup> The freedom to have sex "where and when one wished" often meant men merely made increasing demands on the "type" of sex that was "appropriate" with their wives or partners.

Wendy Chapkis has examined how some second wave US feminists, who she calls "pro-positive sex feminists," held to the belief that sex with men was possible outside modes of patriarchal dominance, but also perceived sex with prostitutes to represent the most violent articulation of male abuse of sex. Rather than "make love," a type of sex is bought and demanded. Bringing this form of sex into the private home defiles the "equal" and "respectful" image of a man's lover, wife, or daughter. Combined with the rise of pornography in the 1970s (especially hardcore porn, such as *Deep Throat*), commercial sexual culture appeared to some feminists to be blurring the "time-honored distinctions of society...the gap is quickly closing between love and violence, madonnas and whores."<sup>99</sup> As "bad" sex entered into the private sphere through varying media forms, the violent sexual practices of pornography and prostitution were being asked, demanded of, and ultimately damaging all women.

Not all feminists opposing pornography and prostitution were what Chapkis has called sexual romanticists; however, as she points out, "While some Radical Feminists do attack prostitution and pornography as corrupting practices undermining a natural

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<sup>98</sup> Barry, Kathleen. *Female Sexual Slavery*. New York: Avon Books. 1979. 270.

<sup>99</sup> *Ibid.*

foundation of 'positive' sex, or eros, based on love, other anti-prostitution feminists see commercial sex as only the most demystified form of sex, which is, by definition, oppressive to women."<sup>100</sup> That is to say, some feminists find all forms of sex a symbol of male dominance over women, expressing what Chapkis calls "anti-sex feminism." As noted briefly in the previous chapter, feminists like Catherine MacKinnon began to theorize sexuality as a cultural and social construct, "gendered to the ground,"<sup>101</sup> meaning that sex, in and of itself, inherently subordinated women to male dominance. The idea of a consenting female sexuality was merely "patriarchy's attempt to make its work of subordinating women easier by 'consensually' constructing her desire in its own oppressive image."<sup>102</sup> Within this framework, "all women are whores,"<sup>103</sup> or objects, which men have the power to take at will. To escape male oppression, radical feminists who critiqued sexuality as conditioned by male domination argued that women had to reject sexuality as we know it entirely. However, while they said all forms of sex represent women's oppression, some forms represent it more explicitly than others, notably prostitution, BDSMSD,<sup>104</sup> butch/femme or top/bottom roles, and heterosexual penetration. So while representing two differing perspectives of the meaning of sex within male society, both pro-"positive" sex and anti-sex forms of feminism could come together over issues of pornography and prostitution, which were seen as inherently evil and oppressive by radical feminists. Together, they worked towards the criminalization of

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<sup>100</sup> Chapkis, Wendy. *Live Sex Acts: Women performing erotic labor*. Routledge, NY. 1997. 13.

<sup>101</sup> MacKinnon, Catherine. *Feminism Unmodified: Discourses on Life and Law*. Cambridge: Harvard University Press, 1987. 149

<sup>102</sup> Southern Women's Writers' Collective. "Sex Resistance in Heterosexual Arrangements." Photocopied pamphlet. 1987. 3

<sup>103</sup> Dworkin, Andrea. *Intercourse*. New York: Free Press. 1987. 203.

<sup>104</sup> Bondage and discipline, sadism and masochism, and submission and domination

all sectors of the sex industry, so as, in theory, to reduce supply and demand of the sex industry and liberate women from its oppression.

Radical feminist activism against sex work culminated in 1983 when feminists Andrea Dworkin and Catherine MacKinnon co-taught a course on pornography together at the University of Minnesota Law School.<sup>105</sup> Throughout the duration of the class, Dworkin and MacKinnon began to draft civil rights legislation which defined pornography as a:

... systematic practice of exploitation and subordination based on sex which differentially harms women. The bigotry and contempt it promotes, with the acts of aggression it fosters, harm women's opportunities for equality of rights in employment, education, property rights, public accommodations and public services; create public harassment and private denigration; promote injury and degradation such as rape, battery and prostitution and inhibit just enforcement of laws against these acts; contribute significantly to restricting women from full exercise of citizenship and participation in public life, including in neighborhoods; damage relations between the sexes; and undermine women's equal exercise of rights to speak and action guaranteed to all citizens under the constitutions and law of the United States and the State of Minnesota.<sup>106</sup>

Under this definition, the ordinance called for the complete ban of pornography within the city due to its definition of pornography as a civil rights violation against women. Moreover, the law was designed for women to seek restitution for 14<sup>th</sup> Amendment violations. By placing pornography under the purview of the Human Rights Commission, the ordinance allowed "women harmed by pornography, including the women in it, to sue pornographers and distributors."<sup>107</sup>

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<sup>105</sup> A course syllabus which is still made available to both undergraduate and graduate students today.

<sup>106</sup> Dworkin, Andrea and Catharine MacKinnon. Appendix A: The Minneapolis Ordinance, an Ordinance of the City of Minneapolis, Amending Title 7, Chapter 139 of the Minneapolis Code of Ordinances Relating to Civil Rights, 1983.

<sup>107</sup> "Pornography, Prostitution, and a Beautiful and Tragic Recent History." In *Not for Sale: Feminists Resisting Prostitution and Pornography*, edited by Christine Stark and Rebecca Whisnant, 137. North Melbourne, Victoria, Australia: Spinifex Press Pty Ltd, 1999. 137. While the ban on pornography and laws for women involved in pornography to seek restitution for abuse never passed, a similar law did pass in Minnesota in 1994 which allowed anyone coerced into prostitution to sue the person who coerced her for the damages done. Attempted use of this law has only been tried once in 1995, but ended in settlement in

The significance of this legislation was and is that, for the first time in the history of the United States, a bill on prostitution was written without reference to Christian moral standards of purity and obscenity, and rather focused entirely on civil rights. Even though the law sought the similar end of criminalization, the philosophical means used to arrive at the abolitionist conclusion derived from feminist legal methodology. Dworkin and MacKinnon based their argument on the idea that pornography inherently depicted violence against women from the root meaning of the word. "Porne" is the Greek word for "prostitute,"<sup>108</sup> thus "pornography" literally means the "graphic depiction of whores." Under their understanding of prostitution, men did not have sex with prostitutes, they used them. Andrea Dworkin said, "There is a long history of the woman as dirt and sexual abuse as such being conjoined. And the prostituted woman is the dirtiest woman because she is the most purely sexual woman. When one sees her, one is looking at sex. And when one sees her and is looking at sex, one is looking at dirt."<sup>109</sup> Thus, through the "graphic depiction of whores," society viewed women as dirt. Dworkin and MacKinnon then reasoned that since real women are the actresses being depicted as "dirt," pornography unlawfully discriminated against real women. Moreover, this discrimination traversed into the home as pornography was/is widely available and easily distributed, meaning that men learned to expect such discriminatory pornographic sex from their wives/partners. This thereby created legal evidence for radical feminists' goal of complete criminalization of the sex industry. As further proof of their argument, they

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1997 when James Larson of Stacey, Minnesota agreed to pay \$17,000 in damages to Laura Madison of St. Paul.

<sup>108</sup> What MacKinnon and Dworkin never addressed was that "porne" as used in the New Testament could also be used to describe, not only prostitutes, but *any woman* engaging in unlawful sexual intercourse, the compensation for gain or lust was of no regard. A woman was not permitted sexual freedom, or she was marginalized into the "whore" category.

<sup>109</sup> Dworkin 143.

presented testimony by Linda Marchiano/Linda Boreman (a.k.a. Linda Lovelace), the star actress in *Deep Throat*,<sup>110</sup> who told the story of her sexual enslavement to her boyfriend, who forced her to perform in pornographic films under gunpoint, be beaten and have sex with a dog on film.

The Minneapolis City Council passed the ordinance on December 30, 1983, but the city mayor vetoed the bill on the basis that it violated First Amendment rights to freedom of speech. The Minnesota Task Force on Pornography then presented a second proposal to the city council; however, even Catharine MacKinnon denounced this proposal saying that it reverted back to the obscenity approach. The feminist writing of the ordinance had maintained that the ban on pornography was not in any way associated with obscenity laws, as such laws further degraded the woman's body and sexuality. MacKinnon and Dworkin then put forward a revised version of their civil rights ordinance in July 1984 which solely concentrated on the "more expressly 'violent' pornography."<sup>111</sup> The ordinance once again passed the Minneapolis City Council, this time with a higher percentage of votes, only to be vetoed once again by the city mayor.

Despite the fact that the civil rights ordinance never passed, the proposition of a rights- based ban on pornography proved monumental. The anti-pornography ordinance caused rifts among feminists over the meanings of female sexuality to the extent that

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<sup>110</sup> *Deep Throat* is widely regarded as the first "hardcore" pornographic film released by the mainstream porn industry in the summer of 1972 by the director Gerard Damiano. The film depicts the story of a woman—Linda Lovelace—who likes sex, but is pre-orgasmic. After trying many sexual activities, she goes to a doctor seeking advice, who then discovers that her clitoris is located in the back of her throat, meaning she can only receive orgasm through performing oral sex. Hence the name "Deep Throat." *Deep Throat* broke with its pornography predecessors, however, both in its cinematographic techniques and its explicit exposure of over fifteen full sex scenes, including fellatio, cunnilingus, intercourse, and anal penetration.

<sup>111</sup> "Violent pornography" often includes snuff films (depicts the killing of a human during or after sex scenes), films that portray rape, sex with a corpse, sex with animals, or sex which induces serious injury to the genitals or breast.



feminism fractionalized in what became known as the “feminist sex wars,” a division in feminism which often defines feminisms worldwide, yet has very specific historical roots in the cultural history of Minnesota and the United States. Moreover, after the ordinance failed in Minnesota, the city of Indianapolis asked MacKinnon and Dworkin to draft similar legislation. This time, they sided with the conservative right by including clauses based on obscenity and morality. The imagery of woman as victim, an imagery that was once an act of resistance moralizing legal control/regulation of sex workers, moved radical feminists to advocate abstinence, criminalization, and the inability to assert sexual agency. As states like Minnesota gradually incorporated elements of feminist activism into its social infrastructure, the interplay of moralizing and victimizing rhetoric came into social dialogue through policy, law enforcement, and outreach organizations.

In the case study that follows, I explore how the social infrastructure of St. Paul/Minneapolis has engaged, incorporated, and transformed radical feminist ideologies and legacies, and put them into practice throughout the past few years as trafficking has come to the forefront of political and social consciousness. By articulating how a feminist ideology is acted out in practice within a particular context, my goal is to demonstrate how anti-prostitution articulations of trafficking discourse shape sex workers’ lives.

### ***St. Paul/Minneapolis, a case study***

#### *The contemporary setting*

Minnesota’s cultural history reflects a strong mix of leftist progressivism and Midwestern moral and social values. On the books, prostitution has been illegal since shortly after

Minnesota became a US territory in 1849, even though there existed a period between 1865 and 1910 when brothels were unofficially regulated by the city.<sup>112</sup> Since the civil ordinance stir caused by MacKinnon and Dworkin, however, Minnesota has attempted to create laws which best uphold women's rights as defined in particular by radical feminists, who have maintained a strong influence in the area. Minnesota therefore shifted all of its laws around prostitution<sup>113</sup> to criminalize not only the woman,<sup>114</sup> but all parties involved: sex worker, pimp, madam, client, and anyone else involved in the "business of prostitution."<sup>115</sup> The state also began utilizing tactics of intimidation to try and shut down the "supply and demand" of the sex trade, by posting pictures of sex workers and clients online after their arrest, along with their age, height, weight, hometown, and vehicle licensing registration, so as to dissuade them from re-offending.<sup>116</sup>

As in all parts of the country, the rise in human trafficking as a central issue also increased attention on the sex industry within state boundaries. According to a local NGO, "Minnesota has become one of the 13 most heavily sex and slavery trafficked states in the nation."<sup>117</sup> Minnesota has thus worked on developing comprehensive laws to address human labour and sexual trafficking throughout the state since 2005. The state

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<sup>112</sup> See Best 1982. The trend throughout the United States during this period was to switch to systems of regulation, as was the case in Europe during the periods of the Contagious Disease Acts; however, most of these attempts failed or were at least short lived due to pressure from reformers. See Ruth Rosen (1982).

<sup>113</sup> The shifts in legal definitions took place beginning in 1979, undergoing major changes in 1984, 1986, 1992, 1998, 2000, and 2003.

<sup>114</sup> In the 1955 ruling of the *State v. Poague* case, "prostitution" was defined as the "practice of a *female* offering her body to an indiscriminate intercourse with men, usually for hire" (my emphasis). See West's MN Digest, 2<sup>nd</sup> Ed. Vol. 27A, 72 NW 2d 620, 245 Minn 438.

<sup>115</sup> See Minnesota Criminal Statutes: Prostitution 609.321-609.33

<sup>116</sup> See St. Paul Police Department. "Prostitution Arrests Photos."

<sup>117</sup> Civil Society. "Welcome to the Minnesota Human Trafficking Watch Site."  
<http://www.civilsocietyhelps.org/htw/HOME.html> Accessed May 29, 2007.

legislature has commissioned a series of reports on human trafficking within the state,<sup>118</sup> as well as designated \$200,000 to create a Human Trafficking Task Force. The federal government also awarded representation from both Minneapolis and St. Paul a \$450,000 grant to create the Gerald D. Vick Regional Human Trafficking Task Force to work directly on investigations of human trafficking.

The new focus and legislation on human trafficking has only recently come into public attention and debate throughout the state. Most prominently, in the summer of 2007, the local police raided over ten brothels throughout the Minneapolis/St. Paul area (the first major raids against trafficking in the Twin Cities), with as many or more raids taking place since that time.<sup>119</sup> Eight of these raids took place in late May (2007) through joint action between the St. Paul police and the federal Immigration, Customs, and Enforcement (ICE) office. The raids resulted in the arrest of 25 accused, 80% of which were undocumented immigrants.<sup>120</sup> The trafficking “crime ring” busted during these raids had been under investigation for two years prior to the raids and was supposedly connected to prostitution rings in 30 other states.<sup>121</sup>

The May raids caused a number of small protests and op-eds from the public due to a variety of concerns (see Figure 1). On the one hand, a number of immigrants’ rights

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<sup>118</sup> A note on these reports: when I spoke with the MN Statistical Analysis Center, the head researcher mentioned that while the research was based off the federal (TVPRA) definition of human trafficking, she does not “believe that anyone can freely choose prostitution. And [she] wanted to make sure [in the report] that we talked about domestic trafficking.”

<sup>119</sup> As of 14 December 2007, 33 people in five cases had been charged for human trafficking.

<sup>120</sup> From what I have informally heard through my personal contacts, only 18 of the 25 are actually being accused on trafficking charges, a little under 80% of the total accused. I have not heard whether or not the 18 charged are all undocumented or not, however, I have my suspicions.

<sup>121</sup> Stawicki, Elizabeth. "Feds Break Up Prostitution Ring."

[http://minnesota.publicradio.org/display/web/2007/05/21/prostitution\\_ring/](http://minnesota.publicradio.org/display/web/2007/05/21/prostitution_ring/) Accessed May 23, 2007.

activists staged protests against raid tactics at the site of one of the raids, an extremely popular Ecuadorian restaurant which serves as a landmark for the Latino community.



**Figure 1: Demonstrators protesting in front of Guayaquil over the police involvement with the brothel raids. Posters read: “Police and ICE Don’t Mix.” Photo by Mary Turke. Originally published in “Weekend Raids Targeted Brothels, Officials Say,” by Abdi Aynte, Twin Cities Daily Planet, 22 May 2007.**

The police and ICE had barricaded the area in order to pass through to apartments above the restaurant. In the meantime, they asked proof of identification from everyone within their barricade, including people in the restaurant. The protesters argued that this approach implies that anyone who may look “foreign,” who by association of accent or skin color could possibly be a trafficked person, must present documentation or be arrested. It is then the duty of the arrested to prove that they are either a victim of human trafficking or a legally documented immigrant living in the US.

Despite the majority of these raids taking place in Hennepin County (Minneapolis), the Minneapolis Police Department did not participate in the raids because of a separation ordinance which bars the police from interfering in matters dealing with

immigration.<sup>122</sup> The media stir caused by the trafficking raids, however, pushed some of the public to challenge the separation ordinance because it limited the police from combating gross crimes like international human trafficking where women are forced into sexual slavery. US Minnesotan Senator Norm Coleman also issued a statement favoring this change.<sup>123</sup>

In reaction to the public response, the Minneapolis police began initiating their own brothel raids at the beginning of July.<sup>124</sup> The first of the Minneapolis police raids, which was not a trafficking case, took place on July 6, 2007 and did not come off without creating a stir after the Minneapolis Star Tribune newspaper published a photo of the raid on the front page.<sup>125</sup> The photo portrayed two young women and a client lying on their stomachs with their hands in plastic restraints behind their backs (see Figure 2); the face of one woman was originally identifiable in the photo. Four women and one man were arrested. Despite the disturbance this photo caused in general society, the police maintain that part of their approach is to initially arrest everyone in and around the brothels; they then offer the opportunity for the accused to present themselves and support the claims that they are victims.<sup>126</sup>

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<sup>122</sup> The purpose of “separation ordinances” are to ensure that any person—in spite of “legal” immigration status—feels comfortable and safe reporting crime to the police.

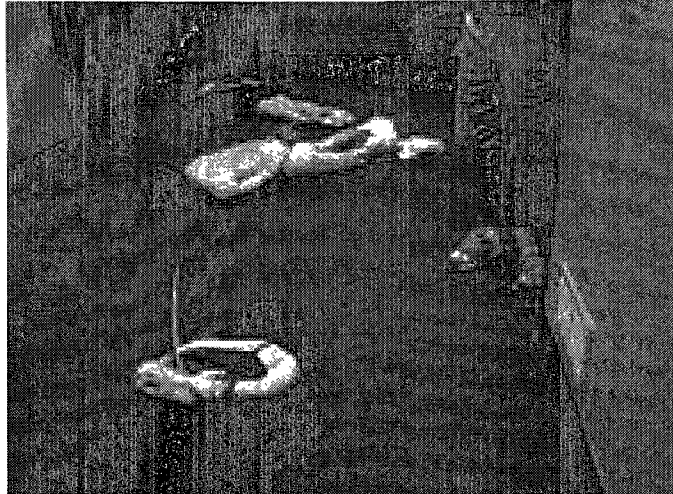
<sup>123</sup> Similarly, through a recent (7 January 2008) executive decree, Governor Tim Pawlenty has declared that police must work with ICE officials on enforcing immigration laws, among other things. He also has requested that legislation be reviewed on separation ordinances and that trafficking penalties be increased. The combination of trafficking and immigration simultaneously speaks to the events of the summer of 2007 and discursive mixing of fields that I spoke about in Chapter 2. See

<http://www.governor.state.mn.us/mediacenter/pressreleases/PROD008597.html>

<sup>124</sup> St. Paul Police Vice Unit. Personal correspondence.

<sup>125</sup> Chanen, David. "Bust of Minneapolis Brothel Launches Sweep." *Minneapolis Star Tribune*, 2007.

<sup>126</sup> St. Paul Police Department Vice Unit. Personal Communication with three officers. 11 July 2007.



**Figure 2: Originally published in “Bust of Minneapolis brothel launches sweep,” by David Chanen, Star Tribune, 6 July 2007.**

#### *Law Enforcement’s Victim Centered Approach*

The “victim centered approach” currently used by the police departments and the Regional Task Force resulted from relations between two local NGOs and one of the sergeants in the St. Paul Police Vice Unit. Sgt. Jerry Vick, before being had killed in an undercover investigation on prostitution in 2005, developed a working relationship with Breaking Free Inc, an Afro-centric organization focused on exposing prostitution as a system of female slavery and rescuing women from systems of prostitution. Through Breaking Free, whose founder and executive director Vednita Carter was the previous director of the national organization WHISPER (Women Hurt In Systems of Prostitution Engaged in Revolt), Sgt. Vick became aware that “prostitution was defined by violence and slavery.”<sup>127</sup> According to other vice officers, Sgt. Vick worked to change the vice unit’s work to a positive image for the police department. Vick argued that the number of “janes” (sex workers) or “johns” (clients) arrested was not as important as the lasting

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<sup>127</sup> *Ibid.*

effect that the police department could potentially have on the lives of others.<sup>128</sup> The goal of the department therefore switched its approach to stopping “johns” from re-offending, and trying to get the “girls,” especially the younger ones, off the streets. The department directly collaborated with Breaking Free to target prostitutes and, rather than send them to jail, send them to Breaking Free’s Sisters of Survival Program, which is an abstinence program<sup>129</sup> that acts as a “12-week, intensive education group to examine prostitution as a slave-based system, the impact prostitution has had on their lives, and issues related to addiction and recovery”<sup>130</sup>

As trafficking became a growing issue, the St. Paul Vice Unit also began working with Civil Society,<sup>131</sup> an NGO which provides victims of violence and crime with knowledge of their rights and direct legal services. In 2005, the US Department of Justice Office of Victims of Crime awarded Civil Society a three-year grant to start the Minnesota Trafficking Victims Watch which serves as the central unit within the Minneapolis/St. Paul area to educate and coordinate trafficking victim services and work with the law enforcement on identifying and rescuing human trafficking victims. Civil Society also partners with Breaking Free through a grant with the US Department of

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<sup>128</sup> *Ibid.*

<sup>129</sup> Abstinence based programming adds an interesting dynamic into radical feminist discourse. Not only does it imply certain sexual norms, but it also plays into moral discourse on disease. Abstaining from sex work= no HIV/AIDS or STIs, even though evidence has shown various times that sex workers are *not* more prone to HIV/AIDS than other social sectors.

<sup>130</sup> The services provided by Breaking Free are fairly comprehensible. Besides the Sisters of Survival program they also offer psychological services and a multidisciplinary service team, a health program, a youth program for the specific needs of girls between the ages of 14 and 18, a transitional housing program, a social change outreach program, an offenders’ prostitution program and community court, a permanent housing program, an internship program, a family building program, and an ongoing meeting program for women who have already completed the intensive education group. However, Breaking Free is a strictly abstinence program that does not believe that harm reduction is even possible with regards to the sex industry.

<sup>131</sup> Civil Society holds all of the state *and* federal grants in Minnesota to deal with human trafficking. They are also the only NGO that works exclusively with trafficked persons. Thus, their influence in how to understand trafficking throughout the state is monumental.

Health and Human Services Office of Refugee Resettlement to contact and identify potentially trafficked persons. While through their federal grants, Civil Society must function using the federal definition of trafficking, the organization also utilizes Breaking Free's definition of prostitution which considers all aspects of the sex industry to be "vicious cycles of violence, incarceration, and addiction."<sup>132</sup>

It is in the interaction between the traditional criminal approach and the current victim centered approach advocated by local NGOs that the moralizing/victimizing interplay is most visible. When I spoke with a sergeant from the Regional Task Force on human trafficking, I was told:

The difficult thing about working from a victim centered approach is finding the same definition of what a "victim" is. Working with the different NGOs, there is just not a clear definition. And I have to follow what the Department of Justice says... Many groups consider that once a victim, always a victim. But if you were smuggled into the country and were a victim in 1990, worked five years, and then bought your freedom; if you are still illegal in the country and still working in an illegal activity like prostitution, but you're making your own money and are free to travel. You're not a victim.<sup>133</sup>

Law enforcement definitions of a victim therefore require that victims prove their own innocence. Throughout my interviews with the vice unit, it was continually mentioned that through grants with Breaking Free and Civil Society, the police department only works to identify the sex workers who are potential candidates for services, those that can be helped. But as one officer said, "Some people have had twenty convictions and they're not going to be amiable to Breaking Free's services... and these people have to accept responsibility for their actions."<sup>134</sup>

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<sup>132</sup> Breaking Free. Website.

<sup>133</sup> St. Paul Police Department Vice Unit. Personal Communication with three officers. 11 July 2007.

<sup>134</sup> St. Paul Police Department Vice Unit. Personal Communication with three officers. 11 July 2007.



From the officers' standpoint, any sex worker is originally a criminal suspect. When officers go undercover to perform "jane sweeps,"<sup>135</sup> which entails sending out a number of cops into a sector of the city that has a density of sex workers to try and pick them up, male officers will drive around in civilian clothes, slowing down if they see a potential sex worker. The officer will permit a woman to enter his car and converse, while touching the women's breast or allowing her to touch his genitals in attempts to show that he is not a police officer, and therefore gain her trust; the officer also is not required to admit that he is an officer, even if she asks. At the time a "sex for compensation" deal is made, the officer then makes the arrest.<sup>136</sup> The sweeps become even more complicated when working with brothels, massage parlors, or in/out calls. In these cases, officers are permitted to go so far as to get naked and get into bed with sex workers. When I asked where the line was drawn, I was told:

I think when a condom starts to be placed on the male penis, that is a line...normally when a sexual act is initiated, that's where it stops. But there have been deals in the past where they [the sex worker] won't talk to you about sex until you are naked. Often you can hear over the wire that the prostitute will grab the penis and then after that the cop will give the bust signal. Even if they don't have a deal at that point, if they've gone that far, even without a deal of money, that's far enough.<sup>137</sup>

Sex workers are first considered criminals by officers; then, during or after arrest, an officer may ask a sex worker about whether or not she is a victim, because "that girl may

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<sup>135</sup> Interesting, though perhaps not surprisingly, there is a large difference between John and Jane sweeps. Female undercover officers walk up and down the streets and wait for a john to approach her. The female officer I spoke to said the hardest part about being a decoy is "getting dirty enough." She personally does not shower and wears her husband's garage clothes. She says it's "very hard to get one of our girls, a police officer, to look as bad as them" (note the class implications alluded to in this statement). A female decoy, however, cannot flag down cars to attract clients. She also has to have a direct sex for money deal. The interpretive leeway of mannerisms is not granted to "john" arrest the way it is for "janes." Moreover, female officers are never permitted to enter a john's car and she is always under audio and visual surveillance. In comparison, men are only under audio wire taps and are granted the leeway discussed above.

<sup>136</sup> *Ibid.*

<sup>137</sup> *Ibid.*

not be there because she wants to be. There may be someone behind her forcing her—a pimp or a trafficker. Ask the questions of why they’re doing this...hopefully they’ll uncover on their own symptoms of sexual slavery.”<sup>138</sup> Yet it remains the victim’s duty to do so; sex workers are considered guilty until proven innocent.

This account of how legal criminalization interprets a victim-centered approach corresponds directly to Doezema’s argument from “Forced to Choose: Beyond the Voluntary v. Forced Prostitution Dichotomy” discussed in the previous chapter. “Victims” must prove that they have not willingly engaged in the sex industry to determine the severity of their criminal punishment. But even more, all sex workers—forced and voluntary—must first undergo a screening to demonstrate that they are selling sex, and *then* the woman is given the opportunity to explain her story. At that point, the woman is either criminalized—sent to jail or fined if she is a US national, possibly deported if she is an immigrant, most especially if she is picked up in a trafficking sweep<sup>139</sup>—or placed on a track to receive “victim protection.” But in either case, in a criminalized system which requires surveillance of the sex industry, as officers perform “jane sweeps” to find potential victims and/or criminalize those voluntarily working, the state is implicated in the exploitative conditions facing women in the sex industry by luring them to have sex that results in their arrest and no payment.<sup>140</sup>

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<sup>138</sup> *Ibid.*

<sup>139</sup> This varies by which city’s officers are involved in the jane sweep; in theory, a separation ordinance should keep police officers from asking immigration questions in non-trafficking cases; however, this is not always the case. If it is a trafficking case, federal agencies, including ICE, are most often already involved, meaning that immigration will be at the forefront of the raid tactics.

<sup>140</sup> While law enforcement I am quite sure does not see this as a form of abuse, I use this strong verb because many or most activists from either side of the prostitution debates (anti-prostitution or sex workers’ rights) would argue, to perhaps varying degrees, that this is the case, especially given the disproportionate number of arrests and sweeps that take place towards women of color. Vednita Carter, the director of Breaking Free, who advocates the criminalization of both sex worker and client because “women need

Criminal/victim rhetoric also carries many ethnic and racial implications, just as sinner rhetoric did in the early days of policing Christian morality. The trafficking investigations that led to the brothel raids in May 2007 were initiated after vice officers found ads advertising brothels where the women working spoke little English. To them, this served as a red flag because they consider that women who do not yet speak English have likely not been in the country very long.<sup>141</sup> This then fit into the officers' general understanding of trafficking, which they described as:

Just another way of providing for supply and demand. Because the demand is out there. An immigrant community exists here and the sex industry follows the immigrants. If you ask why there are so many immigrants in Minneapolis, it's because they knew there was a large Hispanic community here. Prostitution follows the immigrants—many cater only to their specific communities. The brothels we found were run by immigrants, catering to immigrants, and using immigrant prostitutes...With these wide immigrant communities, with any community, you find that they're victimizing their own people—whether it's Asian, Hispanic, or Russian. They know what their own people want and like. And that's what the traffickers are providing.<sup>142</sup>

Under this understanding of trafficking, immigration is suspect and lower proficiency in English is even more so. In effect, any immigrant woman who does not speak English may be a victim of human trafficking and therefore becomes *a* suspect. This then gives impetus for criminal investigation. If the suspect woman legally lives in the United States without coercion and works in the sex industry because it provides the best income, a “crime of moral turpitude” will be placed on her record, making future status adjustments or exit/re-entry into the United States nearly impossible.<sup>143</sup> If the suspect

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someone to say it's not alright,” simultaneously works to fight the “racism which plays a huge role” in how officers perform their “jane sweeps” and issue arrests.

<sup>141</sup> *Ibid.*

<sup>142</sup> *Ibid.*

<sup>143</sup> A US legal concept in the United States which refers to felonies, misdemeanors, petty crimes, or statutory offenses in which “one or more of the elements of that offense have been determined to involve moral turpitude. The most common elements of moral turpitude are: 1) Fraud; 2) Larceny; and 3) Intent to harm persons or thing....some of the more common crimes, which are considered to involve moral turpitude...” are “10) manslaughter....11) mayhem, 12) murder, 13) pandering; 14) prostitution; 15)

woman is undocumented and working without “severe” forms of coercion, she is subject to removal proceedings.<sup>144</sup> If the suspect woman can prove her complete lack of agency in both crossing national borders and entering the sex trade, she *may* meet the necessary qualifications to be eligible for trafficking victim protections, and then only if she is willing to testify against her traffickers. What any of these potential case makes evident, however, is that the conflation of trafficking with immigration provides the justification and logic for policing (illegal) immigration.

Such a system also makes it nearly impossible for an immigrant woman, especially an undocumented woman, to report exploitation or abuse to state or federal law enforcement agencies. Because prostitution is illegal and criminalized, reports of exploitation within the sex industry must be reported as trafficking cases. Given the current trafficking definition, this means proving one’s innocence and the severity of the exploitation. Before ICE and/or law enforcement<sup>145</sup> will investigate a case, they require that a Notice to Appear (NTA)<sup>146</sup> be issued to the woman’s immigration file, essentially charging her for prostitution. She then has the opportunity to claim a trafficking case, at which point law enforcement and ICE will investigate her case and determine whether she may (or may not) be certified as a trafficking victim. If law enforcement and ICE do not certify her at this point, or if they do and then after the year of “continued presence” she is not eligible for the T-visa, she then has an existing NTA on her record for a “crime

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rape...16) sodomy” (US Department of State 2-7) Any of these elements then render an “alien ineligible” for legal US immigration status or visas. See US Department of State Foreign Affairs Volume 9 Visas. <http://foia.state.gov/masterdocs/09fam/0940021aN.pdf>

<sup>144</sup> Under the US TVPRA (Trafficking Victims Protection Reauthorization Act) of 2003, only victims of “severe” forms of trafficking are eligible for victim services.

<sup>145</sup> While a trafficking investigation may be initiated by local law enforcement, because trafficking is a federal crime, ICE must be involved. To receive a “continued presence” visa, for instance, requires letters of eligibility from both local law enforcement and ICE.

<sup>146</sup> Equivalent to a “summons,” or a document issued by the court when a lawsuit is filed and initiated.

of moral turpitude.”<sup>147</sup> While not a deportable offense if she is legally in the United States, such a crime is an offense that is considered a “bar to immigration,” meaning she cannot leave the country and return, nor file for a status adjustment. Without a status change, she may be required to leave the country (and not come back), or overstay her legal visa and become “illegal.” If she is undocumented from the time of the original charge, this then becomes a deportable offense. No impunity exists for women reporting cases of exploitation or abuse.

Therefore, even *if* an exploited immigrant goes through a legal advocate or social service agency, more often than not they should not encourage her to report her case to law enforcement and ICE. Rather, they should look for other means to remove her from an exploitative situation. Most of these means do not involve immigration protections, however, thereby creating a clear disadvantage for undocumented compared to documented immigrants. The one exception is if a woman is eligible for immigration protection under the Violence Against Women Act (VAWA),<sup>148</sup> but this is only available if the woman is married to the person that exploits her, and her spouse is a US-national or permanent resident. As one service provider told me, “The best thing for these victims is that they are married to their abusers.” While this comment perhaps sounds ironic, it is

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<sup>147</sup> Continued presence visas are granted at the time a suspected trafficking victim is certified (from testimony provided by the victims to their lawyers) by the federal Immigration, Customs, and Enforcement agency (ICE). Continued presence allows a trafficked victim to stay in the United States for one year under the condition that they will testify against their traffickers. The visa also allows them to receive work permits, bring their immediate family to the US, and later apply for a T-Visa; however, it is no guarantee that they will receive the T-visa.

<sup>148</sup> A second exception could perhaps be the U-visa, created to provide immigration relief to “noncitizens who 1) have suffered substantial physical or mental abuse resulting from a wide range of criminal activity, and 2) have been helpful, are being helpful, or likely to be helpful with the investigation or prosecution of the crime.” (US Citizenship and Immigration Services 1) While created with the TYPA in 2000, the Department of Homeland Security did not issue regulations on the visa until September 2007, meaning that the visa was unavailable to be issued until this point. *How* the U-visa may be useful for immigrants who have experienced exploitation, but do not qualify for trafficking protections is still remains to be seen. See [http://www.uscis.gov/files/pressrelease/U-visa\\_05Sept07.pdf](http://www.uscis.gov/files/pressrelease/U-visa_05Sept07.pdf)

justified by the fact that VAWA immigration relief is the only visa that provides special provisions in which “noncitizen survivors of domestic violence, sexual assault, trafficking, and other crimes [may] attain legal status without having to rely on the support or testimony of their abusers.”<sup>149</sup> If marriage is not present, however, this option for immigration relief is not available.<sup>150</sup> The best an advocate may do is get the “victim” out of the exploitative situation for a while by placing them in shelters or transitional housing.<sup>151</sup> However, women that I have worked with in this position continually mention the challenges of not being able to find jobs or economic resources for survival once they are placed in shelters or housing, most especially if they are undocumented, a point which I will revisit momentarily.

### *Trafficking victim legal advocates*

Given the complexity of negotiating the law enforcement and immigration system—let alone the actual legal system and court hearings—when bringing forward a sex trafficking case, advocates and legal representation are a must; however, they are also in limited availability. As quoted in the 2006 “Human Trafficking in Minnesota: A Report to the Minnesota Legislature,” “About half of the service providers surveyed

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<sup>149</sup> “Noncitizen Survivors of Domestic Violence,”

[http://www.nationalimmigrationproject.org/DVPage/DomesticViolencePage.html#vawa\\_2005\\_reauth](http://www.nationalimmigrationproject.org/DVPage/DomesticViolencePage.html#vawa_2005_reauth)

<sup>150</sup> Moreover, as noted in “The Government Response to Domestic Violence Against Refugee and Immigrant Women in the Minneapolis/St. Paul Metropolitan Area: A Human Rights Report” “Eligibility for this relief, however, does not reach certain categories of immigrants. For example, women who arrived in the United States on fiancée visas, but who are not yet married, may not apply for immigration relief under VAWA. Women who were married in religious ceremonies....” etc (MN Advocates 19) Moreover, while this thesis is not the forum for such a discussion, VAWA also calls into question the privileges which heterosexual, familial relationships have in the US immigration system.

<sup>151</sup> Unfortunately, in St. Paul/Minneapolis there is a huge shortage of shelter beds, most especially for immigrant women. Many shelters require that English be spoken to stay the night. And even in places where this is not the case, there is little to no cultural sensitivity among the workers of the environment. (one particular example I have heard about is that of food: when does someone eat, what do they eat, etc). Moreover, there are often large amounts of xenophobia and discrimination towards immigrant women in shelters, resulting at times in violent verbal or physical fights.

believe that trafficking is a growing problem in Minnesota, while the other half don't know if it is a problem. Many respondents don't know what trafficking is, how to spot it and how to address it."<sup>152</sup> Generally, this means that known community organizations that address other legal issues in a given area—be it immigration status/rights, domestic abuse, etc—are not made available for persons experiencing exploitation in a potentially trafficking-related manner, primarily due to a lack of knowledge and training.<sup>153</sup> The options made available are therefore limited to the more widely known organizations which address human trafficking—Civil Society and Breaking Free—which are limited in turn by their particular ideological approaches to trafficking and prostitution.

The most visible advocate for trafficked persons in the Twin Cities is the organization “Civil Society,” which as already noted holds all of the state and federal grants in Minnesota to directly address human trafficking within the state. The “best practice model” that Civil Society has developed since its inception in 1996 focuses on providing comprehensive legal advocacy and support services for trafficking and other crime victims. According to an article by Linda Miller, the director of Civil Society, the model used by Civil Society “identifies three critical stages for intervention...: before the report of the crime (if the crime victim is hesitant to report); between the report of the crime and the charging of the perpetrator; and if the crime survivor chooses not to report the crime or the perpetrator is not charged.”<sup>154</sup> Utilizing this strategy of providing a

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<sup>152</sup> MN Office of Justice Programs and MN Statistical Analysis Center. “Human Trafficking in Minnesota: A Report to the Minnesota Legislature.” September 2006. 5.

<sup>153</sup> Notably, the annual reports to the MN legislature (up until summer 2007 when I conducted my interview) did not include, for instance, LGBTQ organizations in their survey, nor HIV/AIDS outreach workers. As I will discuss shortly, many activists in these fields are aware of exploitation in the sex industry, often times even that which involves transportation, etc. but their ideologies of management tend to differ greatly from the “mainstream” organizations focusing on trafficking in the Twin Cities.

<sup>154</sup> Miller, Linda. “The Victimization of the Acculturating Immigrant.” *International Review of Victimology*. Vol. 14, 2007. 13.

“seamless continuum of support,”<sup>155</sup> Civil Society has developed fifteen legal clinics throughout the Twin Cities metro-area which are run by immigrant-led organizations. These clinics provide legal advice for minimal or no fees and accept clients coming in for varied reasons. As Miller points out, “Many times, immigrants who have been exploited or victimized are identified through peripheral questions during an interview on an unrelated matter.”<sup>156</sup> Therefore, the diversity of their clinics, both demographically and in the services provided, plays an important role in identifying trafficked persons.

Civil Society’s “best practices model” provides direct services to their clients through its partnerships with other organizations in areas such as housing, community education, and ESL, and simultaneously works to gain trust with clients to encourage them to report the crimes against them to the local police. While if a client is not willing to come forward to the police Civil Society works to provide an alternative solution, they ultimately encourage all exploited persons to report their crimes. Civil Society reports that clients may not come forward because “Those who have suffered torture or who have no background in or understanding of a society governed by law cannot be expected to understand the legal context of the fraud perpetrated upon them or to believe that legal authorities will remedy their problem. By carefully cultivating this trust and understanding immigrants will come forward for help.”<sup>157</sup> This implies that it is the immigrant’s background and/or ignorance that impedes their reporting; therefore, once trust is gained, reporting crime is both the most reasonable and most helpful option. At no point in any of its literature does Civil Society address how knowledge of law enforcement’s often discriminatory or violent treatment of immigrants and people of

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<sup>155</sup> Miller 14.

<sup>156</sup> *Ibid.*

<sup>157</sup> Miller 25.



color in this country *or* the structural organization of trafficking and immigration law also provide impetus for not coming forward with a trafficking case. Nor does Civil Society confront the First World/Third World (developed/nondeveloped) stereotypes embedded in the above statement. It should be noted, however, that through my informal conversations with some of their subcontracted legal clinic advocates, I have recognized that many of these individuals are more aware of these issues.

Nonetheless, as an organization, Civil Society's stated goal is to "collaborate with law enforcement to make sure that trafficking victims receive resources they need to be safe."<sup>158</sup> Civil Society has therefore played a crucial role in conducting what training law enforcement officers do have in human trafficking and organizing the current "victim centered approach" discussed earlier. Civil Society also has a "crisis line" so that "victims of trafficking" may contact the organization, and a "tip line" so that community members may call in if they are concerned about trafficking. However, Civil Society is able to do nothing in response to these calls except perhaps refer the caller to a shelter or to their clinics if s/he is not willing to go to the police. Police reporting, therefore, is usually their first suggestion. If a police report is made, Civil Society will work with the police on the person's behalf, at which point I was told, "We must always emphasize that they are a victim, a victim. She is a victim, she is a victim, she is a victim."<sup>159</sup> If the police agree, the "victims" are turned over to Civil Society for assistance; as noted previously, however, the police and local NGOs often do not agree on what a "victim" is,

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<sup>158</sup> Civil Society, "Welcome to the Minnesota Human Trafficking Watch Page!" [www.civilsocietyhelps.org](http://www.civilsocietyhelps.org), <http://civilsocietyhelps.org/test/html/modules.php?name=Content&pa=showpage&pid=8> Accessed June 2007.

<sup>159</sup> Service Provider in St. Paul. Personal Communication. 25 June 2007.

or on what degree of agency differentiates criminals from victims. As an officer noted about one case in the summer of 2007:

I didn't really consider that human trafficking because these women were free to move around.... Girls were doing this out of their own free will because they come from Third World countries where \$5000 will last a long time. And you get into arguments with NGOs about whether it is their own free will if they need that money to send back to their families. Is that free will? To us, if they are doing that here, it's illegal.<sup>160</sup>

Nonetheless, because of the developing relationship with Civil Society, local law enforcement "tried to treat people as victims."<sup>161</sup> In the case that the above officer was referring to, he said, "[Eventually] we bent the rules, called them victims, and got them some assistance.... some were legal and we let them go. Others were illegal and we offered them assistance. Four of them received continued presence and are being offered housing and financial assistance."<sup>162</sup> This "bending" of rules was only possible, however, because of interpersonal relationships between the officers and local NGOs. The practice itself is not legally codified; it depended on the officers' "letting them go" and "getting them assistance" out of sympathy.<sup>163</sup>

### *Service Provision*

The service provision and assistance model used by Civil Society and law enforcement with regards to sex trafficking victims is the framework developed by the local NGO Breaking Free, which as noted, is an Afro-centric organization focused on exposing prostitution as a system of female slavery. Vednita Carter, executive director, founded the organization in 1996 under the following organizational goals:

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<sup>160</sup> St. Paul Police Department Vice Unit. Personal Communication with three officers. 11 July 2007.

<sup>161</sup> *Ibid.*

<sup>162</sup> *Ibid.*

<sup>163</sup> Note the resonance this has with Gayatri Spivak's statement: "White men saving brown women from brown men."

- 1) To expose prostitution as violence against women;
- 2) To educate the community about the effects of commercial sexual exploitation on women and girls;
- 3) To provide supportive services to prostituted women/youth to permit escape from violence and exploitation;
- 4) To operate within a culturally appropriate and age and gender-specific context;
- 5) to provide Supportive and Transitional Housing and rental assistance to our target population<sup>164</sup>

According to Carter, these goals developed from two of her own ideological perspectives:

“a feminist perspective and a moral perspective. Women have the right to make their own choices, but it is morally wrong for someone to own another’s body.”<sup>165</sup> Yet unlike other anti-prostitution movements and organizations at the time, when Carter began developing her beliefs about prostitution 16-17 years ago, she did so from a specifically Afro-centric, anti-racist perspective. When I asked her to describe her cultural framework for understanding sex and the sex industry, she replied:

It comes from slavery in the US. Prostitution is just an extension of slavery. For African-American women the face has changed, but women are still being bought, sold, etc. Now you have to break down how it is changed...but with its new look, it’s still the same thing. Women are on the auction block where the majority of buyers are white.<sup>166</sup>

For her, it is this same system of slavery which pushes women of color into trafficking situations; the only thing that separates trafficking from prostitution is where the individual is coming from. When I asked if she believed specific cultural contexts changed this definition of the sex industry, she replied, “The act of prostitution doesn’t change. Prostitution is violence, it is harmful, and no matter what color you are you have the same psychological problems. But if a woman wants to get help or get out, women of color have a much harder time”<sup>167</sup> because of racial stereotypes and disproportionate

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<sup>164</sup> Breaking Free. “Welcome to Breaking Free.” [www.breakingfree.net](http://www.breakingfree.net), 2006. <http://www.breakingfree.net> Accessed June 2007.

<sup>165</sup> Carter, Vednita. Personal Correspondence.

<sup>166</sup> *Ibid.* For more information of Carter’s analysis of prostitution and slavery, see Carter, Vednita “Providing Services to African American Prostituted Women.”

<sup>167</sup> *Ibid.*

targeting of women of color by law enforcement. Moreover, she states, “The slavery mentality is perpetuated in everything we do,” women have internalized the idea that they are “bitches and hos.”<sup>168</sup>

Given this framework and understanding of prostitution, Carter argues that “society at large, but also the women involved” need to be “deprogrammed” from their slave mentalities so they may “understand their worth.”<sup>169</sup> To do this, she has, at Breaking Free, created an educational curriculum to teach the prostituted women who come to Breaking Free’s programs to “examine prostitution as a slave-based system, the impact prostitution has had on their lives, and issues related to recovery and addiction.”<sup>170</sup> This 10-week long abstinence program is then followed by twelve other programs which teach women life skills like distinguishing between “healthy vs. unhealthy relationships,” “teaching mothers the elements of social, cognitive, language, physical, and cultural pathways...to live independently,” “finding housing,” etc., eventually leading women to understand that “prostitution is about slavery and survival rather than lifestyle choices.”<sup>171</sup> In creating these programs, Carter based her methodology off of the fact that “African American women are very connected to their spiritual beliefs... so we focus on reteaching them who they are as women and what we believe their rights are.”<sup>172</sup> At the core of her beliefs is the idea that “this fight against sexual slavery is the key to dismantling systems of dual oppression, racism and sexism.”<sup>173</sup>

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<sup>168</sup> *Ibid.*

<sup>169</sup> *Ibid.*

<sup>170</sup> Breaking Free. “Sisters of Survival.” [www.breakingfree.net](http://www.breakingfree.net) © 2006. <http://www.breakingfree.net/9.html> Accessed June 2007

<sup>171</sup> Carter, Vednita. “Providing Services to African American Prostituted Women” 11.

<sup>172</sup> Carter, Vednita. .Personal Correspondence.

<sup>173</sup> Carter, Vednita. “Providing Services to African American Prostituted Women” 13. Similarly addressed in our personal correspondence.

Women arrested during brothel and trafficking raids who are deemed victims are referred (most often by court order) to Breaking Free's program because of a sub-grant they receive through Civil Society from the US Department of Health and Human Services. Breaking Free's practices, in their own terms as an anti-racist and culturally sensitive organization, mean to acknowledge and combat the racism embedded in trafficking discourse discussed in the last chapter, as well as the ethnic and racial stereotypes used in law enforcement practices. However, while Breaking Free has worked on programs like "Stop the Demand" to encourage law enforcement to arrest "johns" rather than women due to the disproportionate arrests of women of color, they also feel that if "women aren't arrested, johns will always be able to create a supply. Women need someone to tell them it's not alright."<sup>174</sup> As a result, Breaking Free simultaneously encourages an anti-racist police practice and an enhanced policing of racialized sexuality directed at African-American women and women of color. That is to say, Breaking Free has promoted—both through their curriculum and their engagement with law enforcement—a particular understanding of how race intersects with sexuality in history, which is developed through a "reformist" strategy to demonstrate the lie embedded within stereotypical black female sexuality. To counter this lie, Breaking Free argues that "internalized oppression must be externalized,"<sup>175</sup> or in other words, prostituted women must learn to practice what Evelyn Hammonds calls a "Victorian morality to demonstrate the lie of the image of the sexually immoral Black woman."<sup>176</sup> This production of a racialized sexuality, however, corresponds to a particular US history

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<sup>174</sup> Carter, Vednita. Personal correspondence.

<sup>175</sup> Carter, Vednita. "Providing Services to African American Prostituted Women" 13.

<sup>176</sup> Hammonds, Evelyn. In "Of Our Normative Strivings: African American Studies and the Histories of Sexuality," by Roderick Ferguson. *Social Text*. Vol.23, Nos 3-4, Fall-Winter 2005. 88-89.

and African American intellectual formation, which is not, as women of color feminisms point out, the only “terrain[s] for the interrogation of sexuality.”<sup>177</sup>

It is perhaps for reasons similar to this that have led women in the program to express sentiments such as: “This feels like a prison;” “they treat us like children;” “they don’t even try to understand our culture.” The regulated discipline implemented through the Breaking Free program emphasizes teaching women a “normal routine” through which to live a life of “self-worth;”<sup>178</sup> however, such strict regimen ignores how daily routines as minute as what or when to eat are expressly cultural phenomenon. In this way, non-US nationals or any woman who conceives of her sexuality outside of these particular cultural understandings of what a “normal” life and routine look like, are isolated from the services provided by Breaking Free. This becomes particularly complicated when it comes to immigrants (most especially those who are undocumented) who are required to receive their services. Like in many shelters and programs, strict regulations and curfews are placed on the comings and goings of the shelter, and any other in-flow and out-flow of information. Women living there are typically only allowed to leave when they have a specific destination such as the store or work; phone calls are restricted to specific hours of the day. Undocumented immigrants who have not yet received their “continued presence” visas and are not yet legally able to work are therefore isolated within the house for most of the day without permission to leave or receive visitors. Moreover, the stipends provided for “medical, dental, psychological,

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<sup>177</sup> Ferguson, Roderick. “Of Our Normative Strivings: African American Studies and the Histories of Sexuality,” by Roderick Ferguson. *Social Text*. Vol.23, Nos 3-4, Fall-Winter 2005. 85.

<sup>178</sup> Originally, the woman brought to Breaking Free’s program from Civil Society were not required to attend the program meetings; however, as the length of their stay extended, it soon became required.

legal, shelter, ESL, vocational counseling, transportation, translation, food, incidental”<sup>179</sup> services through Civil Society by US Department of Justice are often not sufficient to pay for regular phone calls to their home countries, let alone to send money back to their families, perhaps severely decreasing their family’s welfare which is dependent on family members abroad. Such regulations ignore the intricacies of transnational migrant life such as time zone changes when calling their home countries, religious beliefs, etc.

All of these cultural conflicts are then only exacerbated by the fact that the women brought to Breaking Free’s program on trafficking charges do not know how long they will be staying in the shelter. Trafficking cases are often quite lengthy and the “victim” must stay under the state’s protection (essentially under house arrest) until charges and pleas have been made. At that point, the women are able to seek work (if their continued presence permissions have arrived) and move around; however, law enforcement still prefers that they “stay close” for the time which they will be required to testify in court. For these reasons, organizations like Civil Society are often quite vague with their clients as to how they must stay in the shelter under such strict regulation. In one case, the women involved were originally told a few days, but this time quickly extended to several months. For migrants who came to the US to send money back for the care of their children, for instance, the extended time period without work and under strict regulation and monitoring can feel more like criminalization than the conditions in which they previously worked.

By upholding a particular idea of racialized sexuality which “transcends” cultural differences, as well as the idea of a “pure victim” whose experience is only shaped by

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<sup>179</sup> Civil Society. “Welcome to the Minnesota Human Trafficking Watch Page!” [www.civilsocietyhelps.org](http://www.civilsocietyhelps.org) © 2007. <http://civilsocietyhelps.org/test/html/modules.php?name=Content&pa=showpage&pid=8> Accessed August 2007

sexual exploitation, *Breaking Free* and *Civil Society* do not address how the context of transnational migration, national identity, and transnational economics also shapes the experiences of migrant women in the sex industry. Moreover, no exit option exists for women who do not feel comfortable in these programs, as they are bound by their “victim” status. If a woman chooses to give up the program, she crosses la frontera back into “criminal” status for violating the conditions of her pending “continued presence” investigation.<sup>180</sup>

As a final point on service provision, it is important to note that within the Twin Cities there are other service providers who take alternative approaches to prostitution, the sex industry, and victimization. Minneapolis, in particular, has long been seen as a “sex capital” within the United States, making it a draw for large players in the sex industry like corporate strip clubs, but also for LGBTQ identified people and runaway youth from around the Midwest. Given its cultural location in this way, organizations like AccessWorks!, District 202, Pride Alive, and MN AIDS Project (to name but a few) have developed to provide “domestic, emotional, social, and psychological services,” as well as STD and HIV/AIDS awareness, through a harm reduction model. These service provision models look at any sexual practice—including selling sex—within the larger context of a person’s life. Participation in these programs’ services does not require abstinence; they recognize that survival and basic needs must be met first. Rather, these service providers try to create an environment in which people have equal access to services (for example, should they desire to leave the sex industry) no matter what their behavioral practices. However, organizations such as these are not recognized by state and federal funding to address human trafficking, nor are they acknowledged by police

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<sup>180</sup> A woman is still technically a criminal until law enforcement and ICE certify for victimization.



and law enforcement. This is due in part because of the federal “gag rule” requiring all trafficking funding to recipients to pledge an anti-prostitution stance (as noted in Chapter 2). Moreover, given the marginalized groups for whom these organizations provide services, organizations like these have to choose their battles. As I was told by one outreach worker:

The sex industry is not going to go away. We must legitimize it. If we keep putting them back in jail, we keep taking everything away from them and putting them back on the streets.... But this is [the service provider’s] controversy. [We] have to choose which battles we will fight and go on defense for. Right now, it is to reserve the right to speak in vernacular, in the language of gay/bi/MSM/trans people.... We recognize that gay men and sex workers are often in the same marginalized category, and we’d like to fight it....but how and where do you get the funding?<sup>181</sup>

Therefore, given Minnesota’s support for anti-prostitution legal frameworks and policies, these service provision models have not been contracted by the state, nor have these organizations put forward an ideological challenge to the frameworks currently in use.

***Conclusion: Anti-prostitution, race, migration, and sexuality***

Throughout this chapter, I have tried to demonstrate the various ways in which anti-prostitution ideology and organizing has interacted with law enforcement and legal definitions of prostitution and trafficking. The results of this practice are mixed. On the one hand, anti-prostitution advocates working with prostitution and sex trafficking in Minnesota have managed—through unwavering demands about the victim status of all women in the sex industry—to receive “victim protections” and “continued presence” visas for their clients, notably in higher numbers than other states.<sup>182</sup> On the other hand,

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<sup>181</sup> Personal correspondence.

<sup>182</sup> Personal correspondence with researcher on national immigration and trafficking raids.

these protections have come at the cost of racial profiling and police tactics which place all immigrants at risk of having their rights violated.

# IV

## San Francisco

*Prostitutes have often been referred to as "working women," harking back to the days when women were provided for by their fathers and their husbands; the only kind of paid work women could engage in at that time was prostitution...This is the real reason female prostitution is stigmatized: it violates antiquated ideas about sex being somehow degrading to a woman's body (devaluing her) and the ridiculous notion that a woman is the property of first her father and later her husband.*  
~Veronica Monet<sup>183</sup>

*...pornography carries many messages other than woman-hating ; it advocates sexual adventure, sex outside of marriage, anonymous sex, group sex, voyeuristic sex, illegal sex, public sex...Women's experience of pornography is not as universally victimizing as the [Minnesota anti-pornography] ordinance would have it.*  
~Lisa Duggan, Nan Hunter, and Carole Vance<sup>184</sup>

*The right to self-determination includes women's right to set the term of their own sexuality, including the choice of partners, behaviors or outcomes (such as pregnancy, pleasure or financial gain)...The feminist task is to nurture self-determination both by increasing women's sexual consciousness and courage and also by demanding conditions of safety and choice.*  
~International Committee for Prostitute's Rights<sup>185</sup>

*Much of what sex workers do can be described in terms of mimetic play, an overt assumption of the feminine role in order to exploit it. When sex workers perform femininity, we purposefully engage in an endless repetition of heteronormative gender codes for economic gain. Using femininity as an economic tool is a means of exposing its constructedness and reconfiguring its meanings. While some feminist argue that sex workers reinforce sexist norms, I would say that the act of making men pay is, in fact, quite subversive. It reverses the terms under which men feel entitled to unlimited access to women's bodies.*  
~Eva Pendleton<sup>186</sup>

In the last chapter, I demonstrated how anti-prostitution organizing has engaged with and acted upon legal frameworks of prostitution and sex trafficking in the state of Minnesota.

This chapter now turns to the countervailing discourse and activism of sex workers' rights

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<sup>183</sup> Monet, Veronica. "Sedition." In *Whores and Other Feminist*. Ed. Jill Nagle. New York: Routledge, 1997. 221.

<sup>184</sup> Duggan, Lisa, Nan Hunter, and Carole Vance. "False Promises." In *Women Against Censorship*. Ed. Varda Burstyn. Vancouver: Douglas and McIntyre, 1985. 145.

<sup>185</sup> International Committee for Prostitute's Rights. "Statement on Prostitution and Feminism." European Parliament, Brussels, 1-3 October 1986. In *The Vindication of the Rights of Whores*. Ed. Gail Pheterson. Seattle: Seal Press, 1989. 194.

<sup>186</sup> Pendleton, Eva. "Love for Sale: Queering Heterosexuality." In *Whores and Other Feminist*. Ed. Jill Nagle. New York: Routledge, 1997. 79.

movements in San Francisco, California. While documentation exist showing that sex workers around the world have independently and formally resisted their marginalization and oppression (individually and in groups) since as far back as the mid-nineteenth century,<sup>187</sup> mainstream histories of the sex workers' rights movement and ideology tend to locate its emergence in the west—particularly in San Francisco—with the establishment of COYOTE (Call Off Your Old Tired Ethics) in 1973 by Margo St. James, and the later 1975 revolt of French prostitutes which sparked organizations throughout Europe like the French Collective of Prostitutes (1975), English Collective of Prostitutes (1975), and Italian Committee for the Rights of Prostitutes (1982). While the historicity of this documentation may be challenged,<sup>188</sup> I focus on San Francisco here precisely because it is out of its known and documented legacy that the forced versus voluntary distinction on the international agenda emerges.

My goal in this chapter is, therefore, to once again demonstrate the ways in which a particular ideology—this time a sex radical, sex positive, sex workers' rights perspective—shapes the public and institutional environments in which sex workers live and work. Moreover, I would also like to draw attention to how this counter-discourse emerges out of direct conversation, or in other words, *relationally* within the same structure of power, with anti-prostitution/anti-pornography organizers in the United States. Examining similar concerns about histories of racism, sexism and self-determination, and transnational migration, in this chapter, I will begin by providing a brief background of self-identified (feminist) prostitute organizing. I will then move into the theoretical arguments developed by sex radical feminists in the 1980s in response to

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<sup>187</sup> See Oldenburg 1990, McCreery 1986, White 1990

<sup>188</sup> See Kempadoo 1998.

anti-pornography/anti-prostitution organizers. The remainder of the chapter will then focus on how these organizational theories and practices have coalesced into the (cultural) sex workers' rights movement as it is recognized today.

### ***Whores, housewives, and others start a movement***

The first evidence of prostitutes organizing in San Francisco began in 1972 when Margo St. James and other "Whores, Housewives, and Others"<sup>189</sup> formed W.H.O., a feminist consciousness raising group focused on the rights of women in these varying positionalities. As the story goes, Margo St. James' awareness of discrimination against prostitutes had taken place ten years earlier when, at twenty-five, she was wrongly arrested for being a prostitute. Upon appearing in court, she famously declared: "Your Honor, I've never turned a trick in my life!"<sup>190</sup> To which the judge merely responded, "Anyone who knows the language is obviously a professional."<sup>191</sup> St. James then decided that if she had already been accused of the crime, she might as well carry it out. As she describes it, this only gives proof that she "*decided* work as a prostitute;"<sup>192</sup> she was not forced. After working for four years, she then decided to take up prostitutes' rights as a political cause.

The formation of W.H.O. as a consciousness raising group followed the mainstream model of political organizing within the feminist movement during the 1960s and 70s. The idea behind consciousness-raising groups was that: "Women are divided from one another by almost all the usual sources of identification—age, education,

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<sup>189</sup> "Others" stood for lesbian at the time.

<sup>190</sup> St. James, Margo. "Preface." *A Vindication of the Rights of Whores*. Ed. Gail Pheterson. Seattle: Seal Press, 1989. xvii.

<sup>191</sup> *Ibid*

<sup>192</sup> *Ibid*

income, ethnic origin, even geography... Women also have very negative self-concepts, so negative, in fact, that it is difficult to view them as an audience, i.e. persons who see themselves as potential agents of change."<sup>193</sup> Therefore, feminists overcame the obstacle of isolation by adapting a political format specific to their needs as women; these groups had "no leader...or expert... The goal is to make the personal political: to create awareness (through shared experience) that what were thought to be personal deficiencies and individual problems are common and shared, a result of their position as women."<sup>194</sup> The mantra of "the personal is political" created a space in which experience, and actively claiming sexuality and the body, was accepted, meaning that prostitutes who identified as feminist could start sharing their experiences together as a group. This idea was, according to mainstream historians, unprecedented as it brought together "working women" with non-prostitute women, and allowed prostitutes to associate with one another without being charged for pimping and pandering.

After a year of meeting with W.H.O., St. James decided that there needed to be a group which focused more specifically on the experiences and rights of prostitutes—and took direct political action—in order to facilitate social change. She therefore took the initiative in 1973 and formed COYOTE, which began with a kick-off event—the Hookers Ball—developed in collaboration with the San Francisco City sheriff and local funders like the Glide Church. The gathered prostitutes then began organizing around the shared experiences of "hookers." Throughout their first year, this meant addressing the quarantine imposed on arrested prostitutes which required any woman arrested to

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<sup>193</sup> Campbell, Karlyn Kohrs. "The Rhetoric of Women's Liberation." *The Quarterly Journal of Speech*. 59(1). 78.

<sup>194</sup> Campbell 79.

undergo a medical exam before she could leave jail; in the years to come (1974-79), this meant publishing a newsletter "COYOTE HOWLS" which "reported national and international news on prostitution, first-hand accounts of abuses, feminist theory and research on prostitution and poetry by prostitutes."<sup>195</sup> By 1978, COYOTE and the prostitutes' rights movement were well-known in liberal circles in San Francisco, as well as throughout the country and world; that year's annual Hookers Ball attracted over 20,000 people and grossed over \$210,000.

Throughout these years of COYOTE's growing popularity, however, feminism's focus began to shift towards violence against women, slowly moving away from the sexual liberation movement that had defined the 1960s and early 70s. In 1974, the battered women's movement began and the first domestic violence shelter opened in St. Paul, Minnesota; in 1976, the Women Against Violence Against Women formed in Los Angeles and a conference on violence against women sparked the first movement of Women Against Violence in Pornography and Media (WAVPM); in 1977, the first Take Back the Night march took place in New York City; and in 1978, WAVPM organized a march of over 5,000 women to demand the end of the distribution of pornography.<sup>196</sup> The anti-pornography stance of radical feminists (which required an anti-prostitution stance; recall, for instance, the Dworkin/MacKinnon ordinance that theorized pornography as the "graphic depiction of *whores*") did not resonate with many prostitutes' own experiences in the sex industry, nor did they feel comfortable with the

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<sup>195</sup> St. James, Margo. "Preface." *A Vindication of the Rights of Whores*. Ed. Gail Pheterson. Seattle: Seal Press, 1989. xix.

<sup>196</sup> Duggan, Lisa. *Sex Wars: Sexual Dissent and Political Culture*. New York: Routledge, 1995. 21-23.



condemnation and shame placed upon them by their feminist sisters.<sup>197</sup> Combined with the assassination of COYOTE's allies—San Francisco mayor George Moscone and police chief Harvey Milk—which led to a conservative shift in San Francisco's law enforcement, COYOTE began to recognize that it had to alter its modes of organizing from an amplified consciousness raising model focused on self-identification as prostitutes (and using this group identity to combat discrimination and oppression), to a more active and political stance that challenged the monolithic terms coming out of the ever more mainstream feminist movement.

To the extent that political shifts within social movements can be traced to a particular moment, COYOTE's counter-politicization to radical feminism began with the creation of the term—and philosophy of—*sex work*. In 1978, at a San Francisco conference organized by WAVPM, Carol Leigh—a feminist, activist, sex worker, artist member of COYOTE—stood up in a conference workshop on prostitution entitled “Sex Use Industry” and suggested that the title be changed to the “Sex Work Industry,” because as she says, “that described what women did. Generally, the men used the services, and the women provided them.”<sup>198</sup> Defining prostitution as *work* both alluded to the economic factor of prostitution (that women made contracts with men to ensure economic survival and profit) and rejected the moral condemnations embedded in terms like “prostitute,” “slut,” or “whore;” none of which at their root meanings refers to an

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<sup>197</sup> Such shame was most strongly felt in the “porn marches” or “porn tours” of the sex districts of major cities like San Francisco, New York, and Boston which were initiated in the mid-1970s. On these tours, women were shown porn stores, or sex shops where women were being tied up or dominated. The tours were expressly meant to cause disgust, even though as many women eventually noted, they were actually turned on. See Wilson (1983).

<sup>198</sup> Leigh, Carol. *Unrepentant Whore: Collected Works of Scarlet Harlot*. San Francisco: Carol Leigh Productions, 2004. 69. It is important to note that while Leigh portrays this decision as not quite whimsical, but hardly tactical, this is not in fact the case. My interview with her alluded to the fact that this intervention was, in fact, highly intentional on her part, as well as among other sex workers at the time.

economic exchange, but rather, to offering sex publicly, or as the law often defines it “indiscriminately.” Than-Dam Troung, who later offered one of the first theoretical elaborations of the term “sex work,” put the category of “sexual labor” next to categories like “manual labor” or “mental labor” to demonstrate how most human beings use specific parts of their bodies to perform labor and produce human life. Sexual labor, which is defined through using the specifically sexual elements of the body to fulfill work’s mandate of (re)producing human life, does so by providing both procreation and corporeal pleasure. Sexual labor therefore has taken multiple formations throughout history and diverse human societies, be it through mothering, wet-nursing, “breeding,” sterilization, surrogate child bearing, donor sex, and—of course—commercial sex.<sup>199</sup> So while Troung would argue that sex work is only one of many forms of sexual labor, as the emerging 1980s conflict within the radical feminist movement would suggest, the concept of “sex work”—let alone claiming the identity of “sex worker”—raised many critical questions about the nature of sex in relation to love, the body, and female sexuality.

The growing constituency of “sex workers” in the late 1970s began to make increasing claims against the radical, especially the anti-pornography, feminist movement. While prior claims made by W.H.O. and COYOTE focused on police abuse, medical quarantines, etc., or that is to say practices which made up the daily reality of selling sex in a stigmatizing society (and these claims were by no means forgotten), the sex workers’ movement began to challenge the “constructionist/essentialist paradox” found in the radical feminist theories. As Wendy Brown points out, on the one hand,

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<sup>199</sup> Truong, Than Dam. *Sex Money and Morality: The Political Economy of Prostitution and Tourism in South East Asia*. London: Zed Books, 1990.

radical feminist theories argued that sex and gender were “socially constructed to the core;” on the other:

women’s word about their experience...are anointed as Truth, and constitute the foundations of feminist knowledge...even when social construction is adopted as method for explaining the making of gender, ‘feelings’ and ‘experiences’ acquire a status that is politically if not ontologically essentialist.<sup>200</sup>

As in the case of Linda Marchiano/Boreman’s testimony in front of the Minneapolis City Council, radical feminist put forward individual women’s experiences to serve as “proof,” or the Truth, of sexual subordination in pornography. Yet as sex workers pointed out, when it came to “listening” to women’s experiences, radical feminists refused to hear from women who did not fit into the “victim” model. Rather, radical feminists claimed that “sex workers” operated under false consciousness; for example, as Kathleen Barry later wrote in response to the sex workers’ movement: “‘Sex work’ language has been adopted out of despair, not because these women promote prostitution but because it seems impossible to conceive of any other way to treat women with dignity and respect than through normalizing their exploitation.”<sup>201</sup> But it was precisely Barry’s claim, and others like it, that “sex work” was adopted in “despair” or helplessness that sex workers were critically exposing as an *operation of power* within the feminist movement and its constructions of the prostitute’s experience. That is to say, sex workers claimed that radical feminism further marginalized them when it marked them as “sluts,” just like earlier patriarchal moral discourses, in essence creating divisions between

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<sup>200</sup> Brown, Wendy. *States of Injury: Power and Freedom in Late Modernity*. Princeton: Princeton University Press, 1995. 42.

<sup>201</sup> Barry, Kathleen. *The Prostitution of Sexuality: The Global Exploitation of Women*. New York: New York University Press, 1995. 296. Notably, this statement was written in reference to Third World prostitutes, drawing not only on the idea of “duped” sexuality, but also duped nationality.

women by categorizing them into “good girls” and “bad girls.”<sup>202</sup> In this way, introducing the term “sex work” was an attempt at ending these “divisions between women” by recasting prostitution in light of “the contracts we made...for the purposes of survival,”<sup>203</sup> which were highly conscious and negotiated decisions. However, it must be noted that the term “sex work” also represented the growing voice of a sex positive, or sex-radical, position that not only challenged radical feminist rhetoric of victimization, but also subverted radical feminist understandings of sex. As Margo St. James put it:

The whore [as a reclaimed term like ‘dyke’] has power. She is in charge, setting the terms for the sexual exchange and the financial exchange...I’ve always thought that whores were the only emancipated women. We are the only ones who have the absolute right to fuck as many men as men fuck women. In fact we are expected to have as many partners a week, the same as any good stud. A woman who has many male lovers is regarded as whore, whether she’s getting paid or not.<sup>204</sup>

That is to say, the emancipated, self-identified whore, or sex worker subverts socially constructed stereotypes about the whore by charging men for her services, and taking control of the sexual contract; or said in another way, she consciously performs femininity for males, fooling them to believe that they have the right to her body, yet charges them for the service. In this way, in addition to theorizing the economic contract of prostitution, “sex work”—in the context of growing debates on female sexuality in the US—emerged as a distinct counter-discourse to the normative feminist narrative. “Sex worker” became a politicized (sexual) identity.

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<sup>202</sup> See Bell, Laurie. 1987. Ed. *Good Girls/Bad Girls: Feminists and Sex Trade Workers Face to Face*. Toronto: Seal Press, 1987.

<sup>203</sup> Leigh, Carol. *Unrepentant Whore: Collected Works of Scarlet Harlot*. San Francisco: Carol Leigh Productions, 2004.

<sup>204</sup> St. James, Margo. “The Reclamation of Whores.” In *Good Girls/Bad Girls: Feminists and Sex Trade Workers Face to Face*. Ed. Laurie Bell. Toronto: Seal Press, 1987.

*The feminist sex wars, the HIV/AIDS crisis, and whore power*

The creation of the category "sex work" challenged the radical feminist movement on many of its foundational beliefs about sexuality, the body, and male domination; it also challenged the feminist movement on the basis of class, asking feminists to understand and relate to how selling sex was fundamentally an economic exchange. However, it is important to note that sex workers were not the only women or feminists speaking out in the late 1970s. Understanding mainstream discourse on sex workers' rights today, both locally and in the international sphere, requires this historical contextualization.

To give a brief (feminist) political topography of the time: in 1977, the Combahee River Collective (a collective of Black feminists) published one of the first challenges to the radical feminist movement, asking feminists to see systems of racial and gender oppression as interlocking, providing one of the first critiques of how sexuality was/is normatively constructed.<sup>205</sup> The crux of their challenge to the radical feminist movement was their rejection of separatism, a key quality of cultural and radical feminist communities which set up all women in opposition to men. Black feminists' rejection of separatism developed out of the deep structural racism in the United States; they argued that Black women need to be in alignment with Black men (although *also* in a simultaneous struggle against sexism) in the common struggle against racism, which included the racism present in the radical (normatively white) feminist movement. Notably, Black feminists did not separate themselves from white feminisms, but they recognized that this normative form of feminism simultaneously described *and* failed to

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<sup>205</sup> Combahee River Collective, "The Combahee River Collective Statement." In *Home Girls*. Ed. Smith. New York: Kitchen Table, 1983

capture the totality of their lives (and oppression) as women of color. Then, in 1979, a lesbian S/M group, Samois, began offering public forums on consensual S/M sex, criticizing organizations like WAVPM for not acknowledging agency and consent.<sup>206</sup> Similar to the Combahee River Collective but developing from a different genealogy, Samois criticized radical feminists for not understanding the multiplicity of women's lives, most especially their varying sexualities. Samois's declarations in particular sparked an overt rift between feminist groups, dividing members, organizational principles, feminist publishing houses, etc. between those that were willing to acknowledge sexualities that included sex work, BDSMBD, butch/femme and top/bottom roles, transsexualism, or heterosexual penetrative play, and those that were not. In the midst of the growing tensions about normative/nonnormative sex, a coalitional group of Chicana, African American, Asian American, and Native feminist writers published *This Bridge Called My Back: Writings By Radical Women of Color* (1981) which spoke of the "displacement of their [women of color] subjectivity across a multiplicity of discourses: feminist/lesbian, nationalist, racial, socioeconomic, historical, etc."<sup>207</sup> This text further affirmed the argument made by the Combahee River Collective, expressing how women of color existed within, across, *and* without of the concurrent feminist debates over sexuality. That same year (1981), doctors on both the east and west coast diagnosed

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<sup>206</sup> Rubin, Gayle. "Samois." *Leather Times*. Issue 21, Spring 2004. 5-6.  
<http://www.leatherarchives.org/resources/issue21.pdf> Accessed March 2008.

<sup>207</sup> Alcaron, Norma. "The Theoretical Subject(s) of *This Bridge Called My Back* and Anglo-American Feminism." In *The Second Wave*. Ed. Nicholson. New York: Routledge, 1997. 289. As scholars like Roderick Ferguson point out, women of color and US third world feminisms offer an alternative genealogy to the creation of queer studies, or studies of sexuality's normative construction. Other genealogies include the one I am currently discussing (feminist critiques of sexuality), a genealogy derived from French philosophers such as Foucault, and a social constructivist model. I bring this to my readers' attention here because understanding women of color critiques of the feminist movement will shed light on how sex workers' in Cochabamba have constructed their relationship to sex work and their models of social organizing outside of dominant sexual discourses.

GRID (Gay-Related Immune Deficiency) as a new, fatal disease showing up in particularly white gay male populations.

The growing tensions sparked between feminist groups over sexuality and sexual practices, in particular, eventually erupted at the annual Barnard Conference in April 1982 which that year focused on the theme “Women and Sexuality.” The organizers of the Conference had hoped to create an environment in which women could speak about their sexualities, and not get locked into the polarization—good girl/bad girl, feminist/non-feminist sex—that had developed on the West Coast. Radical feminist anti-pornography groups, however, were outraged when they were not invited to the Conference. As Elizabeth Wilson describes it, the organizers maintained that they did not invite anti-porn groups because “the whole of the American feminist debate on sexuality is now dominated by the ‘anti-pornography’ position. In the United States the power of the Moral Majority and the strong anti-feminist and pro-family backlash gives the feminist anti-pornography position an importance and credibility”<sup>208</sup> that is not granted to other viewpoints. In response, Women Against Pornography (WAP) accused the Conference organizers of supporting “forms of ‘patriarchal’ and ‘anti-feminist’ sexuality such as sado-masochism and paedophilia.”<sup>209</sup> Lisa Duggan summarizes what happened next as:

More than 800 women attend [the Conference]. WAP stages a protest wearing T-shirts that read ‘For Feminist Sexuality’ on one side and ‘Against S/M’ on the other. WAP also circulates leaflets criticizing selected participants *by name* on basis of their alleged sexual behavior.... The Helena Rubenstein Foundation withdraws its funding from future conferences. The Lesbian Sex Mafia, a New York City based support group for ‘politically incorrect sex,’ holds a speak out

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<sup>208</sup> Wilson, Elizabeth. “The Context of ‘Between Pleasure and Danger’: The Barnard Conference on Sexuality.” *Feminist Review*, No 13, Spring 1983. 35.

<sup>209</sup> Wilson 36.

the day after the conference. Reporting of the conference and letters to the editor condemning or extolling it are printed for months in *off our backs*.<sup>210</sup>

The conference was, so to speak, the “straw that broke the camel’s back,” dividing feminists into “camps” over their preferred (practiced and political) sexualities. When Dworkin and MacKinnon announced their civil ordinance banning pornography in Minnesota in 1983, the “camps” went into all out “war.” Book burnings and protests took place in major cities like London, San Francisco, and New York, and feminists organized anti-censorship taskforces throughout the country, eventually bringing the passed Indianapolis ordinance to the US Appeals Court where it was ruled unconstitutional in 1985, a decision later affirmed by the Supreme Court in 1986. Almost simultaneous to the announcement of the ordinance in 1983, medical doctors announced that HIV/AIDS, as it was now called, was a sexually spread disease.

To understand where sex workers’ organizing emerged within this context, it is important to note that those in opposition to radical feminist organizing, who are sometimes labeled as sex-radical feminists,<sup>211</sup> could largely be divided into three groups: 1) what Priscilla Alexander describes as a “loose coalition of sex workers’ rights organizations;”<sup>212</sup> 2) feminists who fought against censorship of female sexuality and/or sexually explicit materials—“*some* workers in the industry, some from the broader feminist community” (my emphasis);<sup>213</sup> and 3) lesbians and transsexuals who were

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<sup>210</sup> Duggan, Lisa. *Sex Wars: Sexual Dissent and Political Culture*. New York: Routledge, 1995. 24-25.

Also see: Raymond, Stone, Rubin, Koyama, and Nataf

<sup>211</sup> This term, however, is a bit problematic. As noted through this listing, the groups cast under this title are greatly diverse both in ideology, sexual practice, and their relationship to feminism. Sex workers, s/m practitioners, and transsexuals were forcefully exiled from radical feminism, whereas those who promote anti-censorship chose, or practiced, their own exile. However, at the time of the feminist sex wars, the category “queer” did not yet exist, and it is only through these conversations and dialogues that it eventually emerged.

<sup>212</sup> Alexander, Priscilla. “Feminism, Sex Workers, and Human Rights.” In *Whores and Other Feminists*. Ed. Jill Nagle. New York: Routledge, 1997. 84.

<sup>213</sup> *Ibid*.



forcefully marginalized within other feminist circles for their sexual practices,<sup>214</sup> and/or who were critiquing radical (cultural) feminism for collapsing lesbianism into “womanhood” or “sisterhood,”<sup>215</sup> and transsexualism into continued “patriarchal hegemony.”<sup>216</sup> Women of color feminists could also be added as a tangentially related fourth group; as they had argued since the late 1970s through the Combahee River Collective and later through *This Bridge*, women of color feminists precisely overlapped with and exceeded the three groups mentioned above, as well as radical feminism.<sup>217</sup> As Chela Sandoval argues, women of color took part in many normative movements, without ever fully adhering to one, and simultaneously developed their own networks as feminists of color. The fact that these three groups’ overt opposition to radical feminism often lumps them into a single faction, however, ignores how divergent their positions actually are from one another,<sup>218</sup> even though where and how they converge plays an important role in understanding the sex workers’ rights movement in the context of the United States as well.

Variations of opinion among sex workers was/is a reality within the sex workers’ movement, and if speaking about the experiences of sex workers it would be unjust to collapse them into a monolithic grouping of ideologies and beliefs about the work that they perform. However, Alexander’s distinction between the first two groups mentioned

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<sup>214</sup> See Lisa Duggan and Nan D. Hunter. Also, Carole Vance, ed. *Pleasure and Danger: Exploring Female Sexuality*. Boston: Routledge and Kegan Paul, 1984; Ann Snitow, Christine Stansell, and Sharon Thompson, eds. *Powers of Desire: The Politics of Sexuality*. New York: Monthly Review Press, 1983).

<sup>215</sup> Alice Echols, in particular, spoke about this at the Barnard Conference. See Wilson 1983.

<sup>216</sup> Radical feminist Janice Raymond referred to transsexuals as “synthetic products” which “settle for androgyny rather than integrity” (166). She also stated, “Medicalized transsexualism represents only one form aspect of patriarchal hegemony. The best response women can make to this is to see clearly just what is at stake for us with respect to transsexualism and to assert our own power of naming who we are” (177). See Janice Raymond. “Toward the Development of an Ethic of Integrity.” *The Transsexual Empire*. Boston: Beacon Press, 1979.

<sup>217</sup> Vednita Carter from Chapter 3 would be an example of this latter case.

<sup>218</sup> See Chapkis 1997.

in the paragraph above—marking the first as “sex workers’ rights” and the second as only including “some workers”—makes an important point about how the sex workers’ rights movement was portrayed, or perhaps even about how some of the movement’s leaders were constructing their own politicized identity at the time. That is to say, a distinction was made between workers in the industry who advocated *against* criminalization and who were *for* sex workers’ rights, hinting that sex workers’ rights was perhaps something beyond an anti-censorship or labor movement. As St. James’ declaration of “the whore has power” alludes to, many prominent sex workers of the time were coming out and claiming that sex work was *empowering*. Women like Nina Hartley, Carol Queen, and Annie Sprinkle (to name only a few names of many women who would relate to this experience) had even entered the industry because, in Nina Hartley’s words, it: “enhanced self-image, sexual variety, creating a platform for my ideas about sex and society, creative erotic expression, exhibitionism, fantasy fulfillment, and economic gain.”<sup>219</sup> While none of these women would deny the negative aspects of the industry, most particularly the stigmatization of being labeled a “whore,” they would also see the industry as the “battleground” for sexual freedom, expression, and rights. Some of the more “sexual libertarian” sex workers even went so far as to say that the anti-pornography/anti-prostitution movement was dominated by women who were sexually “frustrated,” “deficient,” and “uncomfortable.”<sup>220</sup> As Hartley describes it:

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<sup>219</sup> Hartley, Nina. “In the Flesh: A Porn Star’s Journey.” In *Whores and Other Feminists*. Ed. Jill Nagle. New York: Routledge, 1997. 58.

<sup>220</sup> Notably, this perspective within the feminist battles over sex goes as far back as the early suffragist movement. As a correspondent from *Freewoman* wrote in 1911: “...it will be an unspeakable catastrophe if our richly complex Feminist movement with its possibilities of power and joy, falls under the domination of sexually deficient and disappointed women...” Quoted in Chapkis 1997; originally in Jeffreys 1985. Jeffreys, Sheila. *The Spinster and her Enemies: Feminism and Sexuality, 1880-1930*. London: Pandora, 1985.

..the more uncomfortable a woman is with the state of her sex life, the more outraged and irritated she is by the existence of porn and the women who are proud to make it. The angrier she is at 'the patriarchy' and the more she blames men for all the ills of the world (and her own particular problems), the more she wants to punish men for their ability to become easily aroused...these women appear to be acting like the worst of their Victorian sisters, with all of their erotophobic logic: lust is evil, and only romantic love and its chaste expression are civilized and acceptable, and it's up to women to control men's animalistic side (if she's self-hating enough to sleep with them in the first place).<sup>221</sup>

Or as she aptly summarizes her perspective: "They've cut off their clits to spite their orgasm."<sup>222</sup> As a trained health professional (Bachelor of Science in nursing), Hartley was troubled by the fact that schools did not teach "sexual skills" to negotiate desires and fantasy; whereas she believed that the sex industry provided a safe space to "practice lots of sex with lots of different people in lots of different situations;"<sup>223</sup> that is to say, it provided a safe space to disrupt heteronormative sex and sexuality.<sup>224</sup>

The belief that sex work can be a site of disrupting or destabilizing heteronormative narratives of sexuality often has aligned the San Francisco sex workers' movement with the third group mentioned above: lesbians and heterosexual women who practice "transgressive" sex, and transsexuals and transgenders who found themselves cast out of feminism. Sex workers, in particular those who claimed their work as an expression of their sexuality, allied themselves with these groups out of their inability to fit into categories normatively packaged as "heterosexual" or "homosexual;" the mere fact of selling sex has not always permitted stable relationships between biological sex, gender, sold sex, and desire. Moreover, alliances had been drawn between lesbians and prostitutes throughout both the years before and during the feminist sex wars, not only for

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<sup>221</sup> Hartley 60

<sup>222</sup> *Ibid.*

<sup>223</sup> Hartley 61

<sup>224</sup> It is important to acknowledge that women like Hartley, Queen, and Sprinkle have done significant work in creating pornography and sexually explicit materials which provide sex education.

their nonnormative sexual practices, but also for the large number of lesbians who took (and continue to take) part in the sex industry.<sup>225</sup> Similar alliances were drawn with communities of transpeople, who out of stigmatization from the straight world, from feminism, and/or from gay communities, as well as at times out of a desire for certain sexual practices, turn to the sex industry to make a living.<sup>226</sup> While these groups are highly divergent, as Scott Morgensen describes, “Exile from forms of feminism during the 1980’s enabled those targeted to form common cause across otherwise great differences. Their varied yet mutual destabilizations of binary sex and sexuality then informed emergent queer politics.”<sup>227</sup> I would add the incipient HIV/AIDS crisis and the inability of single identity politics to address the larger political conflicts that AIDS raised.

When medical practitioners announced that HIV/AIDS was a sexually-spread disease in 1983, sex workers’ relationships and alliances with the lesbian, trans, and gay communities—as well as with IV drug users and communities of color—extended to build a social movement which could counter both the devastating effects of AIDS on their communities and the increased stigma caused by the emerging public health crisis. Despite the fact that as late as 1989 “women were still invisible to providers of medical

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<sup>225</sup> See Nestle 1987. “Lesbians and Prostitutes: A Historical Sisterhood.” In *Good Girls/Bad Girls: Feminists and Sex Trade Workers Face to Face*. Ed. Laurie Bell. Toronto: Seal Press, 1987. See also Joan Nestle, ed., *The Persistent Desire: A Femme-Butch Reader*; Leslie Feinberg, *Stone Butch Blues*. Ithaca, NY: Firebrand Books, 1993; and Elizabeth Kennedy and Madeline Davis, *Boots of Leather, Slippers of Gold*. New York: Penguin Books, 1994.

<sup>226</sup> See Aggleton, Peter ed. *Men Who Sell Sex: International Perspectives on Male Prostitution and HIV/AIDS*. Philadelphia: Temple University Press, 1999. See also Joanna Brewis and Stephen Linstead. *Sex, Work, and Sex Work: Eroticizing Organization*. New York and London: Routledge, 2000.

<sup>227</sup> Morgensen, Scott. “Rooting for Queers: A Politics of Primitivity.” *Women and Performance: A Journal of Feminist Theory*. Issue 29, 15:1, 2005. 251.

and social services to people with AIDS”<sup>228</sup> as the disease was largely viewed as only a “gay” disease, leaders in the sex workers’ movement had begun organizing as early as 1983 by warning sex workers to use condoms and practice safe sex.<sup>229</sup> As I heard from Gloria Lockett, an African American and former sex worker who was the only woman of color to take part in COYOTE in its early years: “We knew that while they were only talking about HIV/AIDS in the white, gay community, the next group to be scapegoated would be sex workers, and we were right.”<sup>230</sup> Between 1983-85 (simultaneous to the Dworkin/MacKinnon ordinance) the cases of male AIDS which appeared to be from heterosexual transmission increased, and, according to the men diagnosed, originated in sex with prostitutes. The Center for Disease Control (CDC) therefore “used these assertions to justify research on prostitutes as potential carriers of HIV.”<sup>231</sup> Politicized sex workers then became directly involved in this research through the CDC’s off-shoot Project AWARE, which had formed at UCSF to deal with the “ethical and practical considerations”<sup>232</sup> of doing research with prostitutes. Judith Coeing, who led Project AWARE at the time, deferred to COYOTE as her cultural entry-way into street life, and hired Lockett, another sex worker, and an ally as interviewers. In this way, Nancy Stoller describes, “COYOTE, as the gatekeeper of the local prostitute population, came to be seen by the AIDS establishment as the best voice of and key to local prostitutes.”<sup>233</sup>

The research results from Project AWARE’s work showed that there was no seeming correlation between sex work itself and HIV/AIDS; rather, sex workers tended

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<sup>228</sup> Stoller, Nancy E. *Lessons from the Damned: Queers, Whores, and Junkies Respond to AIDS*. New York and London: Routledge, 1998.

<sup>229</sup> See Leigh 2004.

<sup>230</sup> Lockett, Gloria. Personal correspondence.

<sup>231</sup> Stoller, Nancy E. *Lessons from the Damned: Queers, Whores, and Junkies Respond to AIDS*. New York and London: Routledge, 1998. 87.

<sup>232</sup> *Ibid.*

<sup>233</sup> *Ibid.*

to be diagnosed similarly to the communities of which they were a part (IV drug-user, person of color, sexual identity, etc).<sup>234</sup> Yet to most sex workers, this was not surprising. As Lockett described, “this [the research results] only showed us what we already knew. We were from the street, and we knew that most people used condoms. So we didn’t think we’d be at risk.”<sup>235</sup> This did not stop stigmatization, however, on social or legal levels. By the mid-1980s when HIV-tests entered the market, California implemented state laws which required HIV-tests of any person arrested on prostitution charges,<sup>236</sup> as well as charged people engaging in the sex industry while HIV positive with a felony offense<sup>237</sup> or perhaps even “attempted murder or ‘reckless endangerment.’”<sup>238</sup> Importantly, however, HIV felony charges against prostitutes did not require police to investigate into their actual “sex acts, condoms, or evidence of sexual transmission;”<sup>239</sup> being a prostitute was/is enough to constitute criminality.

The scapegoating of sex workers for the public health crisis was in no way a new phenomenon; as seen in the last chapter, feminist organizing began around prostitution in the 1860s with the passing of the Contagious Disease Acts in Britain. However, in the context of the broader feminist debates over sexuality, responses to HIV/AIDS—especially from sex workers’ rights perspective—took a particularly “radical” form. Sex workers in the 1980s were being slammed from three sides: 1) by radical feminist who

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<sup>234</sup> Lockett, Gloria. Personal correspondence. See also Stoller 1998.

<sup>235</sup> *Ibid.*

<sup>236</sup> California Penal Code Section 1202.6

<sup>237</sup> “If any individual has a previous conviction of prostitution or any of the sex offenses listed in Penal Code Section 1202.1(c), tested positive for HIV in relation to that conviction, and was informed of the test results, Penal Code Section 647f elevates any subsequent prostitution conviction from a misdemeanor to a felony.” See California Department of Health Services, Offices of AIDS.

<http://www.dhs.ca.gov/AIDS/Reports/aidslaws/pdf/AIDSLaws2002.pdf>

<sup>238</sup> Alexander, Priscilla. “Bathhouses and Brothels: Symbolic Sites in Discourse and Practice.” In *Policing Public Sex*, ed. Dangerous Bedfellows. Boston: South End Press, 1996. 227.

<sup>239</sup> Alexander 229

blamed them for being the handmaidens of patriarchy; 2) by the traditional moral and conservative right; and 3) by legislative and law enforcement officials who blamed them for the public health panic caused by HIV/AIDS. Anti-prostitution activists often even used the emerging HIV/AIDS crisis on the West Coast to promote the anti-pornography/anti-prostitution agenda, as Kathleen Barry said:

The receptivity of the sexual-liberal public in the West to the promotion of prostitution...correlates with the escalation of AIDS and women becoming the highest-risk group....AIDS prevention, which should be oriented toward getting women out of prostitution is reduced to massive marketing of condoms to keep the sex industry and condom manufacturing going.<sup>240</sup>

This response/position by radical feminists once again aligned them with conservative factions in the United States such as the Moral Majority and its pro-family (read homophobic) agenda. Traditional law enforcement (based off of a community policing model) then also increased its arrests, and the legislature amended or added laws, out of efforts to protect the family, the community, and the overall health of the nation. Notably, within this triad of discourses on sexuality and public health, the protection of the sex worker herself is never mentioned; the problem is “women [in general] becoming a high risk group,” the community (read as protecting the clients of prostitutes), the family (read as families of the clients), and the nation (read as excluding those who practice nonnormative sex or carry disease<sup>241</sup>). Within this framework, no one was going to speak up for sex workers except sex workers themselves. But as Stoller remarks, “The AIDS crisis has provided a powerful avenue for the struggle to legitimize prostitution... Our government does not view civil rights for sex workers as a legitimate goal for the

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<sup>240</sup> Barry, Kathleen. *The Prostitution of Sexuality: The Global Exploitation of Women*. New York: New York University Press, 1995. 242, 248.

<sup>241</sup> The role of nationalism within the HIV/AIDS crisis became particularly apparent when immigration laws regarding entry into the US are taken into consideration. Homosexuals were not legally permitted entry into the US until 1990; current or former noncitizen prostitutes are, to date, not given legal visa entry. See Lubheid 2002.

state to pursue, but it does wish to invest funds in stopping the spread of AIDS.”<sup>242</sup> Sex workers, through organizations like COYOTE, had already gained acknowledgement from public health responses to AIDS for their cooperation in serving as interviewers, outreach workers, and educators; they therefore decided to tactically use this position to speak out about sex workers’ rights, a task that took at least two distinct forms throughout San Francisco sex worker organizing’s early years.

In its first form, after what Lockett described as “doing the dirty work”<sup>243</sup> of Project AWARE and the CDC, COYOTE decided that it needed its own organization which specifically focused on reaching out to prostitutes, both through services and education (of sex workers and the general public), from a sex workers’ rights perspective. In 1987, they established Cal-PEP (California Prostitutes-Education-Project) as an independent spin-off association of both COYOTE and Project AWARE which took over the provision of condoms and spermicide, HIV counseling and education, and the bleach-kits for injection drug-using sex workers throughout San Francisco. The goal in creating Cal-PEP was more tactical than strategic. COYOTE, and by and large the sex workers’ rights movement today, did not intend to promote or continue any myths about prostitutes being “vectors of disease,” nor did they approve of mandatory testing of prostitutes, or unnecessary research on sex workers’ medical status. Nevertheless, the HIV/AIDS crisis turned sex workers like Lockett into experts overnight, granting them access to funds and high-ranking government officials who would not have given them the time of day to lobby a sex workers’ rights agenda, given the immense social stigma surrounding the profession. Given the HIV/AIDS crisis, Cal-PEP became one of the first programs of its

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<sup>242</sup> Stoller, Nancy E. *Lessons from the Damned: Queers, Whores, and Junkies Respond to AIDS*. New York and London: Routledge, 1998. 85.

<sup>243</sup> Lockett, Gloria. Personal Correspondence.



kind (run and directed by entirely sex workers) to receive local, state, and federal funding. At the time that Cal-PEP received its first grant, Lockett was designated as executive director because, as she describes it, “The republican senator—the only republican I’ve ever loved—who approved our grant was an African-American woman. She looked at Priscilla Alexander—who’s white—and me and then said, ‘You know the streets?’ I told her ‘yes’ and she said, ‘You’re the director,’ and secured us \$20,000 more in grant funds.”<sup>244</sup>

In less than two years under Lockett’s leadership, Cal-PEP went from being a small organization working specifically with sex workers to competing with “more mainstream funds to reach prostitutes.”<sup>245</sup> They also began to expand their focus. Lockett realized by 1988-89 that there were more people who needed Cal-PEP’s services than the sex workers in COYOTE’s broader network; specifically she mentioned transgenders and people of color. Lockett, a committed anti-racist and anti-sexist activist, therefore decided to relocate Cal-PEP to Oakland to better serve the communities she wanted to work with. As Lockett described:

San Francisco is about 7% African American, Oakland is 40%. It’s also cheaper to live in. And I wanted to work with the highest risk people, the people that I knew—the crack and drug users, people of color, people under the bridge. Because they’re the people that are forgotten or the hard to reach for other people, but not hard to reach for us.... Plus, they’re the people that are going to jail; maybe if you were white and on the streets, you got arrested too. But it’s still racist, because black people go to jail and they stay in jail, white people go to jail and they get out.<sup>246</sup>

As Stoller notes in her own research on Cal-PEP, however, the organization “began to outgrow both COYOTE and Project AWARE in the area of AIDS prevention for prostitutes, crack users, and other female drug users, [and as it did so] it came into

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<sup>244</sup> *Ibid.*

<sup>245</sup> Stoller 89.

<sup>246</sup> Lockett, Glorial. Personal Correspondence.

conflict with both 'parents' and with other competitors in the field of AIDS services."<sup>247</sup> Stoller attributes this to a (necessary) bureaucratic development that occurred as the organization grew larger; however, as I will discuss shortly, I believe this argument should be nuanced by examining not only the "context of institutional racism, pre-existing funding priorities, and entrenched local and state political battles,"<sup>248</sup> but also the context of whiteness within the emerging (cultural) sex workers' rights movement.

In its second form, sex workers' activism around AIDS took place in coalition with and in the model of direct action organizations which focused on public protest, civil disobedience, and "explicit" visual media. While sex workers always maintained their own political platform of decriminalization,<sup>249</sup> they often worked with groups like AIDS Action Pledge (precursor to ACT-UP in San Francisco), ACT-UP (AIDS Coalition to Unleash Power) San Francisco, Mobilization Against AIDS, or other visual sex-positive artistic and political groups like the Sisters for Perpetual Indulgence.

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<sup>247</sup> Stoller 89

<sup>248</sup> Stoller 3

<sup>249</sup> Decriminalization is not an official legal term; sex workers from organizations like COYOTE use it to refer to "the removal of all laws on prostitution....the repeal of laws against consensual adult sexual activity, in commercial and non-commercial contexts. Prostitutes' rights advocates call for decriminalization of all aspects of prostitution resulting from individual decision." See Prostitutes Education Network. "Prostitution Law Reform: Defining Terms." <http://www.bayswan.org/defining.html> Accessed July 2007

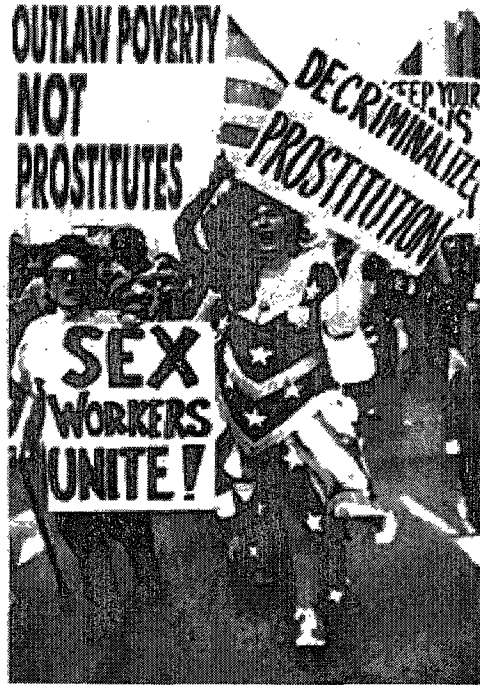


Figure 3: “Prostitutes and supporters protest during the 1990 International AIDS conference. by Tracy Mostovoy. Published in: *Unrepentant Whore Collected Works of Scarlot Harlot*. San Francisco: Carol Leigh Productions, 2004.

Carol Leigh, a.k.a. the Scarlot Harlot, perhaps became the most visible sex worker throughout this time period, always showing up at protests wearing a distinguishable dress patterned after a US-American flag (what she calls “Americana high drag”). Moreover, her artistic performances such as “Safe Sex Slut,” “Bad Laws,” “Stop the Quarantine,” “Pope, Don’t Preach, I’m Terminating My Pregnancy,” and “Die Yuppie Scum” drew significant media attention. Leigh’s performances were designed to give public expression to sex worker identity, to force the general public into seeing what it typically overlooked or ignored. That is, to forcefully point out:

Prostitutes are systematically denied citizenship status in almost every country as we are prohibited from traveling, from residing with friends or relatives (as our associates may be charged with pimping) and denied police protection from rape and other crimes against us as a result of our legal status....Studies in the west corroborate the lack of evidence of transmission of HIV from prostitutes to clients, yet prostitutes are scapegoated, and our civil liberties are violated for the ostensible purpose of public health.<sup>250</sup>

<sup>250</sup> Leigh 102.

As many sex workers' broke with Cal-PEP due to internal and public conflict (due to both its "'responsibility' to its funders,"<sup>251</sup> and its shifting focus to primarily service provision), they turned to this form of direct organizing to confront the political and social bigotry they faced in HIV/AIDS movement, feminism, and society in general. The 1990s then saw, in the words of Leigh, "a new generation of sex radical feminist prostitutes [that] found each other in San Francisco."

### ***San Francisco and the Bay Area, a case study***

#### *The contemporary setting*

San Francisco has long had the reputation of being a city where people of multiple backgrounds and sexualities could explore their desires.<sup>252</sup> As sex worker and sexologist Carol Queen Ph. D, writes, "San Francisco is sex-positivity's capital city,"<sup>253</sup> or as the current executive director of the Commission on the Status of Women (COSW), Emily Murase, comments with regards to prostitution, "The key message in San Francisco is tolerance and diversity. Our fundamental values as a city are those of acceptance and celebration."<sup>254</sup> Undoubtedly, this reputation and practice has played a role in both the official and social receptivity of the sex workers' rights movement in San Francisco both historically and contemporarily.

By 1994, the sex workers' rights movement had gained enough notoriety that the San Francisco Board of Supervisors passed legislation which established the San Francisco Task Force on Prostitution to investigate "prostitution patterns and practices in

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<sup>251</sup> Stoller 90.

<sup>252</sup> See Castell 1983

<sup>253</sup> Queen, Carol. *Real Live Nude Girl: Chronicles of Sex-Positive Culture*. 2<sup>nd</sup> Ed. Pittsburg: Cleis Press, 2002. xi.

<sup>254</sup> Murase, Emily. Commission on the Status of Women. Personal Correspondence.

the City, as well as the current social and legal responses. It was further requested of the Task Force to recommend social and legal reforms which would best respond to the City's Needs while using City resources more efficiently."<sup>255</sup> For one of the first times in history, sex workers and their allies were invited to be part of this investigation; Margo St. James, Carol Leigh, Priscilla Alexander (ally), Joanna Breyer and Dawn Passar (founders of the Exotic Dancers' Alliance in 1993) all served as members of the Task Force during its three years of research. When the Task Force published its final report in 1996, it concluded:

...prostitution is not a monolithic institution. Although the majority of sex workers are women, it encompasses people of all genders working in the pornographic media industry, live theater, massage parlors, bordellos and through print advertising, as well as the street workers most commonly envisioned when the word 'prostitution' is mentioned. Because it is such a varied industry, the City's responses must vary as well.

The Task Force discovered that the complaints leveled against prostitution really apply only to a fraction of the total industry and that those legitimate concerns are not being met by efficient and effective solutions. Yet not only are current responses ineffective, they are also harmful. They marginalize and victimize prostitutes, making it more difficult for those who want to get out of the industry and more difficult for those who remain in prostitution to claim their civil and human rights.

...police department does not consistently enforce laws except the most visible, those working on the streets, and those most vulnerable, including African American, transgender, and immigrant women.<sup>256</sup>

Perhaps not surprisingly given the HIV/AIDS crisis, as well as the sex workers serving as Task Force members advocating against San Francisco's mandatory HIV testing of arrested prostitutes, health and social services were of prime concern for the Task Force, especially their intertwined relationship with law enforcement and legal prosecution. The majority of Task Force members thus recommended the "decriminalization of

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<sup>255</sup> The San Francisco Task Force on Prostitution. "Final Report." March 1996. 3.

<sup>256</sup> The San Francisco Task Force on Prostitution 4.

prostitution...[as the] best way to address the concern of every constituency,”<sup>257</sup> and that programs should be developed that “include occupational and educational programs, health and other programs for those who continue working as prostitutes, as well as those who wish to transition into other occupations.”<sup>258</sup> This recommendation then set the stage for future legal actions by the City of San Francisco.

In 1998, California was the first state to ratify CEDAW (to date, the United States has not), which then provided a legal framework surrounding women’s rights with which to address prostitution throughout the city. As noted in Chapter 2, CEDAW was the first international document that only banned the “exploitation of prostitution in women,”<sup>259</sup> implicitly recognizing through its legislative history that voluntary prostitution was, in fact, plausible; simultaneously, CEDAW recognizes women’s labour rights and freedom from coercion. Therefore, when the Exotic Dancers Alliance<sup>260</sup> came forward in 1998 with a \$2.85 million class-action law suit against the Mitchell Brother’s O’Farrell Theater, one of the oldest adult entertainment theaters in the United States,<sup>261</sup> on charges of sexual harassment and not being afforded hourly wages,<sup>262</sup> the Commission on the Status of Women agreed to support the case as a labor issue; similarly, in 2005 the Commission heard the testimony of hundreds of exotic dancers as part of its work on

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<sup>257</sup> The San Francisco Task Force on Prostitution 22. The Task Force writes only the majority because six neighborhood/merchant organization representatives left the Task Force after the vote in favor of decriminalization.

<sup>258</sup> The San Francisco Task Force on Prostitution 24.

<sup>259</sup> UN. *Convention on the Elimination of all Forms of Discrimination Against Women*, 1979. <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article1> Accessed June 20, 2007.

<sup>260</sup> Established in 1993 by Joanna Breyer and Dawn Passar, as noted above, to provide peer counseling, labor organizing, and adult entertainment specific advice on receiving retributions and back-pay from theater owners.

<sup>261</sup> Known for its introduction of the nude lap dance in the 1970s

<sup>262</sup> In 1988, the O’Farrell Theater (which set the trend for many others across the country) reclassified their dancers from employees to independent contractors. With this shift, they began charging the dancers a “booking fee” or “stage fee” in order to dance. These stage fees began at \$7.25 a night, but today range up to about \$500. Perhaps most importantly, this re-classification of dancers meant that the theaters no longer received health benefits or workers comp.

establishing labor laws for the adult entertainment industry. The 1998 lawsuit eventually reached a confidential settlement in which dancers received around \$700,000 in claims and back-pay, while the 2005 case resulted in COSW drafting and passing legislation regarding the conditions of the adult entertainment business. Despite this latter legislation being somewhat controversial,<sup>263</sup> COSW's involvement in the labor issues of sex workers marked a significant moment in the governmental responses to the sex workers' rights movement. Moreover, the 1998 case in particular brought members of the EDA into contact with the San Francisco Department of Public Health and the STD Prevention and Control Department.

After a meeting at a HIV Prevention Planning Council meeting in 1998 in which EDA members presented on the health concerns of adult sex industry workers, Dr. Klausner of the SF Department of Public Health became interested in the issue of sex work and public health, most especially the needs of massage parlor workers. Notably, before this time the Department of Public Health had nothing to do with the licensing or regulation of massage parlors, whether those involved sexual services or those that did not. Because of the historic association made between the parlors and the sex industry, the legal codes of the parlors were handled by law enforcement, which as noted in the Final Report of the Task Force on Prostitution often led to further marginalization and victimization of persons who sell sexual services, as well as those who did not but who worked in massage parlors and experienced the "whore stigma" for their profession.

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<sup>263</sup> See Akers 2005. The debates allude to many of the controversies within the sex workers rights' movement, which I am trying to address here, but to discuss each individual case would take too long. Erotic dancers, in particular, even within the movement, are split on the issue of labor laws. On the one hand, they protect workers who feel sexually harassed and pressured into prostitution to pay off their stage fees; on the other, for many workers stricter labor laws and the removal of stage fees means a cut in pay (dancers often make between \$500-\$1500 a shift). See also Kay 1999, Harrison 2003.

When Dr. Klausner began meeting with sex workers in 1998, he began to put systems in place to support sex workers with their health concerns, as well as initiate a project of creating an occupational clinic specifically for sex workers and advocate for the transferal of parlor licensing to the health department (which would only place it in line with all other professions). In 1999, the St. James Infirmary opened its doors as a peer-run health clinic run “for sex workers by sex workers” with grants from the San Francisco Department of Public Health AIDS Office and private “no strings attached” funders. Then in 2003, the City of San Francisco passed an ordinance which transferred the legal licensing and regulation of massage parlors from the Police Department to the Department of Public Health.

The relationship with the health department proved important in a number of ways. To start with the transfer of massage parlor licensing, this ordinance meant that (indoor) sex workers often no longer had to fear police raids, and simultaneously their working conditions had to improve to meet a certain health standard if the parlor was not going to be indicted or charged. While when I spoke to the Department of Public Health, the current administration maintained that this switch was largely for the “holistic professionals [who] felt like criminals reporting to the police department”<sup>264</sup> rather than the health department like other professionals, the switch had countable effects on the sex working massage artists as well. The health department could much more easily require employers of massage parlors to report immigration status, enforce a dress code, or other office conditions than the police department could or would in their role as licensors. Moreover, as long as sex workers meet the health standards put forward by the Department of Public Health, they are not likely to be indicted. At the same time,

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<sup>264</sup> Department of Public Health. Personal Correspondence.



however, the Department of Public Health has increased its focus on stopping human trafficking within the last couple of years, utilizing many of the same strategies of identification of “trafficking victims” as, for instance, the St. Paul Police Department. I was told by the Department of Public Health that they often use myredbook.com to look for new listings of massage parlors within city limits that do not have legal licenses, focusing especially on those that “look like they could potentially have trafficking victims.”<sup>265</sup> Since the transfer of the licensing to the health department in 2003, they have undergone (as of June 2007) at least 11 major trafficking raids in massage parlors where non-English speaking immigrant women worked.

The sex workers’ rights movement’s relationship to the Department of Public Health also helped secure funding (and originally space) for the St. James Infirmary, which as noted above, was purportedly “the first clinic of its kind”<sup>266</sup> run “by and for sex workers.”<sup>267</sup> According to “The St. James Infirmary: A History,” Cal-PEP served as a precursor for the Infirmary as an off-shoot of COYOTE, but says little more of the history between the movement and Cal-PEP as an organization, and its original activist roots. Despite the fact that the St. James Infirmary is not a political organization,<sup>268</sup> their connection to the broader movement remains strong, and quite visibly is named after the movement’s founder Margo St. James. At the base of their mission statement is that the Infirmary is “fundamentally against the criminalizing of sex workers for their

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<sup>265</sup> *Ibid.*

<sup>266</sup> Lutnick, Alexandra. “The St. James Infirmary: A History.” *Sexuality and Culture*, Vol. 10, No. 2, June 2006. 56-75. 1.

<sup>267</sup> St. James Infirmary. “Home.” Stjamesinfirmary.org. <http://www.stjamesinfirmary.org/index.htm>  
Accessed June 2007

<sup>268</sup> St. James Infirmary. Personal Correspondence.

profession;<sup>269</sup> they then work within a public health model to “demonstrate how legal criminalization is a public health risk.”<sup>270</sup> Moreover, the St. James Infirmary is focused on creating a community space for sex workers in the San Francisco area. As Alexandra Lutnick notes in her history of the Infirmary, its roots and practices are actually “quite radical.” While providing HIV/STI testing, it also breaks with traditional ideas of sex workers as “vectors of disease” by providing holistic health care for people in the trade. Notably, however, to receive services at the Infirmary, one must identify as a “current, former or transitioning” sex worker.

While being “out” as a sex worker is important to receive proper health care (and the majority of sex workers are not out to their medical practitioners due to the stigma involved), it also requires *identifying* with the sex trade and a sex worker identity to receive the services offered. In this way—while playing an extremely important role in offering nonjudgmental health care to sex workers—the St. James Infirmary also plays a role in cultivating the “new generation of sex radical feminist prostitutes” that Carol Leigh described.

#### *A sex radical feminist prostitute culture*

The St. James Infirmary emphasizes increasing health outreach to sex workers through empowerment, which as a worker there described to me, “the end result has been that SJI has been able to create a community.”<sup>271</sup> This community is about creating a space where people who practice nonnormative sexualities through sex work feel both accepted

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<sup>269</sup> St. James Infirmary. “Who We Are.” Stjamesinfirmary.org.  
<http://www.stjamesinfirmary.org/WhoWeAre.htm> Accessed June 2007

<sup>270</sup> St. James Infirmary. Personal Correspondence.

<sup>271</sup> *Ibid.*

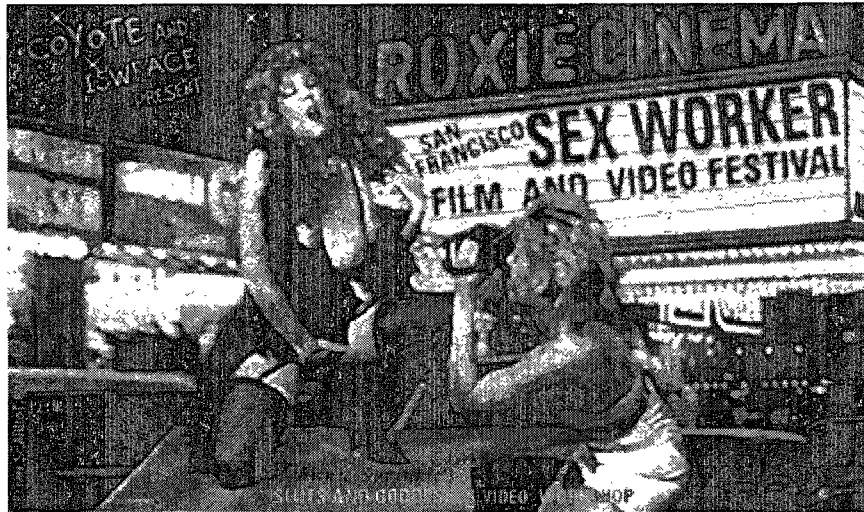
and empowered. In some ways, the creation of this community is even meant to break down, reject, or bend social norms about gender and sexuality. As I was continually told throughout my time at the Infirmary, “We’re mostly queer anarchist here.”<sup>272</sup> Relating this identity to sex work, and a space meant directly for people who identify as sex workers, puts forward a position about sex work that is deeply grounded in theories of gender and sexuality. While notably, the majority of sex workers who visit the Infirmary identify as queer (38% biological women, 42% transgendered MTF and FTM, and 20% biological men), part of their queer identity comes from being a sex worker which places them outside of normative homosexual or heterosexual practices.

The reclamation of a sex worker identity and the creation of a community there from are not isolated to the St. James Infirmary. Rather, the Infirmary is perhaps a product of the already emerging community for which the Infirmary then creates a physical space for this community to reside and grow, as well meet and receive necessary health and living concerns. Outside of the St. James Infirmary, for instance, the Sex Worker Film and Arts Festival has taken place since 1999. This festival brings together sex workers from throughout the country to create a “forum for the accomplishments of sex worker artists and filmmakers and to show work about sex workers and sex industries from around the world. The Sex Worker Festival provides an opportunity to recognize and honor prostitutes, dancers, porn performers and other sex workers who have historically been a dynamic part of arts communities.”<sup>273</sup> These festivals include a number of performance arts pieces, films series that are shown throughout the city, bike tours of

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<sup>272</sup> *Ibid.*

<sup>273</sup> Sex Worker Fest. “About.” <http://www.sexworkerfest.com/swfest2007/about07.htm> Accessed June 2007.



Sponsored by ISWFACE, International Sex Worker Foundation For Art, Culture and Education and by Film Arts Foundation, Frameline and Tranny Fest: Transgender and Transgenre  
<http://www.bayswan.org/swfest.html> • [swfest@bayswan.org](mailto:swfest@bayswan.org) • (415) 751-1659

**Figure 4:** Brochure for 3<sup>rd</sup> Sex Worker Film and Arts Festival, 2003. Accessed from: <http://www.bayswan.org/swfest/awards03.html>

historic San Francisco sex industry, cabarets, a “School for Johns” which teaches clients how to act respectfully towards clients and ends in a “Lap Dance Graduation Party,” and academic conferences to discuss the human, labor and civil rights of sex workers. As Carol Leigh, who is the primary organizer of the festival, describes the week, “It’s exciting to see that we’re finally getting an institution, a sex worker cultural space...It’s the idea that as sex workers you can be part of the community, that you can form your own community.”

The Desiree Alliance Conference which makes up part of the Sex Worker Film and Art Festival’s agenda covers a broad arrange of topics ranging from public education on sex workers’ rights, how to protect oneself from police raids, to the health issues faced by transgendered workers to the experiences of gay male artists in the sex industry. The conference also includes informational sessions on how to use the Internet for business, how to conduct research on the sex industry, and how to use different media tools as

methods of education for both local sex workers and broader community members.

Perhaps not surprising given the



**Figure 5:** Brochure for the 5<sup>th</sup> Sex Worker Film and Arts Festival., July 2007. Accessed from: <http://www.sexworkerfest.com/>

festival's focus on sex workers who are artists, a large number of the conference participants are also artists or academics turned sex worker. Notably, many of the presentations focus on the experiences of academics that have entered the sex industry in order to write from a place of personal subjectivity about the sex industry; they covered topics like stripping and subjectivity, the arts of the courtesan, analyzing identity and relationship management, women as emerging economic forces in the pornography industry, and critical evaluations of anti-trafficking activism.

What seemed apparent from this emergence of academics/artists/professionals turned sex workers is that community being formed is created as much *through* the movement gaining notoriety in liberal circles, as it is through already working sex workers claiming their own empowerment. As Carol Leigh described it to me, "The sex workers movement hasn't always been based on queersexual radical identity politics like

it is today. And I think it's great, but there is also sex worker identity developing among the younger workers that builds on the notion of authenticity."<sup>274</sup> The authenticity Leigh invokes is the suggestion that a person needs to be a sex worker in order to be located within the movement. According to Leigh, this also has turned the movement away from its earlier influences of the labor movement and has created "problems within the movement based on identity issues, trying to decide whose more of a sex worker, which has a lot of race and class issues." Her personal frustration by these problems does not take away, however, from her sense of being "so excited to see a huge movement" because "beyond an identity movement sex workers' movements are social justice movements, and also a global movement."<sup>275</sup>

Gloria Lockett expressed sentiments similar to Leigh's, even though her own critiques of the movement extend further back in time. As noted earlier in the chapter, by the late 1980s Cal-PEP came into conflict with the sex workers' rights movement for not being willing to organize solely around prostitution issues, or to donate its time and resources to political action beyond providing services. As Lockett notes, one of the reasons that COYOTE did not understand her decision to take the organization away from prostitutes' rights political advocacy was that:

COYOTE has over the years has been very very white...And my reason why I was involved with it was because black women went to jail a lot more and black women were the ones that were arrested because they don't have the chances that a lot of the white women did. White women could go inside the fancy hotels, but black women couldn't. So I was fighting for sex workers' rights.... But the COYOTE women were largely white, and older women, who found power in prostitution. I did too. But I keep seeing younger and younger girls out there, from 11-18 years old, (we have a program for sexually exploited minors and children of crack addicts). And they're staying out there, thinking there are not

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<sup>274</sup> Leigh, Carol. Personal correspondence.

<sup>275</sup> *Ibid.*

options. And I want to let them know that there are. I think that is what COYOTE forgot, because they [as white women] always had the option.<sup>276</sup>

Despite the acknowledgement of race and class formations on the part of many individual sex workers within the movement, the image of the movement put forward still tends to be from the sex radical feminist prostitute perspective, of women who actively “choose” to take part in the industry. While neither Leigh nor Lockett would condemn this particular subjectivity (they both relate directly to this idea), they also recognize that it can put forward a problematic version of sex worker identity, as is evident on the international sphere. Leigh in particular spoke about how she would prefer that trafficking was defined according to the working conditions of the sex industry, rather than through the notion of consent. While many workers in the cultural sex workers’ rights movement have tried to undo the conflation between “trafficking” and “prostitution,” she says that it is okay if “trafficking and prostitution are conflated, if trafficking is viewed as exploitation, because trafficking in this country does include some voluntary commercial sex.”<sup>277</sup> However, in voicing this opinion, activists like Leigh and Lockett are stuck between a rock and hard place; as Lockett describes, “I try to never speak about the negative aspects of the industry, because that is all you hear. So I am spouting positive things all the time just because the negative side is so over portrayed and inflated.”

*Conclusion: Sex workers rights, whore power, and race*

Throughout this chapter, I have tried to demonstrate how the sex workers’ rights movement in San Francisco developed both out of the social stigma faced by sex

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<sup>276</sup> Lockett, Gloria. Personal Correspondence.

<sup>277</sup> Leigh, Carol. Personal Correspondence.

workers, but also in direct response to the anti-prostitution movement that was in full-force throughout the country. Because of this particular relational position to the radical feminist movement, certain sectors of the sex workers' right movement turned to strong (aesthetically confronting) identity based organizing, which—valid on its own terms—turned away from the more intersectional, more tactical, more accessible to women of color forms of organizing like that of Cal-PEP, which importantly came into being not only out of a sex workers' rights position in opposition to radical feminism, but out of the cross-cutting reality of AIDS and racist practices by law enforcement and public health officials. While early members of the sex workers' rights movement like Gloria Lockett have in no way un-allied themselves from the contemporary movement, it is recognized that from its early beginnings the sex workers' rights movement has had roots in a moderately white, class-advancing or middle-class, and college educated constituency which today has coalesced into its own culture of radical white sex worker-identified women (and men), into an anti-essentialist culture so to speak. This identity has then either marginalized women of color and migrant women, or required them to equally claim a sex worker *identity* which may or may not represent them (for instance, Lockett personally claims this identity, yet has actively worked—to the point of changing her organizations name and breaking some connections with the sex workers rights movement—with people who do not). While in San Francisco, this radical, self-determinate position has been fairly broadly supported—and a broad number of organizations exist that are sex worker friendly—promoting this position as a teleological goal for the sex workers' rights movement both promotes the image that it is okay for a middle-class white woman to willfully gain in commercial sex and *not* poor women or



women of color, as well as presupposes that the primary category of organization around the sex industry is that of sexuality (or at least opposition to the position that argues that sex work violates female sexuality). So while a radical and resistive practice for sex workers' in particular context—in this case San Francisco—a politicized sex worker identity politic simultaneously plays into a colonial rationality in which sexuality is predetermined by race, and race by sexuality, whereby ignoring how maintaining the “field” of sexuality shores up with colonial-based systems of domination and western hegemony, rather than subverting or undermining them.

In the next chapter, I will demonstrate how sex workers in Bolivia have organized their political platform around the sex industry. While not existing wholly within or without of the positions discussed in the last two chapters, nor for that matter outside of colonial rationalities, the case example demonstrates how alternative modes of organizing may be possible (even though the Bolivian case is in no way meant to be prescriptive), as well as how the current categories present on the international agenda are primarily representative of contextualized western modes of organizing.

V

**Cochabamba**

In the last two chapters, I have attempted to show how the forced versus voluntary prostitution distinction in the UN *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* has distinct historical and cultural roots in the United States sex worker and anti-prostitution organizing. Both of these movements, quite significantly, have developed in response to stigma, objectification, and discrimination towards women in the sex industry, however, in radically different ways. Through my historicization of these movements, I have demonstrated how the categories of “forced” versus “voluntary” became important claims of each of these movements given the sociopolitical climate and ideology through which each was situated.

In this chapter, I will tell the story of the story of the Bolivian sex workers’ rights movement, or more specifically the stories and opinions of the women in Bolivia’s oldest formal sex workers’ union, El Grupo Libertad. While this story is not in direct contradistinction to either the anti-prostitution or sex worker organizing groups in the United States, the differences—most especially when contextualized within Bolivia’s broader relationship to the United States—provide insight into how the forced/voluntary distinction fails to represent global sex workers on the global sphere, and, ultimately, participates in a colonial governmentality which contributes to western hegemony.

To do this, I will first tell the story of how Grupo Libertad came to formally organize in 1996, and how this organization then expanded to a national level. I will then elaborate on the broader sociopolitical climate of Bolivia in the 1990s to provide a larger context for the emergence of sex worker activism. Following this contextualization, I will elaborate on the specific demands of Bolivian sex workers and how they have come to conceive of their experience as sex workers. Finally, I will end with a discussion of

the struggles Bolivian sex workers face in creating a national movement and an international coalition. My hope is that this chapter will raise questions regarding how the identity politics embedded within the forced/voluntary dichotomy have potentially depoliticizing effects for the ultimate goal of human and working rights for women in the sex industry.

### **The birth of a movement**

*I went to see Jorge Cruz with my four children, they were still young then. And I spoke with him personally, humbly, as he sat behind his nice desk: 'We are women here. And we are asking you, please sir, allow us to work in the street. Because, sir, you are discriminating against us, marginalizing us, reproaching us—and our children—through your development plan.' I hoped that if he could see my children so well dressed and taken care of, that he might begin to see the situation differently, and be embarrassed of himself and the things he has said to us. But I also know that this is our burden; our lives, our children's lives, are marked...But this is why I fight, I scream, and I demand the rights of my compañeras.*

*~ Doña Gumercinda*

Informal organizing among sex workers in Bolivia has existed for as long as any of the members in Bolivia's oldest sex worker union, Grupo Libertad, can remember. Women would inform each other about abusive clients, police who required bribes, or would even form small collectives to claim street blocks or territory as their working strip. Yet beginning under the presidency of Gonzalo Sánchez de Lozada (Goni) in 1993, Bolivia began an aggressive "capitalization" program in which the government sold off 50% of all public enterprises (such as water, electricity, oil, natural gas, railroads, telecommunications, and the national airlines) to foreign investors, and adamantly encouraged foreign investment and development in other sectors such as business and

tourism. While the results of this program hit most citizens of Cochabamba quite hard—and most famously—through the privatization of water in 1999, sex workers felt the effects of privatization much sooner.

In 1996, a wealthy Bolivian real estate owner and developer, Jorge Cruz, inherited a number of hotels and buildings covering several city blocks on the Calle Aroma in Cochabamba from his “less-successful” father, Don Fortunato Cruz. The Calle Aroma was/is a centrally located, heavily trafficked street running east to west forming the northern border of the city’s largest open market, La Concha, and is the main road to the popular tourist site “La Coronilla,” a statue erected in memory of Cochabamba’s role in Bolivia’s independence in 1812. Yet La Calle Aroma, most especially the sector surrounding “La Coronilla,” has become known since the late 1980s as the primary hangout for “cleferos” (Bolivian slang for children, mostly in “gangs,” who live in the streets and are addicted to inhaling glue), who have been charged with violent muggings and murders, making visiting “La Coronilla,” at least by reputation, quite dangerous for national and foreign tourists.<sup>278</sup> La Calle Aroma is also the most populated street prostitution district in Cochabamba; however, more heavily concentrated in the district surrounding the Plazuela San Sebastian.

The presence of these two groups—cleferos and street prostitutes—has caused general society to disregard the districts surrounding La Calle Aroma as “immoral,” “unsafe,” and representative of a certain “class” in society which, if it must exist, should be relegated to a separate part of the city where “normal” and “moral” women, children,

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<sup>278</sup> Please note: I make mention of the “cleferos” quite warily as they are a group that has been highly discriminated against, overlooked, and misrepresented in mid-upper class Bolivian society. While highly problematic, I make the distinction between them and the street sex workers of the Calle Aroma because this is the distinction—and disidentification—that the sex workers themselves have made in their organizing process.

and families should not have to encounter it. Within this discourse, sex workers and cleferos are largely placed in the same category, with little distinction of the particular social and political contexts which brought older women (between the ages of 37-75) into prostitution and young children (between 5-17) to drug addiction within the same district for work and survival. Important to note, however, is that there exists a strong rivalry between these two populations, one which is primarily territorial and identity-based. The cleferos tend to “claim” the area closer to “La Coronilla” and do not permit the street workers to work in or around that area; they also will often “bajar,” or go down to, the San Sebastian area where the street workers stand and make crude comments about “whoring,” the age of the workers, their beauty, etc. At the same time, the sex workers do not permit the cleferos to come to the San Sebastian plaza, fearing the children will scare their clients away; they also often chastise the children for being runaways and drug-addicts, calling out phrases like “Why do you think I am out here everyday? So that my children don’t end up like you!”<sup>279</sup> The result of this rivalry has been a number of knife-fights, in which each group attempts to cut the cheekbones of the other, leaving scars that have widely become a mark of recognition of a street sex worker in Cochabamba.<sup>280</sup> At times, the two groups have come together against police abuse and violence. Nonetheless, the rivalry between these two groups and, most particularly, their distinct *disassociation* from one another is largely ignored by general society. I merely highlight the disassociation here because it played an important role in how sex workers reacted to the plans Jorge Cruz developed for his newly inherited property.

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<sup>279</sup> “Por qué crees que vengo por acá todos los días...? Para que mis hijos no sean como tu!”

<sup>280</sup> Where, who, or when this practice was started I am not sure. The sex workers claim it was the cleferos who first carried knives (La Calle Aroma has been a street prostitution district much longer than the trend of sniffing glue has existed); however, I can only provide one side of this story.

When Cruz inherited the Calle Aroma real estate from his father in 1996, he saw the potential for the area being developed into a major tourist district, given its prime location in relation to the city center and open market, as well as its historical attractions. His hope was to renovate the district and then sell the hotels and businesses off to international hotel chains and tourist agencies. Yet while his father had a reputation among the prostitutes and “cleferos” for being a kind, unassuming, good man<sup>281</sup>—most especially towards the members of these highly discriminated populations—Cruz believed (according to the sex workers) that his father had been “too lenient” towards the immoral activity taking place in the neighborhoods, which was bad for development. Cruz thus began an active campaign to “clean up” the Calle Aroma of all its “vice.” He began refusing sex workers and their clients entry into all of the district’s hotels, and openly chastising sex workers on the streets as they solicited jobs, sometimes even removing them from the district with physical force. He would call out slurs at the sex workers—blaming them for being immoral women, vectors of disease, and for turning their children into murdering drug addicts. The street workers quickly found themselves working in poorer conditions by not being able to enter the hotels, losing their clients, not earning enough to pay for food and housing, and being reproached for their mothering by falsely being labeled as the mothers of the “cliferos.”

The situation got worse for the street workers when, given the capitalization program undertaken at that time, Cruz received support for his development plan from both Cochabamba’s city mayor and provincial governor. City and state officials mostly believed it would attract foreign investors and increase the amount of direct investment in the city. They also agreed with Cruz that to make the district attractive to investors, the

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<sup>281</sup> “Era bueno el caballero”

area needed to be rid of drug addicts and prostitutes. Police therefore offered their support in his "clean up" of the district. This constituted a heavy blow for the already worsening working conditions for sex workers. While prostitution was technically illegal at the time, sex workers were typically left alone as long as they stayed within certain districts and took part in the well-established "sistema de multas" (bribe system) between them and the police. Street workers would pay the police 20-100 bolivianos per week (roughly \$2-12) depending on the street corner and in return receive a minimal level of protection from their designated officer. Once law enforcement began aiding Cruz's moralizing slurs, threatening arrests and the custody removal of their children, sex workers had no where to turn. Interestingly, during this time a number of catholic and protestant church organizations, as well as a few other non-governmental organizations, stepped in on behalf of the cleferos, as they were children and seen as capable of rehabilitation if they received proper nourishment and education.<sup>282</sup> No one, however, stepped in on behalf of the sex workers because, as already noted, they were often blamed as the mothers and culprits of homeless, addicted youth.

Angered by being the scapegoats of broken homes and the spread of disease, hungry and homeless from their loss of work, and indignantly proud of their capabilities as mothers, sex workers in Cochabamba founded El Grupo Libertad in late 1996 to collectively and legally fight for the right to their jobs, rights, and places of work. Sex workers, like the woman quoted at the head of this section, formed a board of directors, delegating specific tasks to each of its members: they rallied other street workers, organized individual meetings with Jorge Cruz bringing their "well-dressed and taken

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<sup>282</sup> Eleven organizations to aid glue-addicted youth developed in Cochabamba in 1996; the vast majority were within easy access to La Coronilla.



care of” children, allied with the Federación de Trabajadores Fabriles (the factory workers’ union) and other union organizers who would eventually lead Bolivia’s anti-globalization movement, and sought the legal aid of Julieta Montaña, a well known legal advocate at the Oficina Juridica de la Mujer. Finally, in 1997, after placing months of social and political pressure on Cruz, he dropped his development plan and began selling his buildings and property off in individual lots.

Recognizing, however, that they still had no legal protections against Cruz’s actions and discrimination, El Grupo Libertad began organizing other sex workers throughout the country and advocating for the legal human and working rights of sex workers. Today, sex workers unions exist in each of the nine provinces of Bolivia, as well as have a national collective (La Organización Nacional de Activistas por la Emancipación de la Mujer<sup>283</sup>) which gathers every few years to create the sex workers national political platform and a network for allied mobilization efforts. Through their organizing efforts, Bolivian sex workers have won the partial-legalization of sex work in Bolivia with the inclusion of sex work in the “Ley General de Trabajo” (General Working Law) in 2001. While this law formally recognizes sex work as *work*, it makes few—all of which concern health—formal conditions, regulations, or restrictions regarding sex work, and does not fully decriminalize the trade.

The results of the partial decriminalization of sex work have been mixed. On the one hand, sex workers no longer have to pay bribes to the police; at the same time, they no longer receive the partial protection from abusive clients as they did under the bribe system. Moreover, they are now required to go to regular vaginal and HIV/AIDS exams, which require them to register with the government as “prostitutes.” This places their

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<sup>283</sup> The National Organization of Activists for Women’s Emancipation

names in a public system, often exposing the sex workers to society and the moralizing gaze. It also makes it illegal to work if a sex worker does not have her “carnet,” or identity card which registers her with the government.

The increased surveillance and public exposure of sex workers has escalated violence at least twice within the last two years, demonstrating the failure of partial-legalization to fulfill human and working rights for sex workers, but also speaking to Bolivian sex workers’ increasing capacity at organizing nationally. In the first instance, in the fall of 2006, the mayor of Potosi condemned the majority of the brothels in the city, forcing them to close without stated grounds. Considering that many indoor sex workers live in the buildings in which they work, this forced hundreds of women and their families onto the streets. Potosi, the highest city in the world at 4,824 meters (15,827 feet) above sea level, drops to deadly temperatures in the evenings and caused many of the sex workers and their children to be hospitalized. After a few weeks of living in temporary tent cities, the sex workers formed a road block across the only highway connecting Potosi to Sucre (the constitutional capital of Bolivia), stopping all traffic between the two cities until the mayor agreed to re-open the brothels. While the mayor did not comply with this demand, he did provide an explanation for the buildings’ condemnations, claiming that for safety reasons the brothels all needed to be relocated to another area of the city. With the promise of having the brothels reopened, the sex workers stopped the blockade.

After a couple more weeks of not hearing anything from the mayor, tensions began to build again. Because they were on the street, they were not “legally” in their places of work; yet having to provide for their families, sex workers continued to work in

the streets. Fearful of arrests for continuing to work, the sex workers did not go to their health exams and receive the discounted condoms; not making sufficient money on the streets, they did not buy them elsewhere. A number of STDs began to spread, as well as a purported case of HIV. Feeling the mayor was causing sex workers not to be able to take care of themselves, the sex workers organized another blockade.<sup>284</sup> This time they called sex workers from around the country to join them. On the second day, the police came and forced the sex workers off of the road with water hoses and tear gas. The sex workers then called the II National Conference of sex workers to discuss how they could collectively solve the issue.

In November 2006, I accompanied the sex workers as a non-voting delegate from Grupo Libertad on a trip to La Paz for a five-day conference with sex workers from around the country. Throughout this time we worked 16-20 hour days, spending the mornings in conferences with government ministers and other officials, and spending evenings writing reports of state, police, and medical abuse of sex workers, as well as drafting recommendations for national policies. While these days were highly tumultuous and conflict ridden, one of the main points of focus was determining how to place pressure on the mayor of Potosi to reopen the brothels. The story of the closed brothels, the blockades, and police response was told to human rights officials, the Minister of Justice, and the Minister of Health. The sex workers also planned a number of creative protests for the coming months; however, these protests never happened. With no explanation the mayor removed the brothels' citations shortly after the

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<sup>284</sup> I should perhaps note that road blockades in Bolivia are incredibly frequent; using this organizing tactic is in no way out of the ordinary, however, it continues to have a fairly high rate of success.

conference's end. The brothels were not relocated, nor any improvements of their safety made.

The second instance took place in October 2007 in El Alto, a low-income city that forms the upper-rim of La Paz's bowl shaped center. On the 15th of October, students, parents, and other local residents began ransacking the red-light district of El Alto, setting fire to over 50 bars and brothels, claiming they were a "haven for criminals" which corrupted youth through drinking and immoral sexual behavior. The protest-group had demanded two-days before that brothels be located at least 3,200 feet away from any school district, but receiving no response from the local government, took matters into their own hands. Throughout the three days of protest-raids, the protesters forcefully dragged sex workers (women and transvestites)<sup>285</sup> out of their brothels and homes, forced them to strip naked as their belongings were burned. Many of the protest groups then beat and mutilated the sex workers as they lay naked and possession-less in the streets.

The government response to these protest-raids was to close all brothels within 1,600 feet of El Alto's schools. The government, however, took no action against the protesters who had violently attacked the sex workers. Sex workers, many now homeless in the streets, also faced increased police harassment and violence, as the police refused to intervene in the attacks on the sex workers and contributed with their own physical abuse and arrests threats. Once again, with nowhere else to turn, sex workers turned to the national unions and organizations.

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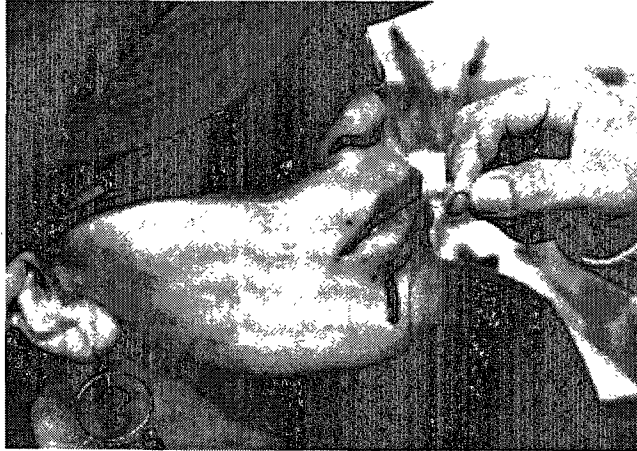
<sup>285</sup> As I will discuss later, women sex workers who service men and transvestites often disassociate themselves from one another in their organizing practices both because of internal discriminations and differential treatment by local, national, and international governmental actors. However, during this morality raid, they were according to the same standards, even though they did not collaboratively organize their response.



**Figure 6:** Original caption, “La Alcaldía de El Alto restringió el trabajo nocturno, y las prostitutas y los dueños de los bares se quejan.” Published in: “Huelga de Prostitutas y Bares en El Alto,”  
bbcmundo.com,

[http://images.google.com/imgres?imgurl=http://newsimg.bbc.co.uk/media/images/44196000/jpg/\\_44196334\\_altena2ap203bd.jpg&imgrefurl=http://news.bbc.co.uk/hi/spanish/misc/newsid\\_7059000/7059798.stm&h=152&w=203&sz=32&hl=en&start=16&um=1&tbnid=mf4fnepn4hOPFM:&tbnh=79&tbnw=105&prev=/images%3Fq%3Dtrabajadoras%2Bsexuales,%2Bbolivia%26um%3D1%26hl%3Den%26sa%3DN](http://images.google.com/imgres?imgurl=http://newsimg.bbc.co.uk/media/images/44196000/jpg/_44196334_altena2ap203bd.jpg&imgrefurl=http://news.bbc.co.uk/hi/spanish/misc/newsid_7059000/7059798.stm&h=152&w=203&sz=32&hl=en&start=16&um=1&tbnid=mf4fnepn4hOPFM:&tbnh=79&tbnw=105&prev=/images%3Fq%3Dtrabajadoras%2Bsexuales,%2Bbolivia%26um%3D1%26hl%3Den%26sa%3DN)

On Wednesday, the 24<sup>th</sup> of October 2007, 35,000 sex workers went on strike in Bolivia (an alarming number of individuals considering Bolivia’s population is hardly 9 million). Utilizing the increasingly more formalized national networks and collectives, sex workers across the country agreed to not report to their required medical exams, tactically utilizing the legal discourse on public health to demand that the government respond to the human rights violations taking place. Moreover, in the cities of El Alto, La Paz, and Cochabamba, sex workers held hunger-strike sit-ins in the medical clinics, and as many as five hundred sex workers sewed their facial lips shut to represent the silence and marginalization state and social actors forced upon them.



**Figure 7:** Original caption. “Trabajadoras sexuales de la ciudad boliviana de El Alto se cosen los labios hoy, 24 de octubre de 2007, para exigir “respeto a sus derechos” y sanciones para quienes las agredieron la semana pasada.” Publisher in: “Prostitutas Hacen Varios Amenazas para Exigir Respeto,” La Paz, Bolivia: EFE, 24 October 2007. <http://www.elsiglodetorreon.com.mx/noticia/306441.prostitutas-hacen-varias-amenazas-para-exigir.html>

Lily Cortez, the president of the El Alto Association of Nighttime Workers, described the strike as: “We are fighting for the right to work and for our families' survival. Tomorrow we will bury ourselves alive if we are not immediately heard. The mayor will have his conscience to answer to if there are any grave consequences, such as the death of my compañeras.”

The impact—physical, visual, and emotional—of the sex worker strike demonstrates the strength the sex worker’ organizations have gained in their eleven years of organizing. The road, however, has been quite rocky. In the first paper I wrote on the Bolivian sex workers movement, I focused on the challenges to the democratization process. After discussing the problems the local and national unions faced and the contemporary processes that were taking place during the II Encuentro Nacional, I ended the essay by stating:

El movimiento del proceso de democratización en Bolivia está pinchado entre estas dos paredes: nadie las ve, ellas no levantan la cara. Sin embargo, las trabajadoras sexuales de la Calle Aroma y Bolivia están cansadas de ser las putas de la sociedad. Por su necesidad, por su

determinación de llevar a sí mismas y su familia adelante, llegan a la calle día tras día. Poco a poco se van organizando, reclamando sus derechos, pero ahora la organización no tiene la fuerza necesaria para saltar enfrente de la sociedad y reclamar los derechos de sus cuerpos y de sus seres. Los desafíos del proceso de democratización son demasiados. Pero después de pasar cuatro meses con estas mujeres increíbles, yo realmente creo que va a haber un momento en que las putas se levantarán de pie en rebeldía.<sup>286</sup>

Today, a year and a half later, that moment has come. But the question, most especially in relation to global processes, is: How did this process come about? How did the sex workers develop their tactics and strategies of organization? Was the process organic to Bolivian sex workers or was their movement spurred by someone from the outside? Are their claims as a union and national collective similar or comparable to the claims of sex workers in the United States and Europe?

### **Contextualizing the unionization process**

Understanding the organization of sex workers in Bolivia requires comprehension of dos corrientes, or two intersecting histories: first, of the individual women who have turned to the sex industry as a mode of economic survival; and second, of the histories of mass mobilization and organization in Bolivia as a whole, and in which many of these women actively participate as members of Bolivian, indigenous, and/or working society.

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<sup>286</sup> In translation: The democratization process [of sex workers] in Bolivia is pinched between two walls: nobody sees them; they do not show their faces. Nonetheless, the sex workers of the Calle Aroma and Bolivia are tired of being the whores of society. Out of necessity, out of their determination to carry themselves and their families forward, they arrive to the streets day after day. Slowly they move forward with their organization, claiming their rights, but as of now the organization does not have the strength to step forward in the face of society and reclaim the rights of the bodies and their lives. The challenges to the democratization process, at this moment, are too many. But after passing four months with these incredible women, I really do believe that there will arrive a moment in which these whores take to the streets in rebellion.

*On to the streets*

In most cities in Bolivia, the sex industry may be divided into three primary sectors: the street workers (or “independientes” as they are known), the indoor and brothel workers, and the transvestites; a fourth sector could perhaps be made classifying the extremely small call-girl sector and “Las Magnificas,” a high-class supermodel entertainment group. Opinions of the sex industry are quite polarized between workers within these sectors, a polarization driven mainly by the highly diverse demographics between the groups. On the streets, it is most common to see elder women who have independently worked as many as fifty years in the environment and are accustomed to the work that they do; most often their main concerns are about their old age and retirement. In the indoor sector, the workers are predominantly young women who work under pimps or madams; the mobility in and out of the sex industry is typically greater, and the majority hopes to leave at some time. Finally, the male-to-female transvestites work both in the streets and indoors (with little income differentiation); the transvestites have distanced themselves from female sex workers, however, because while society has marginalized them for their same-sex activity, there is significantly less discrimination for selling sex as they are men.

The internal and societal hierarchies between these sectors have made collective organizing extremely difficult. Notably, female, male, and male-to-female sex workers have never collaborated on projects; the riots in El Alto in October 2007 are, in fact, the only time I have heard of male and female sex workers being mentioned simultaneously, or even being treated as associated groups or sectors within society. Indoor and outdoor female workers also tend to organize separately. On a national level, El Grupo Libertad



is the only all street-workers union that is regularly represented;<sup>287</sup> the other unions present tend to represent the older (moving towards middle-age) indoor sex workers. For understandable reasons, no underage sex workers are present; few sex workers under the age of 30 also take part in the national conferences. Lastly, it is important to note that there are great differences between sex workers from the eastern and western parts of the country. This division has much more to do with socio-political-cultural histories, however, than any characteristic of the sex industry itself. The western part of the country has deep roots in Andean culture, with the primary portion of its inhabitants coming from Quechua and Aymara traditions. La media luna, or the eastern part of the country, comes from a more Amazonian tradition, but with a distinct European influence. The cultural differences between these two areas, as well as strong racial tensions between predominantly indigenous and Euro-Bolivian regions, lead to different ways of organizing in and around the sex industry. Thus, it is important to note that the perspective that I put forward here comes mainly from my experiences working with El Grupo Libertad in Cochabamba; however, I try to bring in my experiences working on a national level as much as possible, even though these experiences are also dominated by work with unions in the western part of the country (predominantly La Paz, Potosi, and El Alto).

The street working district of the Calle Aroma, Cochabamba in which the members of Grupo Libertad work, consists of all women, the youngest being 37 and the oldest being in her mid-seventies. As Cochabamba has long been an internal migration destination (especially from the western highlands) due to increased economic

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<sup>287</sup> This is mainly because street workers tend to make lower wages than indoor workers and have fewer funds to travel to the national encounters.

opportunities, more than two-thirds of the street workers are internal Bolivian migrants. This means that of the fifty or so workers that work in the district, more than half come from the western part of the country, about twenty percent from the eastern lowlands, and the rest being local Cochabambinas. While almost all of the workers identify as having indigenous roots, about one third of the women still identify as “polleras”<sup>288</sup> or “cholas,”<sup>289</sup> or women who claim Aymara and Quechuan indigeneity and continue to wear the traditional indigenous dress.<sup>290</sup>

The role that migration has played on the Calle Aroma is important at various levels. First, unlike many indoor sex workers, the majority of the workers on Calle Aroma do not move from city to city as a way to protect their identity or attract more clients. Second, the women who have migrated to Cochabamba have mostly moved with their spouses and/or families through a form of economic migration not related to the sex industry; perhaps only a third of the Calle Aroma workers had worked in the sex industry elsewhere prior to moving to Cochabamba, or had ever worked in an indoor and/or brothel setting. This fact points to an important aspect of Cochabamba street work life—the sex workers come from a vast variety of backgrounds whose motives for migration and eventual entry into the sex industry vary greatly (demographics range from low to (lower) middle class, from elementary education to a couple of years in college, and from having no other work experience to have run a successful independent business); moreover, the majority remain deeply rooted to their traditional family structures. One of

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<sup>288</sup> “Pollera” typically refers to someone of “pure” indigenous ancestry.

<sup>289</sup> “Chola” more often refers to someone of mixed indigenous ancestry.

<sup>290</sup> Indigenous dress refers to the “pollera” skirt (a mid-to-long flowing skirt of a bright solid colors and decorative seams; multiple skirts are often layered on top of one another) and the “chola” hat (a derby hat which often looks to small and sits slightly tilted on a woman’s head). Interestingly, each of these items of clothing was originally forced upon the indigenous peoples of Bolivia by the Spaniards as a way of identification. Today, they both represent aspects of indigenous pride and identity.

the few common factors that I encountered while recording the histories of the women of the Calle Aroma is that the majority of women entered the sex industry during two distinct time periods: 1969-1974 and 1985-1990; the first period corresponds directly to the epoch of the oppressive Bolivian dictatorships and the second to the period directly after the first implementation of neoliberal economic policies throughout the country.

Thirdly, while only making up a small portion of the street workers—with much higher percentages among the younger indoor workers—transnational migration among sex workers has grown significantly in the last decade. As Bolivian scholar Leonardo de la Torre Avila notes in his studies, transnational migration has become normative within Bolivian life, especially in Cochabamba, which since Spanish colonial rule has stood at the center of migratory movements. Notably, according to the official census, in 1976, around 250,000 Bolivians lived outside of the United States; in 1992, that number had only increased to 380,000; however, in 2004, the number of Bolivians living outside Bolivia had escalated to 1, 366, 821 persons (or 14.18% of the entire Bolivian population), meaning that between 1992 and 2004 an average (if spread out equally over time) of 300 people per day were leaving Bolivia, and these are only those legally migrating or at least countable by the census bureau.<sup>291</sup> According to the anthropologist Alejandro Grimson, this means that at least 54% of Bolivians have at least one immediate family member abroad.<sup>292</sup> Given these (perhaps alarming) numbers, transnational migration has undoubtedly touched street life in Cochabamba.

During the time that I was in Bolivia in 2006, at least four of the compañeras that I knew well had a child(ren) or spouse abroad (in Spain, Italy, the United States, and

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<sup>291</sup> See de la Torre Avila 2006, pg. 32.

<sup>292</sup> See Grimson 2000.

Argentina), one street worker left for Spain, and three indoor workers who I came to know in the area also moved abroad; one worker had also previously lived in Spain, another in Peru, and a number in Argentina and Chile. For many of the workers, the thought of moving abroad represented a class shift and a stepping outside of the social stigma they experienced every day; however, from the one correspondence I received from one of the indoor workers abroad, it indicated she continued to work in the sex industry, but seemed content with the increased savings she made to send to her child (still living with her parents in Bolivia). For many of the sex workers, the transnational migrancy of their children also served as validation for their own work in the sex industry; as one woman whose daughter is in Spain told me in relation to this subject, “La verdad, ahora, me siento una madre superada, una madre realizada.”<sup>293</sup>

Meanwhile, among the women who had lived abroad previously, the feelings about their migrancy were mixed. One woman, in particular, told me a story of what today would likely be considered a trafficking case. After leaving home at age 11, she met a “friend” of her sister’s from university. Thinking she was in good hands, she went with him and his family to Peru, where they proceeded to take her documents and force her to work as their domestic servant; the man then forced her to have sex with him and other men, whereas upon when she told his wife, the wife only raped her with vegetables and kitchen utensils. After escaping and wandering through the streets of Peru, an older man took her into his home where she proceeded to birth six children and live in a highly abusive relationship. When she finally left the relationship, she used prostitution to support herself (especially with police and border control) as she crossed the border back

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<sup>293</sup> Personal Correspondence. Translation: “The truth, now, is that I feel like a fulfilled mother, a complete mother.”

to Bolivia. Once there, she eventually married for love and left the environment; however, when structural adjustment programs began impacting Bolivia's economy, both she and her husband lost their jobs, and she returned to the streets. In contrast to this story, another woman spoke about not having opportunities to travel as a young adult, except perhaps as a nun. She and a friend therefore moved to Cochabamba to begin working in the sex industry, from where they eventually began traveling throughout the Bolivian provinces, as well as Argentina and Chile; sex work, in this way, enabled a class shift and afforded opportunities to them not otherwise available. Another woman moved to Spain to work in the sex industry in order to send money back for her children's private schooling; after putting her children through school, she moved back to Bolivia to be closer to her family. For her, the sex industry and migration enabled her to meet her personal goals as a parent, even if it meant facing the dual hardship of what she called "un trabajo sacrificado" and being away from her family for a number of years. While the sex workers told me that the majority of women who have migrated would fall into categories similar to those of the latter two examples, it is important to note that the woman in the first example is one of the staunchest supporters of freedom of movement and sex workers' rights in the union, and has served on the *mesa directiva* since El Grupo Libertad's establishment in 1996. Transnational migrancy and the sex trade, it seems, are largely understood as an economic option, even by women who themselves have been in abusive situations. In similar ways, the sex industry has also been viewed as a method of survival for women who have left abusive partnerships; it provides a livable wage for women and their children who have previously been in dependent (and abusive) relationships.

The sex workers that make up El Grupo Libertad are highly diverse in their own opinions about the act of commercial sex itself. Speaking to women individually, I would often ask them to describe their understanding of selling sex. For some, it was a way to earn decent wages and travel throughout South America, for others it was a result of the “feminine condition” in which women must bear hidden abuses and be considered the second sex, and for others it was a sin against their religion. However, simultaneously *every woman* said that it was a way to survive, often surviving better than in other professions considered more “honest” by the general public. Perhaps most importantly (to speak in broad terms) to the women in El Grupo Libertad, the sex trade provided them with a means to provide a better life for their children; as one woman said, “Gracias a Dios por el lugar donde estamos ahorita...por el ambiente, he hecho estudiar a mis hijos, ya tienen un gremio.”<sup>294</sup> And despite great differences in opinions and understandings of the commercial exchange itself, sex workers in Cochabamba and broader Bolivia have been able to come together against a shared history of stigma, abuse, and exploitation.

### *Levanta en pie*

Given the diversity of women in the sex industry, the question becomes: is there a common ideology which unites the sex workers’ unions in Bolivia on a local level, like in El Grupo Libertad, or on the broader national level? As I discussed in the previous two chapters, anti-prostitution and sex worker organizing in the United States grew largely out of the “feminist sex wars” between radical and sex radical feminist theorizing female

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<sup>294</sup> Personal Correspondence. Translation: “Thank God for the place we are right now...because of the environment, my children have been able to study and have gone on to their professional degrees.”

sexuality and the sexualization of the female body. Yet unlike in the United States and Europe, Bolivia has little to no history of a feminist movement, most especially not one that has resounded with the mass, indigenous populous.

The first, and only, officially labeled “Congreso Feminista” (Feminist Congress, or Conference) of Bolivia took place in 1936. The conference was organized by a group of white, Spanish-speaking elite women who were organizing around the right to vote. A group of women laborers had unionized under the Federacion Obrera Femenina prior to this in 1927, however, in stark contrast to the “Congreso Feminista” which organized solely around civil and enfranchised rights, the women’s labor union organized around limiting the work day to eight hours.

Following the victory of the popular revolution in 1952, Bolivia finally granted the universal vote to its people, extending voting rights for the first time to women, non-Spanish speaking indigenous peoples, and the non-literate. Important to note, however, is that while women played an important role in the Movimiento Nacional Revolucionario (MNR), the MNR was rooted in an odd mix of Marxist and nationalist ideology which deemed the “gender problem,” as well as the “indigenous problem,” as issues which would sort themselves out with the winning of the revolution. The MNR was then overthrown in 1964 through a military junta, leading to a number of violent military dictatorships, which were known for their atrocious human rights abuses of Bolivian masses.

In 1976, the Tupac Katari mass movement, organized under the Confederacion Sindical Unica de Trabajadores Campesinos de Bolivia (CSUTCB), arose in response to

the oppressive climate towards indigenous peoples.<sup>295</sup> Similar to the MNR, the Kataristas considered a discussion of the gender question to be divisive and to go against the broader, more important goals of the movement. The basis for this ideology made a radical break with Marxist thought, however, in that it blamed *colonialism*—rather than capitalism—for the creation of gender inequality in Bolivia. The Kataristas, who radically confronted the white, Spanish speaking elite of Bolivia and called for a racial reconfiguration of society, claimed that in the original indigenous societies and culture of Bolivia, perfect equality existed between women and men. Rather than focus on gender, therefore, the Kataristas made demands on the “unequal treatment from the state in terms of agricultural prices, provisions for credit, education and health,”<sup>296</sup> claims and demands which have organized mass movements in Bolivia ever since.

Apart from the “Congreso Feminista” in 1936, therefore, throughout the 20<sup>th</sup> and 21<sup>st</sup> centuries in Bolivia there has only been one other manifestation of “feminism” in Bolivia (or at least the only one which has reached a broad public audience), the group “Mujeres Creando” which was founded sometime in the 1990s. Mujeres Creando is a radical lesbian anarchistic group whose principles correspond roughly to groups which would be labeled as “cultural feminist” in the United States. The group became nationally famous for its methods of public protest (typographic graffiti, nude films and protests performed on the streets), but in reality has had little success in maintaining a strong membership, a phenomena blamed mostly on its confrontational tactics and

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<sup>295</sup> Klein, Herbert S. *Bolivia: The Evolution of a Multi-Ethnic Society*. Second Edition. Oxford: Oxford University Press, 1992. 273.

<sup>296</sup> *Ibid.*



aggressive leadership.<sup>297</sup> Nonetheless, for whatever reason for its actual failure, the inability of contemporary groups like Mujeres Creando to reach the mass populous of women represents the failure of “feminist activism” in Bolivia. Attending to the topic at hand, it also represents the failure of a feminist consciousness to be the ideological foundation of the sex workers’ movement in Bolivia.

Other groups or NGOs which have tried to develop “women’s issues” or “women’s role in development,” even without a specifically feminist foundation, have largely failed throughout Bolivia because of the lack of economic support. By and large, lack of funding in public universities, as well as a more conservative leaning in private universities, has also meant that disciplines such as “women’s studies” do not exist in Bolivia; gender analysis only figures into the college curriculum when it is placed there by the personal initiative of a student or professor.

Yet it can also be said that these “women’s” NGOs and development organizations have been unsuccessful because they have failed to undertake a gender analysis which is actually representative of Bolivian society.<sup>298</sup> Most of these women’s groups have been run by women in the middle to upper classes that have the goal of “helping” indigenous women either by providing information on contraceptives and health concerns or by helping them “articulate” their oppression and demands. Given the long history of indigenous women being sterilized or aborted without their consent, as well as being racially discriminated and abused by white Bolivians, since the emergence

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<sup>297</sup> The story of Mujeres Creando is actually quite complicated. The group was started by the lesbian partners Maria Galindo and Julieta Paredes. Because of relationship problems driven primarily over racial/indigenous politics (Maria is white and Julieta, indigenous), Mujeres Creando split in two, both groups maintaining the same name. Julieta’s group maintains a steady member of 7-15 people, and Maria’s only a few more.

<sup>298</sup> Arnold, Denise Y. and Alison Spedding. *Mujeres en los Movimientos Sociales en Bolivia 2000-2003*. La Paz, Bolivia: CIDEM e ILCA, 2005. 35.

of the Katarista movement in the 1970s, indigenous women have largely rejected gender specific organizing which they view as “bourgeois.”<sup>299</sup> Moreover, given the particular causes that become most important for survival—physical, cultural, and racial—like the cocalero movement or the water movement which were driven by indigenous peoples, it must be noted that “the central demands simply cannot be differentiated according to gender.”<sup>300</sup>

Important to note about indigenous organizing is that it typically runs along both class and ethnic (racial and cultural) lines. To be “indigenous” refers to belonging to a particular “ethnic” group. However, within the colonial system, indigenous peoples were highly marginalized and relegated to the lowest classes; they were forced to work as bonded laborers or slaves, most particularly in the Bolivian mines which are known to have claimed around 8 million indigenous peoples’ lives. In this way, ethnic identity is historically fused with class identity, made evident perhaps by the linguistic term “indio” used by the upper class to refer to all “indigenous” or “campesino” people. Within this system, indigenous women and men must be allied with one another to effectively confront a colonial system which has systematically oppressed them for hundreds of years. At the same time, indigenous women—in their position as women—have played a crucial role in Bolivian social processes in the last fifty years.

Women within large mass movements often participate in highly tactical ways. For instance, women in large marches will often form the front lines because police are less likely to assault women than men (even though this means women typically bear the

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<sup>299</sup> La Revolucion de las W’akas would be the closest thing today of an indigenous, or originario, women’s group. They have played an important role in articulating many of problems indigenous women face when working with other women’s groups administrations.

<sup>300</sup> Arnold 39.

brunt of tear gassing as well). Women also use their femininity tactically, calling upon either the virtues of womanhood or the stereotypes that the Bolivian elite have of especially indigenous or laboring women. Notable to both the labour movement and the indigenous movement in Bolivia—especially in relation to the sex workers’ rights movement—is that women’s organizing has revolved largely around being mothers and wives. As early as 1961 (and again in 1986), *las amas de casa mineros* (miners housewives) organized against the state to stop the break up of the miners’ union; they used to their particular location to describe how the state’s action were affecting them as well in the economy of the home. This trend persists until today; perhaps most notably through the 2003 *Guerra de Gas* in which Bolivian women organized against the hydrocarbon laws (which meant largely organizing against neoliberal economic policies) on the grounds that these laws marginalized their abilities to be good mothers, that it impoverished their neighborhoods, etc.

Sex workers throughout the country have organized on similar grounds. Rather than focus on sexuality they have organized around their indigenous and class identities, and from within these identities, as mothers. The sex workers’ participation in the sex industry is largely associated with particularly oppressive moments within Bolivian history—the dictatorships and structural adjustment economic programs.<sup>301</sup> The effects of these moments on Bolivia as a whole have been particularly harsh for indigenous peoples, both economically and politically, as they reinforced colonial class and racial divides among Bolivian citizens. Importantly, these moments also relate directly to what in Bolivia is often regarded as neocolonial or imperial control by the US. The United

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<sup>301</sup> Among a number of other oppressive moments throughout history, I focus on these because these time periods represent the generations of workers representative in the unions, as well as significant moments in history since the 1952 revolution.

States backed the dictatorships through the 1960s and 70s; the US also organized, implemented, and ran the structural adjustment programs (including largely the privatization of water and gas by foreign—largely US—companies) throughout South America. The Bolivian government was even said to report directly to the US ambassador on any major economic or political decision.<sup>302</sup> In this way, indigenous and labor demands often become, implicitly or explicitly, anti-neocolonial, anti-imperial, and/or anti-globalization demands as well. Not necessarily “by proxy,” but in relational ways, sex worker organizing addresses many of these same issues. As noted, when sex workers first began organizing in 1996, it was against a “development” plan which was intended to attract foreign direct investment; this then had direct impact on the sex workers’ economies of the home. Their organizing tactic therefore became not to challenge the moralizing grounds which perpetuated the belief that they should be “removed” for development to occur, but that such “development” would endanger the economic survival—and perpetuate a racist and classist system—of their families. As noted earlier in this chapter, many of the sex workers even brought their children with them as they organized in order to disrupt the stereotypes about their being bad mothers, to even show that their participation in the sex industry was *because* they were mothers, and to argue that their marginalization would affect their ability *to be* good mothers. Taking on this stance then enabled the sex workers’ union to form allies with groups like the Federación de Trabajadores Fabriles (the factory workers’ union) and other union

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<sup>302</sup> The joke among Bolivians during the 2000-2005 time period when mass movements were calling for the resignation of the president (Goni) was that they would arrive in front of the presidential palace, screaming for his resignation, and he would step out and say “Yes, yes, but let me call the ambassador first.” Which, perhaps not surprisingly, is not so far off from what actually took place. Goni famously resigned, and then un-resigned after a call to the ambassador, and made a televised excuse saying his wife did not want to give up being first lady.

organizers who would eventually lead Bolivia's anti-globalization movement, and the Oficina Juridica de la Mujer which might not have supported sex worker organization around the right to "choose" or "voluntarily" enter the sex industry, but willingly did so around the question of motherhood, and its specific connection to class and indigenous identity.

Moreover, sex workers have used the mass movement strategies that are common in Bolivian social organizing. Particularly, they use road blocks, marches, and hunger strikes to make their presence known publicly. These strategies are important in a couple of ways. First, mass organizing has a long history within Bolivia; it has been the strategy of the oppressed since colonial times, but particularly since the 1952 revolution. While the demands of mass organizing are highly diverse and to some extent so common that they are almost ignored, they also signify an association with a certain class identity as mass organizing tactics are not used by the Bolivian elite. Second, these tactics position sex workers in broad common alignment with other struggles against an oppressive state. Notably, when Evo Morales was campaigning for his presidential election, he met specifically with the sex workers' union in Cochabamba, promising that under his indigenous presidency, their situation and rights would be recognized. While today some sex workers have expressed resentment towards what they consider a "false-promise" by Morales, his very reaching out to sex workers represents how sex workers organized and positioned themselves within a coalitional politic.

Lastly, sex workers have followed traditional modes of mass organizing by focusing their petitions on the state, rather than society in general. Indigenous and labor (or indigenous labor) movements in Bolivia are highly diverse, due to the great number

of indigenous peoples in Bolivia who make up the laboring classes. Nonetheless, at times when they have come together in their activism, they have focused on the state reorganizing its laws in order to grant equality (through difference) to indigenous peoples. The focus on the state grows out of the fact that indigenous peoples have been denied citizenship, or lived in a subordinated social and class role, both in colonial times and in the current Republic. They seek recognition as “indigenous” in order to have the right to live within their own (diverse) cultural practices, to have political and social rights *not* developed from the perspective of the Bolivian elite who does not recognize their humanity, and to be granted employment and labor rights typically denied to indigenous classes by the state.

Sex workers have also positioned themselves as a subordinated class by the state; as one worker said, “somos las olvidadas.”<sup>303</sup> While in society stigma is always present, and as in the case October 2007 can become violent, sex workers plead to the state to not forget their human rights, or perhaps better said, their humanity, which is demonstrated through their position and (at times sacrificial) work as mothers. In this way, “sex worker” is endowed little meaning, or can perhaps encompass many meanings within the term “sex work” itself, but is a category developed to demarcate a forgotten class of workers who is denied constitutional rights and human rights.

### *Las demandas*

The demands of sex workers at both a local and national level are highly diverse. As mentioned previously, their opinions about the work that they do range from believing it is a sin to choosing to do the work in order to travel and fulfill other goals. Moreover,

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<sup>303</sup> Personal Correspondence. Translation: “We are the forgotten ones.”

sex workers as a whole are highly divided on the question of total legalization or decriminalization, especially between the different sectors of the industry. On the streets, women typically face worse working conditions (including, beyond client and societal abuse, the weather) and poorer wages; yet simultaneously, they are largely more free and independent in their work. They can more easily decline a client (even though for economic reasons, selecting clients is not always a possibility) than women in the brothels, they choose their own hours, and they rarely have pimps or madams with whom they have to share their wages. On the streets of Cochabamba, the sex workers have also created a community and a network of friendships that is not often found in the brothels where women are kept in further isolation from one another. Moreover, as the majority of women on the streets are elder women, their demands tend to focus on receiving pensions or social security from the state. Given their age and public presence on the streets, street workers also tend to be less fearful of putting their faces in the public as sex workers. On the other hand, while brothel workers tend to have better working conditions, they also have less freedom to choose their clients or the hours in which they work. The indoor workers consist of a predominantly younger population and it is more common that prostitution is used as a form of transitional work—to get through a particularly rough time, to pay for school, etc—than as a full profession. Because of the clandestine environment, it is also easier for indoor workers to transition out of the environment. Therefore, indoor workers often do not want to put their faces forward as sex workers in order to protect their identities in the future.

The contradictions and differences among individuals within the sex industry, as well as between the larger sectors of the industry itself, have made it extremely difficult

to organize. At the II Encuentro Nacional, sex workers began drafting demands for an “executive decree” in order to create legislation which would implement human rights for sex workers. However, the lawyers and human rights advocates who reviewed the draft eventually said that such a decree would not be possible. When I spoke with both Rogelio Mayta (lawyer) and Raul Castro of the Defensor del Pueblo who reviewed the draft, they said that personally they both supported the full legalization of the sex industry, believing it would offer legal pathways to fight against discrimination, as well as implement minimum working conditions for the workers; however, they did not think full legalization or even a decree demanding human rights was possible at the present moment—not because the legislation could not be passed—but because the opinions of the sex workers were themselves too contradictory. Nonetheless, after the events in October of 2007, today it is evident that sex workers are capable of mass collective organizing across difference. The questions that remain are why and how; did the sex workers’ opinions change?

While acknowledging that I have not been in Bolivia since the October 2007 events and have only spoken to the sex workers and their allies through the phone or email, I would say that their multiple understandings of the sex industry have not changed per say. Rather, as was the case the originally in 1996 or II Encuentro of 2006, sex workers were able to come together to address particular cases of exploitation which most sex workers could relate to outside of their particular beliefs about the sex industry. At times when they have come together to take political action, they have called for accountability and transparency of the state. Moreover, articulating their demands through motherhood and the economy of the home, mediating these demands through



indigenous and labor discourses, they have demanded broader changes in the country like rights, education, employment, labor conditions, etc while positioning their own location in the sex industry as a failure by the part of the state to address these broader issues.

The demands of the sex workers call for *equality* under state law, even through their “difference” of being sex workers. They are essentially claiming citizenship from the state, which as sex workers and indigenous women has often been denied, so that they may obtain constitutional rights. The rights that they demand, however, are seen by the sex workers as rights endowed to all humans, whether or not throughout history they have been recognized by the colonial or neocolonial state. These rights coalesce as, first, the right to provide for their families; and second, the right to work in reasonable working conditions, including protection from the police, freedom of sexual abuse from doctors, police, or other governmental officials, and the right to receive pensions and social security. Yet going beyond these direct needs, the workers also demand that the state intervene more in Bolivia’s economy, both creating more employment and also taking the profit out of the hands of foreign investors—all acts which would lessen the burden on women in the sex industry to provide for their families through selling sex. In these ways, the sex workers’ rights movement of Bolivia both grows out of and responds to the cultural context of the masses of Bolivian people.

***Conclusion: el movimiento de las trabajadoras sexuales, gender, and indigeneity***

Throughout this chapter, I have demonstrated how sex worker organizing in Bolivia grew out of an organized response to “development” strategies in Cochabamba, as well as other reflective development and moralizing public actions throughout the

country. This response—which did not, from its inception, address the question of sexuality—developed out of models which were similar and accessible to sex workers at the time, such as labor, indigenous, and anti-globalization organizing. The sex workers’ oppositional responses to their oppression have, therefore, adopted these models to their own needs. Notably, because the question of sexuality was not at stake—however implicit in the labor, indigenous, and anti-imperialist demands made by sex workers—sex workers in Bolivia were able to organize between and across multiple ideologies of sexuality in order to address their exploitation and oppression.

On a larger scale, what this case demonstrates is that the forced versus voluntary distinction on the international agenda is not apt in describing sex workers’ experiences in the sex industry. Many sex workers do not believe in the work they do, it is not “voluntary,” yet simultaneously it is a choice they make, and feel should be respected, out of survival. As one woman told me, “Yo escogí este trabajo, pero no es un derecho, es una necesidad.”<sup>304</sup> The sex workers of El Grupo Libertad also continually told me that they were tired of only being viewed as “vaginas” by either the government or service providers. Their selling sex did not define them as persons; rather it was merely a mode of making a living. Just because they chose to work in the industry to survive does not qualify them as sick, delinquent, or psychologically abused (even though abuse is a daily reality); sex workers continually pointed out—both those on the streets and indoors—that they mostly had healthy relationships with their spouses and children. In this way, they would reject, so to speak, the anti-prostitution position as un-practical and moralizing. At the same time, they would reject the claims made by sex workers in San Francisco that prostitution could be a choice or an expression of sexuality, as continually noted, women

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<sup>304</sup> Personal Correspondence. Translation: “I chose this work, but it’s not a right, it’s necessity.”

in Bolivia's sex industry have very divergent views on the act of sex itself. However, as the mass organization of sex workers demonstrates, the act of "choosing" to work in the sex industry does not mean that exploitation should be ignored or is chosen. It is precisely because women today and throughout history negotiate their survival within colonial and neocolonial systems which marginalize indigenous, gendered, and classed subjects that exploitation in the sex industry should be addressed as a human rights issue, and not criminalized.

# VI

## Conclusion

Throughout the proceeding chapters, I have attempted to demonstrate how trafficking discourse—historically and contemporarily—can function as a tool of colonial power. As Foucault argues in *A History of Sexuality: An Introduction Volume 1*, state power operates by controlling the body; while he focused more specifically on homosexuality, he also referred broadly to all “peripheral sexualities” which were deemed threatening to the (heteronormative) nation.<sup>305</sup> As demonstrated in Chapter 2, trafficking discourse originally delineated these “peripheral sexualities” as women caught in the “white slave trade,” or those who moved abroad to work in the sex trade; as historically documented, the majority of these women were willfully engaging in prostitution. However, state power did not stop at controlling female sexuality; western states simultaneously used the discourse of the “white slave trade” to criminalize nonwhite, nonwestern peoples—either by accusing men of rape or pimping, or by limiting women of color’s movement to protect white women from the influence of their “bad” sexualities. In this way, colonialism produced racial formations through sexuality, and vice versa. Trafficking merely became a field through which colonial power over race and sexuality—or racialized sexualities—could function.

Moreover, as I argued in Chapter 2, these colonial rationalities continue to organize trafficking discourse today, despite a century of re-articulations of the trafficking framework or field. Most particularly, I pointed out how the feminist debates over the question of consent (which more broadly tied to ideologies of sexuality)—despite their radical and resistive intentions to subvert or overthrow patriarchy—reproduced colonial mechanisms of power. To elaborate *how* these dichotomous representations reproduced colonial narratives, I then traced their histories (theoretical

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<sup>305</sup> See Foucault 1978, page 39.

and practical) to two distinct sites of their formation—St. Paul/Minneapolis, MN and San Francisco, CA—in chapters 3 and 4. On the one hand, examining how the forced versus voluntary definition on the international agenda emerged out of the “feminist sex wars” demonstrates how these positions developed physically in the west, reinforcing the geographic center of knowledge production. Yet beyond geographical location, these positions also upheld a certain western discourse.

Radical feminist of the 1980s and today would argue for a “global sisterhood” claiming that women worldwide share common experiences under patriarchy. Under this understanding of “the woman’s experience,” they believed—to varying extents—that sex represented a form of male domination; prostitution was the ultimate form of sexual slavery and male domination. Providing a counter-narrative to radical feminism’s portrayal of female sexuality, sex radical feminist argued—to varying degrees—that the sex itself was/is not the problem, but rather the very site of struggle against patriarchy. Yet as elaborated upon in chapters 3 and 4, both of these positions discussed sexuality from a position of normative whiteness. As voices like that of the Combahee River Collective or *This Bridge* pointed out in the midst of the feminists sex wars, this white normativity ignored how women of color were displaced across feminist, sexuality, national, racial, etc discourses.<sup>306</sup> Despite this voiced and visible critique, neither anti-prostitution nor sex worker organizing movements put forward their understanding of the sex industry through an intersectional lens of race, class, or nationality. Rather, they focused on sexuality as a monolithic entity which could broadly be categorized as “good” or “bad.” While individuals involved in the movements—particularly women of color like Vednita Carter of St. Paul or Gloria Lockett of San Francisco/Oakland—would

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<sup>306</sup> See Alcaron 1997.

contests these essentialist readings of sexuality by re-examining these normative movements through race, these voices would either get pushed out or merely “incorporated into” the normative paradigm. As in the case of Lockett, her racialized understanding of the sex industry and sex workers’ rights remained marginal within the broader movement;<sup>307</sup> as noted in Chapter 4, Lockett eventually had to separate her organization from mainstream sex worker organizing in order to pursue her work with people of color, drug users, people under the bridges, etc., even though she personally remained/s actively involved in the movement in order to both fight for sex workers’ rights and the internal racism of the movement. Meanwhile, Carter’s organization gained prominent status within the anti-prostitution community; in many ways, she is *the* expert in the St. Paul/Minneapolis area on prostitution. However, her strict adherence to an anti-prostitution stance fails to recognize how abolitionist ideologies of sex can themselves perpetuate racism, classism, and nationalism by promoting an assimilationist (to white Victorian morality) position and program. On the whole, both anti-prostitution and cultural sex worker ideologies are complicit in the racial and sexual control of nonwhite and nonwestern peoples by *not* disrupting the normative whiteness embedded in their theories and practices.

This complicity becomes especially problematic when these positions are legally codified on the international sphere. Since anti-prostitution and sex worker organizing out of the San Francisco legacy represent two sides of the prostitution debate, they are often taken as representative of global perspectives on the sex industry. Yet as demonstrated in Chapter 5, conceptualizations of the sex industry and sex worker

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<sup>307</sup> It should be noted, however, that Cal-PEP over all is extremely successful and well known within the realm of HIV/AIDS organizing and service provisio.

organizing can be articulated outside of these debates on sexuality. Women in Bolivia related their own organizing to the marginalization they felt as indigenous women, as workers, and subjects who have long labored (and been oppressed by) a (neo)colonial economic system. While they had varied opinions of the commercial act of sex, the sexual exchange itself never surfaced in their central demands as either local or national unions. Rather, they wanted to be protected from exploitation and given the opportunities and rights of any other citizen or worker, and to not be viewed as only vaginas by governmental, legal, or medical services. This includes having the freedom to move or migrate, to rent or buy houses and apartments, to receive welfare and pensions, and to not be identified according to their profession, because they are simultaneously mothers, daughters, grandmothers, women, Bolivian, indigenous, workers, etc. While in no way prescriptive or exemplary, the Bolivian third perspective demonstrates how debates over prostitution can exist outside debates over agency and consent. Moreover, it marks the cultural and historical specificity of western debates over sex work. Taking anti-prostitution and the legacy of San Francisco organizing as prescriptive representations of conceptualizations of prostitution thus *aids* (neo)colonialism in controlling its targets by working within the trafficking field and framework, which then enables the policing (through immigration, border control, and national security) of nonwhite and nonwestern peoples.

To go beyond the forced vs. voluntary dichotomy that defines trafficking discourse today, that is, to re-conceptualize trafficking and/or exploitation outside of western frameworks, I would argue that trafficking, prostitution, and sex worker movements need to be read and legislated along the intersections of gender, sexuality,



race, and nationality that structure transnational labor today. The sex industry is not a monolithic industry, nor can women's experiences in it be judged solely according to sexuality, as sexuality is inherently—through colonial governmentalities—raced, classed, and nationalized.

# Appendix A

**La Cara de Puta:  
A monologue**

\*Please note: This is a *very* rough translation of the monologue. The original version is composed largely of Bolivian street slang, and I have made almost no efforts to translate this culturally into English; most often I have provided direct translations of the words, which means inherently much of the monologue's emotion is lost.

**I**

Men in line  
So many men  
And those girls...goddesses  
Listen to me, goddesses  
Beautiful women  
Earning money, dressed in silver  
For being beautiful  
What should I do?

Enter. Lie down for a moment  
You'll see, you too will wear silver  
That's how it is  
Listo pues, ni modo  
Look, remember. Celestial, regal  
And, the money  
I didn't know what to do with the money

I bought a miniskirt  
And I danced and danced  
The men treated me so well  
Me? Now...goddess  
Listen to me, a goddess

**II**

Ay! Mamita  
Look how quickly the years go by  
Twenty years already  
I've been in this environment  
Please, no more rapists and abusers

They say, How much? Twenty.  
So expensive?  
Oye, twenty bolivianos<sup>308</sup>

<sup>308</sup> Equivalent to about \$2.50

I didn't tell you twenty dollars  
You fucking shit, twenty bolivianos

For twenty bolivianos you want to  
satisfy  
Your *necessity*  
And you tell me that it's so expensive  
Imagine, twenty bolivianos  
If they had it their way, gratis mamita  
These days we enter for 15, 10, 5

**III**

Married women, single women  
Young, old  
With children, without children  
With teeth, without teeth  
In miniskirts and polleras  
From La Paz, Oruro, Sucre, Potosi

Singers, domestic employees  
Students, professors  
Brown, white, and black  
Religious, non-religious  
From Tarija, Beni, Pando, Cochabamba,  
and Santa Cruz

Prostitute, prostitute, prostitute  
Listen closely to the word  
PRO-STI-TUTE  
It doesn't sound quite like a doctor's title  
Fuck, most people don't want  
To even say the word

They just call me  
Slut, procurer  
Mujer de la calle  
Buscona, mujerzuela  
Woman of the night  
Campana, flauta  
Whore, whore,  
WHORE

**IV**

I am 13 years old  
I don't even know what sex is

Grave, pues  
Just beginning  
So tight, nearly closed  
It hurts

I'm almost 60 years old  
And look what I happens when I turn a  
trick  
Look what I do to them  
I give from this side and that side  
I give it to them here  
I attend them well

V

When I was a little girl  
I loved music  
All of my family did  
We were musicians  
We played folklore  
I graduated from music school at 17

Then I met my husband  
He was soldier  
I had my three kids  
Me? I'm happy  
Part of the Mothers Club  
President two years

Then, I divorced him  
I met my second husband  
But we had nothing  
Low self esteem  
Couldn't take care of my kids

So I entered the life  
I learned from a friend in Oruro  
The other compañeras took care of me  
The work, it's a sacrifice  
People yell, abuse, and judge us  
But I have a roof  
To put over my children's heads

Me? I'm happy  
I take care of my five children, one  
grandson  
I feel like a mother superada

Una madre realizada

VI

My childhood  
My mother died when I was 11  
My sister took care of me  
But she treated me bad  
So I left home  
Escaped in the night

I went to the eastern part of the country  
I worked in a bakery  
I worked as a domestic  
But I didn't know how to do these things

Then I met an old friend of my sister's  
He told me his family would take care of  
me  
They were going to Peru  
And they took me with them  
I was so happy

The national day of Peru  
The 28 of July  
He raped me  
I told his wife  
But she only raped me again

Onions, carrots  
Tomatoes, knives

I no longer like to cook  
In my life  
They've fucked me  
With a little bit of everything  
Up the vagina

VII

I told you  
I chose this work

A while back I had a friend  
Who was, you know, a thief  
He wanted to teach me to rob  
But I wasn't made to do work like that  
It's horrible

So I worked as a domestic employee  
But let me tell you  
It was a couple, husband and wife  
And I went to work  
I must have been there two weeks  
They gave me lunch

But the husband wanted something with  
me

I didn't want with him  
So he called the police  
Made them detain me for one month  
Some lie that I had robbed the TV

I hadn't robbed anything  
I told you  
I wasn't made to do that  
But one month in jail, wearing the same  
clothes  
Smelling like I was rotting  
Because I hadn't wanted something with  
this guy

Working like that is better than what I  
do?  
That is working honorably?  
No, gracias, I prefer to decide  
Who I sleep with

### VIII

I was 16 years old when I began this  
work  
I was 36  
Me? 13  
Me? 25, 15, 18, 23, 41

I entered because I liked it, for fun  
Necessity, slavery  
I knew how to protect myself, I didn't  
They treated me well  
They treated me badly

I've never worked in a brothel  
I've had my share of pimps and madams  
I earn 300 dollars a night

In a good night, I earn five

It's better than a domestic worker  
And I don't rob anybody

My family knows what I do  
Mine doesn't  
At least I've brought my kids ahead  
They took my kids away from me  
Because of what I do

We enter for various motives  
Some neither economic or moral  
For some of us, this is our work  
For some of us, it's a part time activity

We have different faces, bodies  
Likes, experiences, and opinions  
But for them, the only thing they'll ever  
see us as is

### WHORES

### IX

My daughter  
She knows what I do  
When someone tells her  
"Your mama is a.."

She always tells them  
My mama may be whatever  
But she is a mother que me lleva  
adelante

But you know what  
Just recently she moved into a new  
apartment  
And now even she pushes me away

Mami, you can't come here to my house  
My landlord knows that you're from the  
Calle Aroma

Now, they discriminate against her  
Because they discriminate against me  
That's how it is

I don't even know how to get in touch  
with her  
Or what to do, or help her out with some  
cash  
Nothing

Why?  
She says that her landlord  
Has seen me around here  
And what am I?  
I'm a whore

### X

Well, to rent a room, a house  
Everyone needs a place  
To lay their head at night  
To come, relax after work  
To cook, care for the kids

But us  
We look for a room  
Where do you work?  
What do you do?  
At what time do you come home?  
At what time do you leave?  
Sorry, I don't give rooms to whores

Now there are others  
Who don't realize  
Then after a month  
Ay, Señorita!  
You've been whoring  
You're evicted  
Get out of my room

I've been evicted  
How many times?  
Sometimes I manage a month  
Sometimes five  
Now I've had to go  
And live in the fifth layer of hell

### XI

Okay, so one day I get on a bus  
I have the right to get on a bus

Some client recognized me  
Began to gossip  
And me, well, I'm no saint

But the driver  
He turned his mirror  
Just enough to look at me  
So I said: Boy, do you have to pay up  
front?  
No, señora, when you get off is fine.  
I thought maybe this is why he looked at  
me  
But he's stubborn and continues looking

I said to him  
Boy, you need to look forward  
That's why there's so many accidents  
The others looked at me

I said to them: What?  
Have you never seen a whore ride a bus?  
Or what? Am I strange?  
Nos sacan de las casillas, mamita (They  
pull us out of the pigeonholes)  
The look at us

Or what  
A whore doesn't have the right to ride  
A bus, a plane  
In what then?

### XII

One night a client came to request my  
services  
He was in a car  
So he brought me to a hotel  
Gave a false name

Inside the room  
He raped me  
Arguing that because he paid me  
He could do what he wanted

He tied me up  
Not listening to my pleas  
Señor, please, no. Please no.

I don't want this.

After he came  
He locked me in the room  
And he left

I managed to escape through the window  
Breaking the glass  
Running for my life

But I'm a whore  
Because you pay me  
You have me  
Right?

### XIII

One night  
A regular night  
I was sleeping in the hostel, like always  
We'd drank, taken care of the clients

At three in the morning  
Military soldiers arrived  
There'd been some banquet

Like a coup d'état  
They struck the doors  
"Open the doors, damn it!"  
The doors were made of iron  
But they opened fire  
And they entered

We didn't know what to do  
The guys were still in our rooms  
As the soldiers shot rounds  
Through the bottles of whiskey

We all ran to one room  
Packed, like a can of sardines  
One on top of the other  
Only hoping  
That if they shot over there  
It wouldn't reach us

What happened next?  
You guess.

We're whores.

### XIV

The press likes to come to our street  
To take photos of us  
To put our faces on television  
They film us whenever they want

They film us  
When we're good or when we're bad  
All of us appear  
They watch how we work  
How we walk  
If we walk drunk or sober  
Slumped or with good posture

Sometimes they enter into our rooms  
When we're in the middle of the act  
The clients on top of us

They film us  
Showing our faces  
Our bodies

Shit, we're also children's mothers  
We're also people's friends  
Why do they come?  
There's no motive  
We've not done anything delinquent

What?

Whores don't have rights?  
I thought all humans did

### XV

One day a client raped me  
He hit me  
And he left without paying

I was in the plazuela  
Right there next to the police  
Who guard the men's prison

I went to ask them for help  
They said

Ugly old woman!  
Your cunt's already dried up

Leave him in peace  
Now go away  
Or we'll arrest you

But you know what?  
The next day a few police officials  
Came in their uniforms to our corner  
They asked us for our identity  
documents  
Then they made us fuck them for free

What are we going to?  
They have our documents

Without documents, we're illegal  
They can arrest us

Yes  
I am an ugly old woman  
My cunt is dry  
Thank you for your help

#### XVI

Every week we have to go  
To the Department of Health  
To do the required weekly exam

There, I wait in the room  
Almost nude  
A resident walks in

Hola Doctor, Cómo estas?  
This is your regular exam?  
Si, Doctor

But my stomach hurts as well  
Can you check that out please?

He opens my legs  
He looks  
Me? Exposed more than 15 minutes  
He puts his fingers in my vagina  
Without gloves

He touches me  
He touches me  
With his rough and calloused hands  
Three fingers in my vagina  
It hurts  
The doctor with his eyes closed  
You are in good health, Señora  
And my stomach, Doctor?

#### XVII

Doctors, police, district attorneys  
I'm tired

Mayors, the press, the military  
Of only being a vagina

Pimps, clients, society  
ENOUGH!

We are people  
Prostitution...is only a job

Fuck, excuse my language  
Pero me da

LA CARA DE PUTA



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