

Conseil du statut
de la femme

Is Prostitution
Work or
Exploitation?
Further
Consideration
is Needed

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What Is Prostitution?

To ask this question is to invite immediate controversy. Are we talking about a trade like any other or the downright exploitation of women? Is prostitution a means to provide income or rather an expression of violence against women? Is it freely chosen or imposed? Are we referring to the oldest profession in the world or merely a form of slavery to be banned? Whatever definition we choose, we inevitably take sides, express judgements and favour certain approaches to the problem, be they legislative or otherwise.

Prostitution is difficult to grasp. It is a complex, multifaceted problem that impacts reality in different ways. The illegal and clandestine nature of this activity prevents us from gaining a clear understanding of where it begins and ends. Unlike other occupations, we can't rely on official investigations to find out the number of workers, clients or the income which is generated. The result is the scarcity of reliable data, all the more so because the existing research emphasizes the prostitutes over the other protagonists involved, namely the johns and the pimps.

Finally, as we have seen, there are many perceptions, analyses and interpretations. Yet, among the wide range of opinions, two main views predominate. On one hand, prostitution is in no way deemed a normal occupation. Proponents of this view believe that prostitution is a manifestation of the violence of men against women. Accordingly, women do not rationally and freely enter prostitution but are led into this condition by social, political and economical factors. As a result of this view of prostitution, we feel empathy for the victims, the prostitutes themselves, and we seek their decriminalization, along with the prosecution of the johns and pimps who are responsible for the exploitation of the women.

Another point of view has gained acceptance in the last 20 years. The well-known demonstrations by prostitutes in the 70's in Europe have given rise to the **sex worker groups**. According to these groups, prostitution is a freely chosen occupation. They refute the notion of victimization while denouncing the stigmatization that affects their work and makes their living conditions so difficult. They want the right to ownership of their bodies. In the end, their demands would lead to the decriminalization of all aspects of prostitution whenever it stems from a personal decision between consenting adults.

Can these positions be reconciled? Rather than debating this question, we will attempt to describe the underlying reality of prostitution. Without doubt, the three key players involved in prostitution are the **prostitutes**, mostly women and girls, the **clients or johns**, who are mostly men, and the **pimps**, or at the very least the various participants, including the organized crime groups, who benefit economically from this industry. In the background looms the international sex trade, a fast-growing business that, increasingly, spares no country and comes in several guises.

Why Does Prostitution Exist?

Four factors are crucial in explaining prostitution: the demand, the people and groups who stand to gain substantially, the poverty and the sexual abuse affecting women.

Demand

Prostitution exists foremost because there is a demand. Without clients, there is no prostitution. Without the demand, there is no supply. Moreover, the demand is ever present because men think it legitimate to pay women to satisfy their sexual needs. Many believe that the sexual drive must find an outlet despite the findings by UNICEF showing that no biological imperative requires a fixed number of orgasms daily, weekly or yearly and that while individuals can occasionally feel frustrated when there is no one available to help them attain the heights of sexual pleasure, this in no way affects their survival. Others believe that prostitutes play a preventive role by protecting other women from sexual aggression. Yet, prostitution and rape do often coexist. In effect, this latter belief is contemptuous towards those men who are supposedly incapable of restraint.

A Lucrative “Industry”

Important economic interests are at stake with respect to prostitution. Trading in persons is worth millions of dollars in Canada alone. In some Asian countries, sexual tourism is an economic sector which generates, either directly or indirectly, numerous jobs and considerable income. States are increasingly interested in the income resulting from prostitution. In countries where prostitution is legalized, such as the Netherlands and Germany, substantial income is derived from taxing the prostitutes’ earnings and by selling permits to or taxing brothels. Studies also show the connection between organized crime, prostitution and drug trafficking.

The sex industry represents 0.8% to 2.4% of Indonesia’s GDP, and 15% to 18% of Thailand’s GDP. In the latter country, between 1993 and 1995, sex was the most important underground industry, outperforming drug trafficking and arms trafficking. International Labour Organization (ILO), *The Sex Sector*, 1998.

Poverty and the Abuse of Women

Women the world over are poorer than men. Indeed, there is a relation between the low economic status of women and their involvement in prostitution. Unemployment, poor education, few available jobs, inadequate salaries are some of the factors, which compounded, force some women into prostitution. The absence of a social security net also contributes to the problem. For many women, prostitution is the only means available to ensure their survival and that of their family's. Women who are homeless, without any help from the state, marginalized because of their race, find that prostitution is the only way out. Young runaways, isolated and without income, are also driven to prostitution.

Many studies clearly indicate the relation between sexual abuse and prostitution. Before turning to prostitution, 33 to 80% of prostitutes polled in Québec, in Canada and in Native communities had been victims of rape and sexual abuse. Depending on the studies consulted, the rates vary but they reveal the difference between the history of women who suffered sexual abuse and became prostitutes and that of other women. The abuse also instilled the idea that their bodies could be bartered against goods, services or attention from men.

Profile and Everyday Concerns of Prostitutes

Here as elsewhere, prostitutes are mostly girls and women offering heterosexual relations. Of course, male prostitutes exist, but they are mainly minors involved in homosexual relations. In Québec, young people enter prostitution at 15 and 16 years of age. Worldwide, the demand for younger and younger prostitutes is on the rise.

Everywhere, we find a common background for this situation: the women are poor, vulnerable and marginalized. Many of them are from modest milieus where tension, alcohol or drug problems prevail. In Québec, few have completed a secondary level education; those who work as prostitutes in places other than the streets are usually older and more educated.

In certain regions of Canada, Native women are clearly overrepresented in prostitution. In other countries, Aboriginal women are also involved in prostitution in disproportionate numbers.

- On average in Canada, women represent 70 to 90% of prostitutes.
- In most studies, the average age of adult prostitutes is 23 or 24 years of age.
- According to an international study sampling 475 prostitutes in five different countries, 81% of them have been threatened, 73% have been physically abused, and 68% have been assaulted with a weapon. In addition, 62% claim to have been raped since they began prostitution.
- An international survey establishes that 67% of prostitutes show symptoms of post-traumatic stress syndrome.
- Although the figures vary, certain studies demonstrate the link between drug addiction and prostitution. Indeed, 75% of the street prostitutes in San Francisco are drug dependent, while 27% are alcohol dependent. In the Atlantic Provinces, the rate of male and female prostitutes who reported suffering from drug abuse is 50%, while in the Prairies, the rate is 42%.

Women who become prostitutes often experience very difficult living conditions. Today however, thanks to the actions of sex worker groups, there is an increasing awareness of the plight of prostitutes and the need to respect their human rights.

Violence ranks among the gravest difficulties women prostitutes face: violence on the part of johns and the pimps who want to reaffirm control over *their* prostitutes. Violence is also experienced at the hands of the police, other prostitutes and the population in general. From North to South and East to West, women prostitutes are subjected to violence.

The physical and psychological consequences to women are so serious as to often lead to post-traumatic stress, with symptoms like memory loss, agitation and cardiac or respiratory problems. The level of stress of women prostitutes is reportedly greater than that of the Vietnam War and the Gulf War veterans.

Historically, prostitutes have been blamed for the spread of STDs, but opinions vary in this respect. In Québec, some people claim that after five years working as prostitutes, all women using intravenous drugs are contaminated by HIV-AIDS. However, in spite of this concern, there is little interest in the behaviour of johns as a possible cause of the dissemination of STDs.

Drug addiction is another factor contributing to prostitution. Some consider that drug addiction is the main reason why women become prostitutes, while others think that drug addiction is a consequence of the difficulties arising from prostitution, of the disgust felt toward some clients.

According to women sex worker groups, social **stigmatization** is yet another problem that women prostitutes endure. They point to the deplorable attitude of certain workers in the legal system; complaints are often minimized and seen as “risks of the trade”. Another concern of the groups who defend sex workers is the blatant **discrimination** present in the fact that women prostitutes cannot avail themselves of the *Crime Victims Compensation Act*. Yet, other workers in high-risk occupations, such as convenience store owners or taxi drivers, are entitled to compensation. The sex worker groups also denounce interveners in the social network such as the Director of Youth Protection who would remove custody of a child because the parent is a prostitute.

Stigmatization affects the women who want to quit prostitution and those who have left. They are often on their own in spite of the many obstacles to overcome: a criminal record, a difficult reintegration into the job market, a drug or alcohol problem, etc. Very few services are available to prostitutes to prevent isolation once they leave their former environment, references, and friends. The interveners all condemn the alarming lack of resources for these women, including drop-in centres.

Yet, many women want to leave prostitution. An international study aimed at identifying the needs of prostitutes reveals that **92% of them would like to be able to quit**. Furthermore, this solution was stated before any other, be it training, legalization or protection by a pimp.

Profile of the John

The studies and testimonies are clear on who the clients are: they are men. Yet, they differ greatly. Usually married and aged between 30 and 50 years, they come from various socioeconomic backgrounds. A survey polling men who define themselves as clients gives the following reasons for calling on prostitutes: solitude, sexual problems with their spouse, the desire to obtain sexual acts which their spouse refuses, and the desire to have a brief and non-committal relation. Johns see no need to be concerned with contraceptives or the prostitute’s well-being, and paying for this service absolves them of this concern. Another point shared by johns is that they have enough money to buy the services of a prostitute: this affords them a measure of power and the privilege of choice.

Among clients, certain categories, such as the military, stand out. Concentrated in certain countries as they are, military bases become a thriving environment for available women. Vietnam, Korea and Thailand are good examples. Even in places where UN and NATO peacekeepers are stationed, massive prostitution and the trafficking of women takes place, as was witnessed in Bosnia-Herzegovina.

Many countries catering to the military for prostitution eventually develop an important industry that offers numerous prostitution-related services to a new clientele: sex tourists. The Philippines, Vietnam, Korea and Thailand fit this model. This clientele usually follows the opposite direction from the sex trafficking route, i.e. from North to South. Many travel agencies specialize in these “packages” and the expanding Internet has probably increased the possibilities. Montréal is also a prime sex destination and is often referred to as the Bangkok of the West by American and Canadian tourists. It is well known that tourists from the United-States travel to Montréal for its prostitutes and escort agencies.

“I’ve been in this trade for 19 years and I say if men come to see prostitutes it’s because it gives them a feeling of power. They dish out the money, so they’re in command. You belong to them for half an hour or an hour. They simply buy you, no obligation; you’re not a person, you’re just something to be used”.

[Translation from French version]

Canada, Special Committee on Pornography and Prostitution, *Pornography and Prostitution in Canada*, 1985.

Certain studies have focused more on the clients of juvenile prostitutes. According to data collected worldwide, these men do not belong to a definite category. For instance, even though some may be pedophiles, most are *average men*. According to these studies, no major difference exists between the clients of adults or those of children. The main reasons used by some men to explain why they resort to juvenile prostitutes are that the children need money, so using their services actually helps them, or that the children who enter prostitution do so of their own free will. Many clients erroneously believe that they will avoid STDs by having sex with children instead of adult women.

65% of underage prostitutes are girls and 35% are boys.

Michel Dorais and Denis Ménard, *Les enfants de la prostitution*, Montréal, VLB Édition, 1987, 35 p.

Profile of the Pimp

Pimps profit from or facilitate prostitution. They “supervise” one or several women prostitutes. Determining the number of women who hand over their earnings to a pimp is impossible. Some feminist organizations, which address this type of question, note that 80 to 95% of all forms of prostitution are controlled by pimps; other organizations estimate the percentage to be much lower.

Accounts give a picture of the relation between the pimp and the prostitute. He offers shelter and meals; he can also show himself as attentive and welcoming. At times, he will dangle the prospect of a better life. Little by little, as trust increases, the pimp draws the woman further into prostitution. Once inside the trap, she will find it very difficult to leave, as is confirmed by women who succeeded in quitting.

In Québec, drug dealers are often pimps. The owners of massage parlours, escort agencies and nude dance bars where sexual services are offered are also considered “procurers” to the extent where they derive income from prostitution. An investigation by the Sûreté du Québec, covering the province except for the island of Montréal area, found that 80% of nude dance bars provide sexual services ranging from masturbation to full intercourse with fellatio in between.

The same investigation notes that owners and staff in nude dance bars are often close to organized crime: 57% have links with criminals, while 36% have established relations with criminal biker gangs. Moreover, those nude dancer agencies that provide travel for the dancers between regions are controlled and operated either by members or relations of criminal biker gangs.

Organized crime is also heavily involved in juvenile prostitution. Crime rings are adept at getting hold of runaways and integrating them into prostitution in just a matter of hours.

Interpol has calculated that, in Europe, a pimp living off a single prostitute could derive income of over \$144,000 annually.

The Sex Trade

The sex trade is an important part of the international trafficking of persons. This rapidly growing mega-enterprise is headed by networks of traffickers who are attracted to the low-risks and enormous profits involved.

Trafficking in persons means recruiting, transporting, transferring, lodging and receiving people by using or threatening to use force or other forms of coercion, by using kidnapping, fraud, trickery and abuse of power or situations of vulnerability, or by accepting bribes or amenities. The end result is exploitation, and according to the UN, such exploitation includes at the very least the prostitution, sexual exploitation, and work or services obtained under coercion.
UN, 2000.

Causes of Sex Trafficking

Supplying local prostitution markets is the key reason why sex trafficking exists. **Political and economic instability** in the countries where the victims originate is the second most important factor in the development of sex trafficking. In this respect, the women from Russia and the former soviet block countries provide a telling example. **Poverty, economic distress**, the lack of employment, substantial inflation and the absence of economic support measures also contribute to making women vulnerable and hence easy targets for traffickers who promise them a better life elsewhere. Young, naïve women who are vulnerable, particularly in times of war, are choice victims for traffickers. In the case where children are trafficked, these factors exacerbate other problematic situations: the lower status of girls in some countries, extreme poverty, the wish to migrate, etc.

Sex Trafficking: On the Rise

- An investigation by the CIA revealed that 700,000 to 2 million women and children are trafficked in the world each year.
- 99% of these victims are women and the overwhelming majority will end up in prostitution.
Sheila Jeffreys, *The Idea of Prostitution*, 1997.
- According to the UN, the income generated by the trafficking of persons went from C\$3.2 million in 1990 to C\$14 billion in 2001.
- A study conducted by Solicitor General of Canada found that between 8,000 and 16,000 people enter Canada with the help of smugglers related to organized crime. This activity costs the economy from \$120 to \$400 million yearly.

In spite of the above-mentioned factors, sex trafficking would not exist without the people, especially those belonging to **organized crime rings**, whose economic interests are served by this activity. According to the International Federation of Human Rights, trafficking in humans has become the third source of income for organized crime rings, after drug trafficking and arms trafficking.

Sex Trafficking in Québec and Canada

Québec and Canada are also part of this trend. Although most of the people being trafficked originate from China, Korea, Malaysia, Eastern Europe, Russia, Mexico, Honduras, Haiti and South Africa, boys and girls from Canada are sent to the United States by pimps.

Another study was conducted in Toronto for *Status of Women in Canada*, because the level of prostitution in that city is among the highest in Canada and because Toronto has been infiltrated by organized crime rings from Russia and other Eastern European countries. The study, based on the testimony of twenty female sex workers from Eastern Europe and the former Soviet Union who have immigrated to Canada via smuggling rings, provides information on how this illicit trade is organized. It shows that because of the precarious legal status of these women, they are vulnerable to manipulation by the traffickers. All of them seem to have been forced into prostitution.

In Québec, no systematic study of the sex trade exists. However, interveners in the justice and police sectors confirm that Québec is not immune to mob infiltration, as the Russian mafia has indeed increased its presence in recent years. As an example of their proficiency, in a matter of just three weeks time, they are allegedly able to recruit women in Russia, lure them to massage parlours in Québec with the promise of a better life, and subsequently force them into prostitution.

Consequences of Prostitution for Women and Society

Prostitution also affects women who are not prostitutes. This is what 75% of Québec women who were polled by the *Gazette des femmes* believe: they consider that prostitution degrades **all** women. More than half the men (63%) who participated in the poll concurred. The reason, for some, lies in the fact that prostitution sends out the message that a woman's body is merchandise.

It is often heard that prostitution is a crime without a victim. Yet, in addition to the dire consequences for the prostitutes themselves, prostitution, and street prostitution in particular, seldom has a positive effect on the neighbourhood where it is exercised. Residents justly complain of the used condoms and needles littering the streets and parks where children play, the increased car traffic, the nuisance of being hassled by johns and prostitutes, and the presence of drug dealers. Even those people who generally tolerate prostitution would not want to live in such an environment.

Various Legislative Responses

Legislative control of prostitution is certainly a controversial subject. Should prostitution be prohibited, abolished, or regulated? The answers have varied throughout the ages, and have varied according to civilizations, cultures and religions. Yet, whatever the legislative solution taken, there is constant: the chosen approach always expresses the popular ideological view of prostitution.

International Agreements

Under the UN, several agreements and international protocols have been adopted to prevent sex trafficking and prostitution. Some of these agreements are aimed at the trafficking of humans, the sexual exploitation and violence of children and women, etc. These international agreements and the discussions surrounding them are worth following because they influence the national legislation regarding prostitution and the sex trade.

National Legislation

On the national level, laws vary depending on when and where they are enacted. The **abolitionist** camp, despite its name, does not aim to abolish prostitution but tolerates it instead. Abolitionists are not so much interested in prostitutes as in trying to accommodate them – after all, they are free to ply their trade – and protecting the public from the disturbing and shocking effects of prostitution. Canada is a good case in point. In this country, it is not against the law to accept or pay money for sexual favours. On the other hand, activities which could disrupt public order, such as hooking, are prohibited.

The Netherlands, Germany, certain states in Australia, as well as the state of Nevada have chosen **legalization**. This approach rests on the belief that prostitution is necessary to society because it protects women and girls from male sexual aggression, and provides men with an outlet. This approach often leads to **regulationism** (work permits, prohibited areas, mandatory medical certificates, etc.), to improve the sex workers' conditions and prevent the sexual exploitation of juveniles. By recommending the creation of red light districts, the Bloc québécois is concurring with this approach.

While some sex worker groups agree with this approach, others are asking for the **decriminalization** of all sex-related activities, including pimping, in addition to refusing to be subjected to any work legislation.

The effects of legalization can now be assessed due to the many experiments conducted in countries such as Australia. According to some studies, legalization has not eliminated the social stigmatization of prostitutes. In fact, legalizing prostitution has had another perverse effect: the creation of two classes of sex workers, i.e. the legal and illegal prostitutes, the latter being shunned from regulated business. Indeed, cases like this have actually made it easier for traffickers worldwide to open new markets. Numbers are worrisome, as they confirm the high number of women who are victims of the sex trade within the prostitute population, as in the Netherlands for example.

On the opposite side of regulationism is **prohibitionism**. Often on moral or religious grounds, this approach criminalizes all aspects of prostitution, including the prostitutes and pimps. Prohibitionism is applied in the Persian Gulf states as well as in the United-States, except for Nevada.

A new legislative approach is now emerging. Tenants of **neo-abolitionism** accept the principle of people's rights over their bodies, but insofar as the overriding principle of respecting human dignity is met. In this view, prostitution is a violation of human rights which is equated with slavery. Presently, Sweden is the first country to adopt this approach. For instance, the law there prohibits purchasing sexual services and outlaws johns and pimps, but does not penalize the prostitutes. At the same time, the state has contributed important sums to set up services for the women who wish to quit prostitution.

Further Consideration Is Needed...

Our perception of prostitution is determined in large part by our values and intimate beliefs. Even after this overview, the question remains a complex one and, as we have seen, collective and social approaches lead to very different decisions being taken. The cases of Sweden and the Netherlands provide good examples of quite opposite views, yet both countries deserve credit for showing an interest in the fate of women prostitutes.

The Conseil du statut de la femme is concerned with women prostitutes, as it is with the condition of women in general. The Conseil encourages further consideration and discussion on issues such as prostitution, its causes and consequences. We need to gain a better understanding of the approaches taken by various countries but, more to the point, we need to understand the women who are involved to a lesser or greater extent in prostitution. We can then find the best course for intervention. Québec society values equal status for women and men, and in light of this fundamental principle we must continue to question and reflect on this important problem.

Some Forms of Prostitution in Québec

- ***Street Prostitution***

Mostly women and transsexuals engage in street prostitution. The service offered is usually fellatio in a secluded area or in the john's vehicle. Full intercourse is sometimes offered, again in the john's vehicle or in a hotel room. This is a high-risk form of prostitution, with possible violence on the part of johns, pimps and drug dealers.

- ***Prostitution in Public Parks***

Mostly men are involved in this type of prostitution. The services usually offered are fellatio or masturbation in a secluded area. If requested, full intercourse is offered in a hotel room. This form of prostitution involves less risk of violence than the street prostitution exercised by women, but male prostitutes are vulnerable to beatings by street gangs.

- ***Prostitution in Specialized or Erotic Clubs***

Sexual services are provided by men and women who are quite often nude dancers. The type of service offered depends on what the client wants, who offers it, and where it is to be provided. Common places are the spot where the client is, a booth, an adjacent room, an establishment close by or the client's vehicle. The presence of criminal biker gangs increases the likelihood of violence.

- ***Escort Agencies, Dating Agencies and Hostess Bars***

The prostitutes found in these places are usually women. Juvenile prostitutes are sometimes found, as are women whose immigration status is precarious. The basic services are fellatio and vaginal penetration. Other services are available for an additional cost. The length of time the prostitute is employed varies from a few hours to a few days.

- ***Massage Parlours***

The prostitutes operating in massage parlours are mostly women, and possibly juvenile. In addition to the massage, masturbation is usually included. Fellatio and vaginal penetration are also available, depending on the agreement.

- ***Brothels***

Although this type of establishment is illegal, the existence of brothels is confirmed by some. Little available information exists.

Source : *Prostitution et VIH au Québec - bilan des connaissances*. Sylvie Gendron and Catherine Hankins, Direction de la santé publique de Montréal-Centre and the Centre de coordination sur le sida, 1995, 47 p.

Definitions

Legalization means that previously prohibited behaviour becomes legal. By legalizing prostitution, it becomes regulated, and thus gains occupational status. Legalization provides prostitution with a set of rules under which the trade is exercised. Work permits, registration and mandatory periodical medical checks all fall under the domain of regulation. Authorization of brothels and the creation of designated areas for prostitution are other examples of regulating prostitution.

Criminalization happens when behaviour is formally written down as prohibited in the Criminal Code. **Decriminalization** on the contrary means revoking the prohibition of activities linked to prostitution. In the Canadian context, decriminalizing prostitution amounts to removing from the Criminal Code the prohibitions pertaining to such activities as running a brothel, profiting from someone else's prostitution, facilitating travel for the purpose of prostitution and communicating for the purpose of prostitution.

Judicialization consists in bringing before the courts an accused person who meets the criteria determined under the Criminal Code. **Dejudicialization** is finding redress outside the court system when a person breaks the law. With respect to prostitution, dejudicialization seeks means other than the courtroom to deal with offences.

Prohibitionism rests on the principle that prostitution is a violation of human dignity, and for this reason it should disappear. Under this system, all the players and areas of prostitution are illegal. Unfortunately, in countries where prohibitionism is in effect, prostitutes suffer the most and bear the brunt of sanctions.

Abolitionism is midway between the prohibition promoted by prohibitionists and the freedom conferred by a more regulatory approach, and is based on two important principles: prostitution is a free choice, but it is immoral and should therefore be tolerated only. In this context, legislation is aimed at preventing the disruption of the public order (e.g. prohibition of hooking).

Neo-abolitionism is based on the principle that people are free to use their bodies in a manner consistent with the respect of human dignity. The human body is not to be used as merchandise, and prostitution is an unacceptable commercial relation. This approach rejects the distinction between forced prostitution and voluntary prostitution. Neo-abolitionists promote the decriminalization of prostitutes, but the criminalization of johns and pimps.