

Keynote for the Harm Reduction conference Jan 9, 2018, Ala Moana Hotel, Honolulu

Global Sex Worker's Rights: Forever!

Kamala kempadoo, York University, Toronto, Canada

I was asked to speak today about global sex work, particularly about the agency and struggles those in the global south/non-North American and Western European contexts.

But to start, some good news from South Africa. The ANC - ruling party in that country - resolved, on December 21st, to fully decriminalize sex work! It is a resolution that has been applauded by various organizations, including the Commission for Gender Equality, and SWEAT (The Sex Worker Education and Advocacy Taskforce). It is an important step forward for sex workers in that country.

The SA move to decriminalize prostitution does not come out of the blue note: use the term prostitution interchangeably with sex work because not all places use the English term "sex work"). It builds on a long struggle for the recognition of sex workers' rights around the world, and is hard fought for. I have been following these struggles for over 2 decades, which I first

documented in the book *Global Sex Workers: Rights, Resistance and Redefinition*” published in 1998. So, I would like to talk a bit about what was taking place over the years, what some of the key issues are, and why sex worker agency, rights and struggle need to be recognized, globally.

I started working on the issue of sex work when living/studying in the Netherlands and being active in the Black and Migrant women’s movement there, in the late 1980s. I was researching Black women in the Dutch labour market, interested in those intersections of race, class and gender, and through my activism became involved in organizing meetings for migrant (i.e. non white European) exotic dancers. These two strands of my life came together and led me to think about the overrepresentation of “third world women” (Caribbean and Latin American, African, Thai and Filipina) in the Dutch redlight district. That initial query took me (back) to the Caribbean - (small island of Curacao) - and then horizontally, to other parts of the global south, and most importantly it brought me to a profound appreciation of prostitution as sexual labour – i.e. as sex work.

This concept of sex work in the late 80s/early 1990s was quite new in the North American and European debates, (Carol Leigh introduced it into the English language) although the struggle for prostitutes’ rights were collectively being advocated through such organizations as COYOTE (Call Off Your Old Tired Ethics) in San Francisco in 1973 and the English Collective of Prostitutes in England in 1975. It also started emerging out of the work of the

International Committee for Prostitutes Rights (ICPR) that organized the two World Whores Congresses which took place in Amsterdam in 1985 and in Brussels in 1986, and which also created the World Charter of Prostitutes' Rights.

Nevertheless, my concern was that what was being claimed as an internationalized movement for rights, was actually determined and dominated by North American and West European sex workers' rights activists. There was little acknowledgement of sex worker's agency, rights and struggles in other parts of the globe, or of multiple ways in which sexual labour was bound up in other income-generating strategies, transactions or social relations. Indeed, the terms, ideas about, and demands of the "international" prostitutes' rights movement were almost entirely shaped by "First World" countries, conditions, experiences, and politics that did not always resonate elsewhere. And even so, few black or migrant women in the global north were being seen or heard. In other words, the articulation of sex worker's rights in the 1990s appeared not only as a global north, but a white, western affair.

So, from my work and research in Amsterdam and the Caribbean, and grounded in my longer-standing connections to anti-colonial, anti-imperialist and "Third World" feminist struggles, I turned to look at what was happening outside of the global north through the lens of collective struggles for rights around sexual labour. And what I saw and learned was remarkable.

(and as an aside – it is always complicated to talk about agency, but I find that organized struggles provide a lens through which to see how people are collectively self-determining and what their ideas, issues and politics are. They allow us see commonalities within social sectors of society, and to see that agency is not an issue of individual choice or decision-making, but rather an expression of collective will).

Contrary to what many western feminists were telling us at the time - that prostitutes were women who were sex slaves for the military in South Korea, were victims of excessive patriarchal cultures in India, were being forced into prostitution through the use of “witchcraft”/”juju” in Nigeria or sold as children by their families into the sex trade in Thailand, were coerced into selling sex to tourists in the Dominican Republic, or being tricked into slavery as “mail order brides” from the Philippines – contrary to those images, prostitutes and other sex working women, men and trans in the global south were also defending their activities as “labour,” as “work,” as a “way to get by” or as a strategy of “betterment.” And this wasn’t in isolated incidences or individual actions. Sex working people (mostly women) in Third World and other non-western countries had since the early 1980s been organizing, demonstrating against injustices they faced, demanding their human, civil, political and social rights be recognized.

So, not only was an Ecuadorian association formed in 1982, but they held a sex workers' strike in 1988. In Brazil, a national prostitutes conference took place in 1987, giving rise to the establishment of the national network of prostitutes. And in 2002, a group led by Gabriela Leite influenced the Brazilian government to recognise sex work as an occupation. Those registered as “sex professionals” “would be taxed as autonomous workers and were entitled to regular employment benefits including maternity pay, a state pension fund and medical care.” <https://theconversation.com/how-brazils-sex-workers-have-been-organised-and-politically-effective-for-30-years-88903>. A few days ago I was in Mexico City with Ana Paula Da Silva the president of Da Vida, the Brazilian sex worker organization formed by Gabriela Leite, and she sent copies of their newsletter, which I will leave here/with Tracy.

In Uruguay, AMEPU inaugurated its childcare center and new headquarters after making its first public appearance in the annual May Day march in 1988. Various new organizations for sex workers rights were founded in Latin America in the early 1990s, – in Venezuela, Chile, Mexico and Colombia – and two national congresses were held by the Ecuadorian sex workers' rights association in 1993 and 1994. Around the same time (1994), around 400 prostitutes staged a protest against the closing of a brothel in Lima, Peru, with the slogan "We Want to Work, We Want to Work," Today RedTraSex, a Latin American and Caribbean network of sex worker organizations in 15 countries in the region, which was founded in 1997, organizes around various political issues, including HIV and AIDs prevention, human rights, violence prevention,

labour rights, and reproductive health. They frame their struggle from the perspective of workers who fight for an end to violence against sex workers (see Kone 2016). Their politics are heavily influenced by the work of ANMAR – the first sex worker organization in the region to successfully organize as a worker’s union (established in 1995), and which provides a blueprint for the integration of sex workers into the labour movement.

1994 -almost 25 years ago – we also witnessed the founding of The Sex Worker Education and Advocacy Taskforce (SWEAT) in South Africa and The Maxi Linder Association in Suriname, and in Paramaribo, Suriname, sex workers made a first mass public appearance on AIDS day, marching through the city with the banner "No Condom, No Pussy," drawing attention to their demands for safe sex.

The Indian DMSC “Durbar” Mahila Samanwaya Committee, was also established by 1994. Two years later it held its first congress in Calcutta, as well as organizing several protests and demonstrations against harassment and brutality. It is today the world’s largest sex worker organization representing around 65,000 sex workers (male, female and transgender).

And there were others: [for example, SWEETLY (Sex Workers! Encourage, Empower, Trust and Love Yourselves!) in Japan, and MODEMU (Movement of United Women) in the DR, with started in 1996.]

We can also not overlook that in the 1990s HIV and AIDS provided an issue that enabled sex workers to organize and make their demands known, and it

was through the World AIDS conferences that sex workers in the global south became equal participants on the international scene. The health entry point has also led to the emergence of various autonomous sex worker's rights organizations. The Global Network of Sex Work Projects for example, which started in 1991 around questions of health/HIV and AIDS and sex work, is today much broader, and is a good place to connect to, to keep up with what is taking place globally around sex worker rights and health issues. It is an excellent resource.

In short, we have at least 35 years of sex workers collectively speaking out about social and political injustices, battling against stigmas and discriminatory laws, and fighting for dignity and basic human rights in non-western/global south settings. But we must keep in mind that each group has a history that pre-dates its formal founding date. Moreover, there are many other sex workers in the countries who are not linked to an organization or group, especially men and transgender sex workers, but also those who might not define as such, young people engaged in transactional sex, strippers/exotic dancers, escorts, porn actors, those who do very occasional sex work, etc (and this, in the global south, can be a very large number of people).

But, what is it that these sex workers are agitating against and standing for?

While each group might have very specific demands due to the cultural, legal national or migratory context within which they work and operate, there are many commonalities.

First, and perhaps most obvious, is the claim to be doing sexual or erotic labour – that prostitution and other activities are work, not necessarily a profession, but work, which in most instances is combined with labour in other sectors (appears that the majority of “sex workers” are not full time, but that they transact sexual labour for material benefits alongside other work). Still, it is a form of income-generation or a way to gain access to other pleasures in life and benefits through providing sexual service, and there are many efforts to unionise or be included as workers under existing laws, so that people can make use of regular labour laws, health and safety regulations, etc. (note – also organize against the stereotype that people are in sex work out of poverty and desperation – that there are other reasons, and that many desires can be fulfilled through sexual labour, some of which might be sexual).

Second, many recognize that laws against prostitution (which most countries have on the books, often dating back more than century) are harmful and hurt most sex workers. I am sure you are familiar with this argument: that the criminalization of the sale or purchase of sexual or erotic labour (including the criminalizing of clients) or the prohibition of activities that are necessary in order to sell or purchase sexual labour (i.e. advertising, soliciting, renting a

place to service clients, hiring or paying for a manager or security guard or cleaning staff, sharing a work space with others, supporting another adult on the basis of their earnings – a child, a spouse, etc) hurt people engaged in sexual labour and sexual transactions. The laws drive them into unsafe, underground, unregulated spaces and arrangements, and to states of “illegality” – as workers, parents, lovers – as human beings. Thus, a person engaged in sex work is prevented from legally securing police protection, from accessing health care and social services, from communicating about the job (including problems with the job), and so forth. Decriminalization of prostitution - freedom from laws that criminalize the work – is important for access to basic human, civil and worker rights – and this is a world-wide demand.

Third, the “whore stigma” and homo- and transphobia operate widely, and keep in place the “good girl/bad girl” dichotomy that regulates female sexuality, as well as discriminatory practices against trans and male sex workers (the majority of whom service male clients). Such stigmas and discriminations prevent sex workers from identifying themselves as such when accessing public services (important when accessing health services), but also for example, harm their children, who may be shunned or prevented from attending school, simply because of their parents’ work (in India -documentary -Save us from the Saviours). They also keep firmly in place the notion of what masculinity and

femininity should look like and how it should behave (and while it is generally the case that the stigmas and phobias mostly affect the feminine and feminized body, very specific stereotypes of black and brown sexuality infuse and racialize the stigmas and phobias in particular ways).

Fourth, there is a continual demand to end the violence against sex workers. People who provide sexual service and labour are disproportionately affected by very senseless violence – sexual, physical as well as state-sponsored violence (i.e. violence perpetrated by police, border patrols, prison and immigration detention personnel, etc). They are, for example, heavily represented amongst the missing and murdered indigenous women in Canada today, because of the combination of pejorative, colonial, racist and sexist definitions of The Native and The Sex Worker, which allows the public to see and treat them with utter disdain, and as disposable populations. (Indeed, since 2003, the International Day to End Violence Against Sex Workers founded by SWOP-USA has been observed on December 17, to call attention to the hate crimes and brutality that sex workers face, with the red umbrella as a symbol for sex worker rights and justice.)

Finally, there is an ongoing push for the decoupling of human trafficking from prostitution (often also defined as a harm/violence). Many organizations in the global south/of migrant sex workers in the global north are battling with being

identified as “trafficked victims” who have been forced against their will into the sex trade – as helpless, passive subjects, who are to be rescued, for their own good (often by well-meaning, yet misguided “do-gooders” - humanitarians, radical feminists, philanthrocapitalists, Hollywood actors, etc) This anti-trafficking rescue work is heavily (but not exclusively) premised on neo-colonial ideas about black, brown and indigenous people (especially women) as being incapable of practicing self-determination, and it mobilizes discriminatory policies and laws (such as around migration). Such approaches are harmful, in that they do little to address the underdevelopment of global south and indigenous communities through colonial and neo-colonial economic relations, which have created and maintained gross economic inequalities, have undermined traditional or non-western healing practices and sources of livelihood, mismanaged the environment, dislocated many from the land, and induced many to seek a life in a more prosperous and safer part of the world. Sex work is for many people, a chance for a better income to feed, house, clothe themselves and family, to gain an education, to live independently, or to simply have a better, or sustainable life It can be chance to reach those dreams and to be more fulfilled – sexually, economically, socially, materially. We hear this from China through to Colombia, and undoubtedly it also plays a role in Hawaii.

So, in short, struggles and demands for the recognition of rights of women, men, trans, or non-gendered persons who sell or trade sexual labour is not a new issue, neither in the global north or global south. It is also not just about sex worker's rights per se, but about work, sexuality and life more generally. If humankind can recognize that sexual relations are not simply tied to notions of "intimacy" "love" or "romance," but can just as legitimately be connected to work, income-generation, material benefits, pleasure or security, that would be a liberation – that could mean a particular type of freedom.

But as importantly, what the global sex worker rights' organizing tells us is that sex working people are very capable of defining what their needs are, and in articulating what is needed to end the violence and harm they face. So, although there is no single universal solution, and each country or community might develop different priorities in their struggles due to the difference in legal, social, political and economic context, what becomes clear is that those who care about human rights and freedom must listen carefully to what sex workers want, how they define the issues, problems and harms, what kind of alliances they deem to be helpful or harmful, and what the struggle for social justice means. Sex workers need to guide policy, laws, and services that are aimed at them, for after all it is they who know best about how their rights are violated and how the wrongs can be righted.

I trust that in the coming deliberations in this conference, you will have a chance to think more carefully about sex worker rights here in Hawaii, and about how harm reduction programs and services can best support their needs and desires. I look forward to the rest of this conference and to talking about some of the issues I have raised here throughout the day.