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Challenging the Child/Adult Distinction in Theory and Practice on Prostitution

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Abstract

This article argues that contemporary concern about ending child prostitution is misdirected in its strategy. Some theorists and activists, even the ILO, are seeking to create a distinction between adult and child prostitution as if child prostitution could be ended whilst adult prostitution remains intact. The motivation for the distinction relies upon trends in the 1990s to characterize men's prostitution abuse of adult women as constituting legitimate work, choice and agency for the women themselves, and to construct a profitable prostitution industry which can create profits for governments and sex industrialists. I will argue that child and adult prostitution are inextricably interlinked, both in personnel (the women and children work together), in terms of the abusers (who make no distinctions), in the harm they cause and in that both constitute harmful traditional practices which must be ended. The acceptance of men's prostitution abuse as the basis for the industrialization of adult prostitution increases the scale and harm of child prostitution. Thus only policies to eradicate all of men's abusive prostitution behaviour will serve to mitigate child prostitution.

Keywords
prostitution, child prostitution, sex tourism, traditional/cultural practices, sexual violence, sexual exploitation

As a result of the 1989 United Nations Convention on the rights of the child there has been an increasing interest in the issue of child labour, and particularly child prostitution, in the 1990s. There has been considerable unanimity amongst human rights agencies and NGOs as to child prostitution and trafficking being violations of human rights and therefore requiring elimination. There has not been such unanimity on the prostitution and trafficking of adult women. In fact in the last 10 years there has been some backing away from the United Nations understanding of the unacceptability of prostitution as exemplified in the preamble of the 1949 Convention against Trafficking in Persons. The preamble



states that 'prostitution and the accompanying evil of the traffic in persons' are 'incompatible with the dignity and worth of the human person' (United Nations 1949). This retreat has centred on the notion that only some kinds of prostitution need to be considered harmful, i.e. 'forced' prostitution and 'child' prostitution. So-called 'free' prostitution is said by organizations such as Anti Slavery International, for instance, to be legitimate 'work' which needs to be accepted as such (Bindman 1998).

I shall argue here that attempts to separate out child from adult prostitution, in order to end the former whilst maintaining the latter, cannot be successful. I shall critically analyse some of the arguments advanced as to the difference between child and adult prostitution, such as that child prostitution is more psychologically and physically damaging than adult prostitution and that whereas adult women can consent to prostitution, children cannot. I shall argue that all forms of prostitution, child and adult fit very well into United Nations understandings of harmful traditional practices and need to be understood as such. I shall begin by illustrating how the child/adult distinction is being understood and employed presently in the international human rights community.

THE DISTINCTION IN ACTION

The distinction, as it has been employed within the human rights community in the 1990s, is based upon the definition of a 'child' that is offered in Article 1 of the Convention on the Rights of the Child i.e. 'every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier' (United Nations 1989). Marriage usually confers majority on a young person and countries differ in the ages at which marriage is permitted. The age of consent differs too, and where countries do not have specific laws outlawing the use of girls under 18 in prostitution then the age of consent will become the effective age at which prostitution abuse becomes legal. The notion that 18 is the age at which a person leaves childhood comes from western understandings. In the west the age to which children are being kept in education and away from the adult responsibility of earning a living is being constantly raised, in order to decrease youth unemployment and inculcate more sophisticated skills. In poor countries children are expected to make an economic contribution to their families at much earlier ages and western notions of 'childhood' are not necessarily accepted.

The practical implementation of the child/adult distinction can be seen in the number of conferences that took place in the late 1990s on various forms of child, as distinct from adult, prostitution. The most significant was the World Congress against Commercial Sexual Exploitation of Children, Stockholm, Sweden, August 1996. In a message delivered to the Congress, Nelson Mandela expressed his abhorrence of the sexual exploitation of children who are 'our most treasured asset. They are not ours to be used and abused, but to be loved and nurtured. Their well being is ultimately the well being of an entire nation'

(Mandela 1996). The child/adult distinction he makes could be taken to suggest that once these children reach their eighteenth birthday, though they may still be exploited in the sex tourism industry which is currently developing apace in South Africa (Saayman 1998), they are less treasured and their well-being less important. The Congress was the result of the lobbying of an organization, based upon the child/adult distinction, set up to oppose child sex tourism in Asia, ECPAT. This acronym originally meant End Child Prostitution in Asian Tourism and has been changed in response to growing concern at internet child pornography and other forms of child prostitution to End Child Prostitution, Pornography and Trafficking.

Whilst the Convention on the Rights of the Child outlaws commercial sexual exploitation of children below 18, in effect, when child prostitution is discussed, it is often pre-pubertal children that are understood to be the objects of concern. A good example of this concentration on very young children was provided at the European Commission conference entitled 'First European meeting of the main partners in the fight against child sex tourism' in November 1998. It was a conference embedded in the Brussels Travel Fair and aimed at the tourism industry. The centrepiece of the conference was a video clip made by the NGO Terre des Hommes with funding from the airline, Lufthansa. The clip is meant to educate potential child sex abusers on long-haul flights against abusive behaviour. The video clip showed children's toys, teddy bears and train sets, and gave ages of 4 and 7 for the victims. Only one age, 13, bore any relation to the most usual victims of sex tourism. This representation of child sex tourism as the abuse of very young children will limit the effectiveness of the video education campaign. Moreover it will serve to establish the greatest possible distinction between child and adult prostitution. As Julia O'Connell Davidson, co-author of the ECPAT regional reports on child sex tourism (O'Connell Davidson and Sanchez Taylor 1996), and I pointed out at the conference, the vast majority of the 'children' abused in child sex tourism are young teenage girls who are integrated into the bars and brothels of destination countries and used by situational abusers i.e. men who neither know nor care how young the girls are.

It has been pointed out to me by Melissa Farley, co-author of a most important paper on the damaging effects of prostitution upon women (Farley et al. 1998), that the term 'sex tourism' is a euphemism which can conceal the harm done by prostitution tourists and represent it as being about fun and entertainment. I shall, therefore, be using the term 'prostitution tourism' rather than sex tourism in this article.

The construction of a distinction between child and adult prostitution by a major human rights organization can be found in the International Labour Organisation report on prostitution in SE Asia entitled *The Sex Sector* (1998), which suggests that prostitution is so important economically to the countries of SE Asia that there might be arguments for recognizing and legitimizing it. However, the report specifically seeks to distinguish between child prostitution, which must be ended, and the newly legitimate adult sex industry. Lin Lean Lim,

author of the report, says that child prostitution is 'an intolerable form of child labour' whereas 'in the case of adults, prostitution could be considered an occupation or a form of work, in the case of children it is a totally unacceptable form of forced labour' (Lim 1998: 175). The ILO's stand is the clearest attempt so far by a UN body to seek to establish the child/adult distinction in relation to prostitution.

CHILD PROSTITUTION IS INTEGRATED INTO THE ADULT PROSTITUTION INDUSTRY

If child prostitution were a discrete phenomenon, the idea that it could be eliminated whilst leaving adult prostitution intact might make some sense. One reason to be doubtful of the 'discrete' nature of child prostitution is that it seems to have increased precisely in line with the overall increase in the international sex industry. The ILO report comments that child prostitution is on the rise everywhere in the world. In the same countries in which adult prostitution is becoming more accepted and more profitable child prostitution is increasing.

Feminist anti-prostitution activists and theorists such as Kathleen Barry (1995), have demonstrated that prostitution has undergone a process of industrialization since the 1960s. In this process, prostituted women and children have come under the control of big business in the western world as prostitution has been legalized and normalized. The trafficking of women for prostitution internationally has become much more organized with criminal and business networks making very serious profits from the practice (De Stoop 1992). The ILO report supplies powerful evidence to suggest that prostitution is being organized on a quite new scale and integrated into national economies in significant ways in the last decade. As Lin Leam Lim comments:

Prostitution has changed recently in some SE Asian countries. The scale of prostitution has been enlarged to an extent where we can justifiably speak of a commercial sex sector that is integrated into the economic, social and political life of these countries. The sex business has assumed the dimensions of an industry and has directly or indirectly contributed in no small measure to employment, national income and economic growth.

(Lim 1998: vi)

The sex industry in SE Asia is estimated in the report to account for from 2–14 percent of regional economies. There is no evidence that industrialization and normalization of the sex industry will help to eliminate child prostitution. In fact there is considerable evidence of the reverse.

There is evidence from Australia to support the notion that child prostitution increases in line with the prostitution industry in general. A recent ECPAT report on child prostitution in Australia concluded that child prostitution was rising all over the country, but particularly in the state of Victoria, which was the first

to legalize licensed brothels in the 1980s and has the most industrialized sex industry in the country at this time (ECPAT 1998). The estimated value of the 'adult industry' in Australia by market analysts is 1.8 billion Australian dollars (Elias 1998). It is possible, then, since the growth of the sex industry seems coterminous with an increase in child prostitution, that any attempt to eliminate the latter, whilst protecting the growing economic contribution arising from the exploitation of those who have reached their eighteenth birthday, will be unsuccessful.

It seems particularly inappropriate to treat child prostitution as a discrete problem which can have a discrete solution, when the degree of integration of child prostitution into the regular systems of prostitution in countries in South East Asia and the Caribbean, for example, is recognized. As the reports of Julia O'Connell Davidson and Jacqueline Sanchez Taylor for ECPAT on child prostitution tourism point out, child sex abusers who deliberately seek out young children are a very small number of those using children (under 18) in prostitution tourism destinations (O'Connell Davidson and Sanchez Taylor 1996). The majority of prostitution abusers are indigenous men and both they and prostitution tourists use teenagers in prostitution as a routine part of their prostitution abuse, neither seeking children, nor, in many cases, recognizing or remarking the extreme youth of those they abuse.

The reports demonstrate that young teenage girls are entirely integrated into the brothels and sex-related bars of Asia:

Sex tourists represent a steady and lucrative demand for prostitutes and many of the people who are likely to be sacrificed to this demand are under the age of 18. In virtually every society, the prostitution 'labour market' feeds upon the dispossessed and the disempowered, and alongside migrants, children (especially poor children and female children) are one of *the* most economically, socially and politically vulnerable groups in the world.

(O'Connell Davidson and Sanchez Taylor 1996, Venezuela: 4)

Lim also remarks that the child prostitution abusers are, for the most part, 'situational child sex abusers' and these are much more significant in numbers than those who deliberately seek out children to abuse. As Lim comments, 'The commercial sex sector makes children available to situational child sex abusers, who appear to be increasingly taking advantage of the situation' (Ibid: 179). O'Connell Davidson and Sanchez Taylor in their report on child prostitution and child prostitution tourism in Costa Rica comment, 'Accounts of clients' attitudes and behaviour provided by both adult and child prostitutes suggest that many men quite simply do not care whom they have sexual intercourse with. It is the activity, rather than its object, which is valued' (O'Connell Davidson and Sanchez Taylor 1996, Costa Rica: 14). For those men who are essentially indifferent as to the age of the girls they exploit, the main criteria for selection are body type and racialized identity, so that females anywhere between the ages of 14 and 30 can be attractive to them (O'Connell Davidson

and Taylor 1996, South Africa: 23). Though the convincing evidence from O'Connell Davidson and Sanchez Taylor of the integration of child prostitution into the adult industry leads me to question whether child prostitution can be ended without tackling adult prostitution, these authors do not reach such a conclusion themselves, and still retain a child/adult distinction in their work.

The ILO report shows the significance of child prostitution within the regular prostitution industry very clearly too. In one major brothel complex in Indonesia, 1/10th of workers were below 17 and of those 17 and above, 1/5th became prostitutes under 17. A 1994/5 survey of Indonesia's registered prostitutes found 60 percent aged 15–20 (Lim 1998: 7). In Malaysia of the women and girls rescued by police from brothels 1986–90, 50 percent were under 18 and the rest 18–21 (Ibid: 173). A Thai study found that 1/5 of prostituted women and girls started working 13–15. The study report states that there is an increasing traffic in underage girls from ethnic minorities and from neighbouring countries. Child prostitution is also on the increase in China, Viet Nam, Lau PDR, and Myanmar. In Cambodia, according to a 1995 report, 1/3 of prostituted females were 12–17 years old. Estimates of numbers of very young prostituted females are hard to gain, Lim points out, because very young girls tend to be hidden from public view (Ibid). The clear conclusion from such statistics would seem to be that prostitution is based upon the sexual use of very young women or girls in poor countries. Tourism exacerbates the problem of child prostitution in many countries but the children are already integrated into the indigenous prostitution industry. Nonetheless, on the same page in the ILO report on which the above statistics are detailed, Lim notes that; 'It must be recognized that there are crucial differences between adult and child involvement in the sex sector'(Ibid). This remark does seem to be in contradiction to the evidence that suggests child prostitution is an integral part of prostitution in general.

In the Australian state of Victoria, where brothels are licensed and regulated, child prostitution seems to be well integrated into the legal industry too. Child prostitution was discovered in one of the licensed brothels in August 1999 as a result of a police investigation prompted by a newspaper expose. Two men and a woman were charged in relation to 5 girls as young as 15, with inducing children into prostitution and forcing them to remain there, and trafficking a drug of dependence (Forbes 1999). The legalized industry depends upon a public perception of the distinction between child and adult prostitution but in fact the distinction can be as unrealistic in rich western nations as it is in South East Asia.

The integration of young teenagers into the prostitution industry seems particularly evident in male prostitution. A 1999 collection of reports on research from a number of countries suggests that prostituted males start younger than females and have a shorter shelflife. The author of a study of French male and travesti (transvestite) prostitution remarks: 'While entry into sex work can occur in a variety of ways and at different stages in life, the majority of respondents in this study began to sell sex between the ages of 12 and 17' (da Silva 1999: 43). A study of 91 prostituted men in Cardiff, UK, found

that the average age was 'slightly under 18' with a range from 15–23. The authors were confident that this sample 'includes nearly all the workers regularly selling sex in the area' (Davies and Feldman 1999: 3).

There is evidence in several of the reports that the legalization of prostitution does not preclude forced child prostitution. Wim Zuilhof explains that brothel prostitution was accepted in government policy in the Netherlands, though kept formally illegal, from the 1970s. Amsterdam has developed into a central cog in international paedophilia networks and in Rotterdam too, boys under 16 have been traded and forced to have sex with clients (Zuilhof 1999: 31).

Child prostitution, if we include within this phenomenon the abuse of young people 12–18 years, is now a significant part of the prostitution industry and is likely to provide, therefore, a large part of its profits. There is a growing demand from customers in South East Asia for children because of fears of HIV transmission. Children are considered less likely to be infected or their use is seen as therapeutic in the treatment of sexually transmitted disease (Human Rights Watch 1994). If those concerned to end child prostitution include within their brief teenage girls and boys, then there seems no reasonable possibility of them realizing their goal until they challenge prostitution in all its forms.

THE HARM OF CHILD PROSTITUTION TO ITS VICTIMS IS DIFFERENT FROM ADULT PROSTITUTION ONLY IN DEGREE

The ILO report specifies as the basis of its distinction between child and adult prostitution, the great physical and psychological damage suffered by children from sexual exploitation. However when these forms of harm are examined it is not clear that they are distinct from the harms of adult prostitution. The difference may be one of degree. The damage of child prostitution is described in a 1996 ILO report as follows:

Commercial sexual exploitation is one of the most brutal forms of violence against children. Child victims suffer extreme physical, psychosocial and emotional abuse which have lifelong and life-threatening consequences. They risk early pregnancy, maternal mortality and sexually transmitted diseases. Case-studies and testimonies of child victims speak of a trauma so deep that many are unable to enter or return to a normal way of life. Many others die before they reach adulthood.

(Lim 1998: 177)

Children are said in the ILO report to suffer post-traumatic stress disorder, and the dangerous results of the practice of dissociation, which damages attachment and self-esteem. They are likely to self-injure, to feel guilt, shame and worthlessness.

However, research into prostituted women's experience shows that adult-prostituted women display very similar physical and psychological damage from their prostitution abuse. A 1994 study of 68 women in Minneapolis/St.

Paul who had been prostituted at least six months found that half of the women had been physically assaulted by their purchasers and a third of these experienced such assaults several times a year. Only 15 percent of the women had never contracted an STD, not including AIDS. 31 percent of the women had experienced at least one episode of pelvic inflammatory disease. 46 percent of the women had attempted suicide and 19 percent had tried to harm themselves physically in other ways (Parriott 1994). Almost all the women in this study categorized themselves as chemically addicted, with crack cocaine and alcohol used most frequently.

Dissociation is a mind/body split employed to protect the self from violation during sexual abuse. One thing about which prostitution researchers with diverse political agendas agree, is that prostituted women, as well as children, dissociate to survive (McLeod 1982, Hoigard and Finstad 1992). Dissociation is routine and achieved by various means documented by prostitution survivors, drink, drugs, cutting off. This dissociation may be learned by prostituted women to survive childhood sexual abuse or in the early stages of prostitution abuse. Research on prostituted women suggests that between 60 percent (Silbert and Pines 1981) and 90 percent (Giobbe 1990) have experienced child sexual abuse, though there are different interpretations in the literature as to the directness of the connection between such abuse and entry into prostitution. Those who do not learn the technique of dissociation survive less well (Vanwesenbeeck 1994). The effects of dissociation are to injure women's relationships with their bodies and their selves and their relations with others. Some feminist researchers have identified the effects of prostitution abuse as resembling post-traumatic stress disorder. This range of symptoms of trauma, originally associated with combat veterans, has also been found in the victims of child sexual abuse (Herman 1994). Melissa Farley uses the notion of PTSD to investigate the effects of prostitution abuse (Farley et al. 1998).

Adult prostitution survivors speak of guilt, shame and feelings of worthlessness just as the child victims do. One of the prostituted women interviewed by Hoigard and Finstad in Oslo described her experience of seeking a sexual relationship whilst in prostitution, thus:

You're a piece of shit, and you make yourself sick. You get pissed off, and you get bitter. You don't see it as sex, you see it as something awful, something disgusting. I've thrown up during sex, just started throwing up without thinking that it's been awful. It's just happened.

(Hoigard and Finstad 1992: 109)

Two women in this study are quoted at length on the difficulties of carrying on a life outside prostitution, such as taking exams and standing up and speaking at meetings when they feel they are still, underneath the facade, the persons who were prostituted. They feel they live a double life. One wrote:

I use tampons all the time. Even when I'm not having my period. It's because I'm

afraid of stinking. I never sit too close to people. I wash my ears ten times a day because I'm afraid gunk is running out of them.

(Ibid: 113)

Another said that her emotional relationships failed because when embarking on them she starts 'hating myself, my body is filthy' (Ibid: 113).

Eveline Giobbe, founder of the prostitution survivors' organization WHISPER, Women Hurt in Systems of Prostitution Engaged in Revolt, defines prostitution as 'bought rape'. She found that prostitution survivors who contacted the organization suffered harms similar to those that result from other forms of sexual violence such as negative effects on their sexuality, flashbacks and nightmares as well as lingering fears and deep emotional pain that often resembled grieving (Giobbe 1991: 155). One commented:

I feel like I imagine people who were in concentration camps feel when they get out . . . It's a real deep pain, an assault to my mind, my body, my dignity as a human being. I feel like what was taken away from me in prostitution is irretrievable.

(Ibid: 156)

Another effect Giobbe identifies is suicide. She reports that figures from public hospitals show that 15 percent of all suicide victims are prostitutes and one survey of call girls revealed that 75 percent had attempted suicide.

The research findings as to the harm of prostitution are challenged by some individual prostituted women who speak of how prostitution is, for them, a good and reasonable job. One example is Annie Sprinkle who has made a career out of promoting prostitution publicly (Juno 1991). In order to understand such protestations it is important to apply to prostitution the insights that feminist researchers have developed about 'minimisation' in relation to other kinds of violence against women. Liz Kelly and Jill Radford point out that women victims of violence in many forms such as domestic violence and sexual harassment, tend to say that 'nothing really happened' and minimize consistently the extent of the abuse and the harm they suffer (Kelly and Radford 1996). The pressure to minimize can be exacerbated by economic dependence on the continuation of the abusive behaviour as in prostitution.

In all the ways in which prostitution can be seen as harmful to children it can also be shown to be manifestly harmful to adults. Children will in some cases be more severely affected, such as in the actual ripping of flesh and damage to organs wrought by use of particularly small vaginas and anuses. Children's bodies can be particularly damaged by pregnancy and young girls are at high risk of HIV/AIDS as a result of inadequate vaginal secretion causing more trauma to the vaginal walls (Human Rights Watch Asia 1994). But adult women are also likely to suffer unwanted pregnancies, sexually transmitted diseases, and resulting damage to their reproductive systems. This physical damage seems also to be a matter of degree.

Another understanding which is used to support the child/adult distinction, is the idea that adult women 'choose' prostitution whereas children are not in a position to 'choose'. Lim explains:

The vulnerability of children has been the principal motivation for measures to protect them, and is one of the crucial factors distinguishing child prostitution from adult prostitution.

Experts have pointed out that vulnerability is a function of the bio-physiological, cognitive, behavioural and social changes that determine the growth and maturation of a person from infancy to adulthood. Even when a child is physiologically developed, he or she may not have the cognitive, psychosocial or emotional capacity, or self-perception, to make a voluntary choice to enter prostitution.

(Ibid: 174)

Lim suggests that though some commentators say that all prostitution is a problem, 'Another view, however, is that adults can voluntarily go into prostitution as the occupation of their choice . . . morals aside, prostitution offers much higher incomes than other available alternatives for poor women with low levels of education, and that working conditions . . . are actually quite decent' (Ibid: 174). 'Children, and certainly younger children', Lim says, are unable to make such a decision. Prostitution exploits their 'immaturity' and 'helplessness'. Many women, however, may 'voluntarily' go into prostitution and 'have some ability to negotiate the terms of their employment' whereas this is not the case for children who are 'commonly sold, trafficked, tricked or injured, and force and coercion are used to confine them' (Ibid).

The ILO's positive stance towards the position that prostitution can be an occupation of choice, shows the influence of a pro-prostitution lobby that has developed in the western world in the 80's and 90's from sex industry lobbyists, some prostitutes' collectives, and sexual libertarian theorists (see Jeness 1993; Bell 1994; Chapkis 1997; Nagle 1998). Some prostitute rights advocates, such as the Australian Alison Murray, for instance, claim to speak for the majority of prostituted women and men in praising the admirable qualities of prostitution as a job and that it is willingly chosen. She states, 'most sex workers . . . do the job willingly and do very well out of it relative to other occupations' (Murray 1998: 62). It is precisely the distinction between 'forced' and 'free' prostitution based upon the notion that adult women may exercise the free will of an individual and 'choose' prostitution or 'consent' to it, that is causing the most serious division between different groups of feminist activists and theorists concerned with prostitution (Jeffreys 1997).

Anti-prostitution activists who come from feminist anti-violence struggles or are survivors of prostitution are critical of the concept of 'choice', pointing out that economic coercion renders the idea of free choice untenable, as do

other constraining circumstances that act upon women's lives. The Freedom and Justice Centre in Minneapolis stresses that the constraining circumstances are the same for women and children who are all: ' . . . delivered into prostitution by rape, battery, child sexual abuse, educational deprivation, poverty, race discrimination, sex discrimination, class discrimination, and war' (Freedom and Justice Center 1998). Women are not free agents, anti-prostitution activists point out, operating on a level playing field upon which they rationally choose prostitution over other occupations for the advantages it offers (Barry, 1995). On the contrary women, as Andrea Dworkin has argued, constitute an oppressed class of people whose subordination has historically been symbolized in their exchange as sexual and reproductive servants and slaves between men (Dworkin 1983).

In all societies and particularly those, often the destination of prostitution tourists, which retain the most severe forms of male dominance, women and girls have low social status. They experience sexual abuse in childhood and adulthood which can rob them of self-esteem, independence or the chance to marry, or (in the west) render them homeless or cut them off from support (O'Neill 1996). They can be seen as less worthy of education or an economic liability. Women and girls are taught that the possibility of their sexual use is their only economic asset. Women and girls are born into societies in which a demand for commercial sexual access to their persons by men marks them out as sexual objects and men out as abusers. This is represented in the fact that they are likely to be offered money whilst just going about their daily business. Those who use the argument of 'choice' without reference to the constraining factors created out of the material power differences between men and women might be criticized as overly individualist in their approach.

It should be understood that the liberal theorists and sex industry apologists who endorse the idea of prostitution as 'choice' for adult women are, in some cases, prepared to extend such arguments to children. Heather Montgomery, who researched child prostitution in a tourist resort in Thailand, rejects the argument that children are more vulnerable than adults are when prostituted. She is critical of what she sees as the sentimental way in which child prostitution is regarded. She accuses those professing to be concerned about child prostitution of being actually sexually titillated by it; 'Although sex with children is widely condemned, it is still an issue which causes great, if appalled, curiosity . . . A call for action at the end of a newspaper article or an NGO fund raising leaflet, does not obviate the suppressed excitement of many stories' (Montgomery 1998: 142). She sees the children as having agency in precisely the same way that pro-prostitution lobbyists seek to invest adult prostituted women with agency.

The children that I knew did have "a sense of decision and control" and to deny them this is to deny the skilful way that they use what very small amount of control that they do have. The search for victims of child abuse sometimes obscures the acknowledgement of children's agency.

(Ibid: 146)

She sees arguments as to the damage done to children by prostitution as being ethnocentric and relating to particular Freudian understandings about sex and identity, which may not be appropriate in other cultures. For the Thai children she studied:

Sexuality was never identified with personal fulfillment or individual pleasure . . . For the campaigners against child prostitution, however, the conflation of sexual and personal identity is key. Prostitution, they argue, damages children, not necessarily because of its physical risks but because it damages their identity. If sexuality is abused, the child is “ruined” and often unable to be rehabilitated into society.

(Ibid: 147)

The damage the children suffered was not related to the sexual content of the abuse but to attendant obvious problems such as ‘bruises, STDs or drug use’. She does not believe that ‘Western models of psychology can always be applied directly to children in other countries and still be useful’ (Ibid).

The idea of ‘choice’ is applied to children also by some pro-prostitution prostitutes’ collectives. In the ECPAT report on child prostitution in Australia, ‘sex work organisations’:

. . . also put forward the argument “that many young people choose to enter sex work and regardless of what changes are put in place, some will continue to sex work”. The young person’s right to choose was stressed by most sex work organisations and they felt society should “value” and respect the young person’s choice to engage in sex work if that is their choice. “We need to provide specialised services to those who want to continue as well as to those who want to exit”.

(ECPAT 1998: 55)

Approaches to prostitution which concentrate on choice, instead of recognizing the harm in men’s sexual abuse of all those used in prostitution are, inevitably I feel, being adopted to justify all forms of sexual exploitation. Those who wish to stress that adult women may ‘choose’ to be used as mouths, vaginas and anuses in prostitution should bear in mind that these arguments are and will be so appropriated.

When child prostitution is distinguished from adult prostitution on the grounds of ‘choice’ then the effect is the abandonment of adult women, many if not most of whom will have experienced prostitution abuse or other sexual abuse before the age of 18, to their fate. The prostitution survivors’ movement which is organized in the US around facilities set up by feminist activists to offer refuge to prostituted women and reeducation to the male abusers, such as SAGE in San Francisco and Breaking Free in Minneapolis, is concerned that the sympathy extended to whoever are identified as children, and deserving to be recognized as victims, should also be extended to adults.

CHILD PROSTITUTION AS 'SEX WORK'?

The ILO is in the process of continuing its wrongheaded view of prostitution as legitimate 'sex work' in its new convention on the Worst Forms of Child Labour adopted in June 1999. This convention includes child prostitution in its definition of intolerable forms of child labour but in so doing effectively recognizes prostitution as work. Article 3 of the convention states that the term '*the worst forms of child labour*' include 'the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances' (United Nations 1999).

My argument here that child prostitution should not be seen as 'work' does not necessarily mean that I oppose all forms of child labour. Prostitution is quite unlike other forms of 'work' in many crucial respects and needs to be treated differently (see my chapter on prostitution as work in *The Idea of Prostitution* 1997). For example, the degree of violence associated with prostitution, including rape and murder, the health effects such as fatal disease, pregnancy and abortion distinguish prostitution from other forms of work. The fact that the everyday acts of prostitution, penetration during which the victims dissociate to survive, is seen by many commentators and survivors as violence in and of itself (Giobbe 1991, Hoigard and Finstad 1992), distinguishes prostitution. Prostitution is gendered in a way in which other forms of work are not in that the consumers are overwhelmingly male, and the victims, as the ILO report points out even in relation to child prostitution, overwhelmingly female. The object of the work is the use of the inside of women's or children's bodies to which the only analogous forms of work are, perhaps, organ sale and reproductive surrogacy. It arises from the historical subordination of women, in which women's bodies are exchanged for sexual use either within marriage or outside. The exchange of men for sexual use, it should not need pointing out, has not formed the basis of patriarchal societies. Whilst other forms of child labour may become legitimate forms of work after a certain age or when undertaken in certain conditions, strong arguments can be made that this can never be the case for prostitution.

Campaigners against both adult and child prostitution have taken issue with the idea that prostitution should be called 'work'. One reason is that calling prostitution 'work' suggests that it can be freely chosen, and because such a notion is so very unsuitable for the poor and marginalized in the rich world let alone the vast majority of those abused in prostitution who live in the poorest parts of the world. Shivananda Khan, writing on men who sell sex to men in India and Bangladesh, argues against the term 'sex work' because it:

... seems to carry a sense of choice, suggesting that sex work is just another job, something that can be left at any time. It oversimplifies what is a complex issue and dehumanizes the struggles that the vast majority of male and female sex workers go through just to survive. For the vast majority of people, sex work or whatever name you give it, is a survival strategy. For most, it is a practice enforced

by poverty, degradation, homelessness, hunger and powerlessness, a form of slavery to economic, social and cultural deprivation, stigmatization and marginalization.

(Khan 1999: 196)

He suggests that the term 'sex work' derives from a Western construction of sexuality which can 'lose sight of local realities and languages, local sensibilities and constructions'. Use of the term can 'end up creating frameworks that have nothing to do with the realities of people's lives, how they see the world and themselves, and how they survive' (Ibid: 196).

John Pitts, writing about child prostitution in the UK also cautions against use of the idea that prostitution is 'work'. He explains that prostituted children have been referred to as 'workers in the sex industry' in order to 'avoid stigmatizing' them but, 'This euphemism, though kindly meant, merely serves to obscure the enormity of the violation'. It also suggests that 'their work is freely chosen whereas it is better seen as powerfully determined by negative experiences and reduced circumstances, which constrain young people to act in ways that are inimical to their best interests'. Concerns about the age of consent, he argues, 'divert us from the far more complex and important question of the 'conditions of assent', the circumstances under which such consent is given' (Pitts 1997: 152).

The liberalizing attitudes towards prostitution of the last decade, represented in the idea that prostitution should be seen as 'sex work', have had the effect in some European countries of reducing police enthusiasm to prosecute prostitution offences. The effect of this liberalization on child prostitution is that it inevitably gets subsumed within that tolerance and treated with less seriousness. John Pitts points out that in the UK there was a 'de facto creation of "tolerance zones" in many UK cities, in which the police, in effect, manage rather than prosecute prostitution'. The problem with such 'tolerance', he says, is that, within these zones, 'the duty of the police to "protect" children and young people falls into abeyance' (Pitts 1997: 152). David Barrett also argues that increasing tolerance of men's prostitution behaviour towards adult women in the UK extends to children too: 'Adult prostitution often receives a neutral response from agencies involved in dealing with it. This same neutrality appears to generate a similar passivity when children are involved (Barrett 1997: 161).

Legalization of prostitution in the form of licensing brothels, as exists in the state of Victoria in Australia, does not solve the problem of child prostitution but may make it easier to hide it away, and harder for young people to escape. David Barrett argues that laws in the UK restricting access to massage parlours to those over 18 have not helped in eliminating child prostitution. On the contrary:

Existing in a brothel or an off-street parlour in a sink neighbourhood, under the control of a pimp who has probably made the child drug dependent, where

physical violence is commonplace, is virtually impossible for an unsupported young person to escape from.

(Barrett 1997: 163)

PROSTITUTION AS A HARMFUL TRADITIONAL PRACTICE

In the same 10 years in which there has been an increasing concern with the rights of the child and child sexual exploitation there has been an increasing sophistication and effort directed to the elimination of what the United Nations has called 'harmful traditional practices'. The 1995 UN Factsheet on *Harmful Traditional Practices Affecting the Health of Women and Children* lists prostitution under 'violence against women' as one form of such harmful practice (United Nations 1995). When prostitution is considered as a harmful traditional practice the creation of a distinction between child and adult seems particularly inappropriate. In the factsheet there is neither such distinction, nor indeed a distinction between 'forced' and 'free' prostitution. The idea of a forced rather than free harmful traditional practice does not fit well with United Nations understanding of what constitutes such a practice. Harmful traditional practices are 'consequences of the value placed on women and the girl child by society. They persist in an environment where women and the girl child have unequal access to education, wealth, health and employment' (Ibid: 5). Traditional cultural practices 'reflect values and beliefs held by members of a community for periods often spanning generations' and they are for the 'benefit of men' (Ibid.: 3). Such practices 'persist because they are not questioned and take on an aura of morality in the eyes of those practicing them' (Ibid.). Prostitution fits into the definition of such practices very well. Prostitution is, after all, often referred to by apologists as 'the oldest profession' suggesting a weight of tradition. Prostitution is not only unquestioned by many, but actually regarded as legitimate, presently, by the ILO. Such support certainly lends an aura of 'morality' to the practice. Prostitution, like the other harmful traditional practices listed by the United Nations such as child marriage, domestic violence, female genital mutilation, is certainly a threat to the health of both women and children. It is also very clearly for the benefit of men who are the customers and most usually also the traffickers, pimps and 'businessmen' who make most of the profit.

The 1997 Report of the Special Rapporteur on violence against women, Radhika Coomaraswamy, explains that 'Certain customary practices and some aspects of tradition are often the cause of violence against women' and 'Besides female genital mutilation, a whole host of practices violate female dignity' (Coomaraswamy 1997). She explains that 'Blind adherence to these practices and State inaction with regard to these customs and traditions have made possible large-scale violence against women'. All of these comments suit the acceptance of men's prostitution abuse of women in many western countries. As Coomaraswamy explains, the attempts by states to modernize

their economies, precisely the project that the ILO report addresses, often leaves abuses of women's rights in the form of harmful traditional practices intact.

States are enacting new laws and regulations with regard to the development of a modern economy and modern technology and to developing practices which suit a modern democracy, yet it seems that in the area of women's rights change is slow to be accepted.

(Coomaraswamy 1995)

Indeed, in relation to the harmful traditional practice that is prostitution, it would appear that economies are to be developed directly from the harmful practice itself. State acceptance or promotion of the commercializing of a harmful practice should surely be seen as in direct contradiction to those UN documents, which explicitly require the elimination of such practices. The Convention on the Elimination of all forms of Discrimination against Women, for example, enjoins States Parties to:

. . . take all appropriate measures . . . to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.

(United Nations 1979: art.5 (a))

Many of the justifications advanced for the continuation and acceptance of men's prostitution abuse sound, on examination, very similar to those advanced in support of other traditional practices which damage women. On cultural arguments that are advanced to support harmful traditional practices, Arati Rao advises that we consider several questions in order to assess their reasonableness:

First, what is the status of the speaker? Second, in whose name is the argument from culture advanced? Third, what is the degree of participation in culture formation of the social groups primarily affected by the cultural practices in question? Fourth, what is culture anyway?

(Rao 1995: 168)

Arguments as to the acceptability of prostitution as an element of economic advance, should be evaluated in this light. They suit the interests of criminals/businessmen involved in the trafficking and commercial exploitation of women and children. The social groups most affected by the practice of prostitution, prostituted women and women in general, have had extremely little participation in the construction of the sexual cultures of the countries in question. What is culture anyway? In relation to prostitution it could be seen as the culture of male sexual dominance which is being globalized through commercial exploitation.

Those who use women, children and young men in prostitution are overwhelmingly male. O'Connell Davidson and Sanchez Taylor do mention a form of female prostitution tourism, analogous to the male version, which they discovered in some prostitution tourist destinations. They include female sex tourists amongst the client groups involved in child prostitution tourism in both Goa and Venezuela (O'Connell Davidson and Sanchez Taylor 1996 Nos 4 and 5). Their evidence for this phenomenon, however, is largely anecdotal and does not pay much attention to the considerable differences between what they define as female prostitution tourism and that which is engaged in by male tourists. There seems to be no evidence to suggest that there is any serious demand to use men and children in brothel and street prostitution in the way in which men use women, girls and boys.

Feminist and some gay male theorists have pointed out that men's prostitution behaviour towards women, children and young men is a way of expressing the sexuality of male dominance, a sexuality that confirms masculine status (Millett 1975; Dworkin 1981; Barry 1995; Jeffreys 1997; Kendall 1997). Though economic need and racism clearly play large parts in the creation of the international prostitution industry, what distinguishes prostitution from other industries which also exploit these exigencies is that it is founded upon men's demand. Cynthia Enloe argues that prostitution constructs masculinity saying that; 'Tourists, colonial officials, international technocrats and businessmen, and soldiers have long been the internationalizers of sexualized masculinity' (Enloe 1992: 25). Aida Santos who has written and worked against prostitution tourism and military prostitution in the Philippines argues that those who accept that prostitution is inevitable are saying that 'sex, however it is obtained, either by coercion, commercialization or even seduction, is a male right' (Santos 1995: 38).

All measures that seek to ameliorate the dire effects of men's prostitution abuse upon women and children without targetting the male abusers run the risk of seeming to accept that the abusive behaviour is inevitable and natural, or a traditional practice which it would be too difficult to challenge. Attempts to end child prostitution whilst leaving adult prostitution intact might appear to be based upon some notion that men's prostitution behaviour is unstoppable, perhaps a biological necessity, which can only be channelled into 'harmless' directions. Adult women are seen as responsible for their abuse in prostitution and either as unharmed or choosing to be harmed, whilst children are seen to be off limits. In fact men's prostitution abuse is not 'natural' behaviour, in my assessment, but the result of the idea that such sexual abuse of women and children is vital for men's health, enjoyed by women, a right of manhood.

Aggressive, compulsive, risk-taking masculine sexual behaviour is recognized by a Panos Institute anthology as the driving force behind the global AIDS epidemic. *AIDS and Men* argues forcefully, with evidence from many countries where the epidemic is particularly rampant, that male sexual behaviour in which

'men are much more likely to take risks than responsibility in their sexual behaviour' (Foreman 1999: 36) is not biologically but socially constructed and must be changed if the AIDS related destruction of mostly women and children, is to be stemmed. The editor, Martin Foreman, asks 'whether millions of men across the social and geographical spectrum can be persuaded to see abstinence, fidelity and the use of condoms as desirable and viable alternatives' to their learnt masculine patterns (Ibid.: 35). He argues that men 'need the opportunity to discuss what it means "to be a man", why they use their penis, mouth or anus in certain ways' (Ibid.: 45). He stresses the importance of the men 'who hold the reins of power in society' the 'parliamentarians, religious leaders, newspaper editors and broadcast producers, as fathers and husbands' using their influence and resources to open up the debate on how men can change because these men are the 'custodians of tradition' (Ibid.).

The abuse of women and children in prostitution emerges, like the AIDS epidemic, from the sexual behaviour of male dominance, and it is equally destructive in its effects. Cath Hayes and Ian Trafford argue in relation to child prostitution in the UK that the cause of child prostitution is men's demand and it is that that needs to be changed:

Although there are many factors which may leave some young people vulnerable to involvement in prostitution, prostitution only exists because there is a demand. It is increasingly being recognised that child prostitution only exists because there are men willing to pay to abuse children.

(Hayes and Trafford 1997: 61)

Instead of trying to create a false distinction between child and adult prostitution it might be better to approach prostitution in the same way the Panos Institute study suggests approaching AIDS, with the reconstruction of male sexual behaviour on a global scale. As CEDAW demands, harmful attitudes and traditions based upon women's subordination should not be tolerated, but cast aside. Men's right to use women and children in prostitution is, I argue, one of these, and a particularly damaging one.

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