

Decriminalizing Prostitution

Peddling prostitution as a choice of livelihood and its legalization to lend “dignity” to prostitutes is a monumental failure on the part of Amnesty

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In the 1990s when I was in my 20s I used to hear certain brilliant elders in Lahore, my hometown, speak about many a subject while I rolled my eyes without letting them see me do it. I had just graduated from Oberlin, the utopic womb of all things progressive and liberal, and the vigour of youth, exploration and discovery was in ascension. Over the years, most of what they said proved to be true and one by one bitter pills had to be swallowed: Zionist plots do exist, banks enslave the poor and then some through varying schemes which lasts till the end of time, slowly but surely religion will be wiped off the face of the earth, media is the most important tool of influence and control, to name just a few.

One of the earliest and still outstanding prophecies yet to be realised, probably the most controversial in my mind and least likely to be borne out, came back to me the last week of August. Simply stated it was this: “International non-profit organisations/NGOs (mostly) exist for the purpose that has less to with promoting human rights and more with advancing western imperialism”, which these days may take the form of atheism, sexism and racism depending on how the shoe fits. To my amazement, the case in point was played out by the great Amnesty International.

Amnesty, on some occasions rightly, champions itself as the lead non-profit defending global human rights. Their best work has been in the realm of exposure of war crimes and injustices that are a direct result of foreign invasions as well as advocacy for the protection of journalists who might be targeted, tortured, arrested or killed while on assignment in hot spots by the crazies or governments themselves. Then this August in Dublin, Amnesty held a vote within its organisation over a highly controversial policy choice: decriminalising prostitution. The result of the vote would form the organisation’s pledge to influence countries all around the world to come to their side of the argument, which, to put it mildly, sparked a furor.

The sharpest critiques came from organisations such as the Coalition Against Trafficking in Women that in response collected thousands of signatures, including those of Hollywood heavy hitters like Meryl Streep and Kate Winslet, amongst many others arguing that decriminalising prostitution “will in effect support a system of gender apartheid”. It would bring more and more women in harm’s way by increasing trafficking to countries where the laws were changed. The group, like many other women’s rights groups, also believes that prostitution,

in and of itself, is a “cause and consequence of gender inequality and that full decriminalisation would endorse this inequality”. Forever.

Amnesty maintains a confounding position that trafficking and prostitution should not be connected and that they remain “opposed to human trafficking, which should be criminalised ‘as a matter of international law’ going on to explain, “We have chosen to advocate for the decriminalisation of all aspects of consensual adult sex — sex work that does not involve coercion, exploitation or abuse...We do not consider a trafficked women who is forced to sell sex to be a ‘sex worker’. She is a trafficked woman and deserves protection as such.” Sounds like a lot of arbitrary lines in the sand to push a specific agenda.

What percentage of sex work, other than that depicted on HBO and Showtime that habitually glamourise prostitution, does not include coercion, exploitation or abuse on this planet? But let us take a step back and consider what one article said: “Strong arguments exist on both sides, but can hinge on whether their proponents believe that prostitution should be treated as a job like any other, or whether it should be discouraged.” So essentially for all of us to answer the question as we would for ourselves and our loved ones, is it a normal way of life for anyone to sell their body to earn their livelihood?

Germany decriminalised prostitution in 2002 and the ‘experiment’ has been denounced as a massive failure. Despite the 13 years and counting that the law has been enacted, the press (German and non) states that prostitution is certainly not “a job like any other” despite the farce of it with benefits, insurance and welfare programmes. Hardly any women officially registered as prostitutes contrary to what was widely expected. It turns out few women want to come out and identify themselves as sex workers with pride. Their personal security did not improve and they continued to be exploited by their pimps/punters aka ‘managers’ with no control over their bodies or their clients. Meanwhile, 12 story brothels went up, sex tourism raged as did the inflow of poor girls from Romania and other eastern European countries.

The essence of the argument towards decriminalisation is that it would remove the stigma society associates with prostitutes if their work were legalised. That somehow they would be treated differently than they ever were, inside and outside their ‘work’ construct. And, unsurprisingly and much to the fury of most editorials covering the issue, it was a total disaster. “The theory that stigma would evaporate on contact with legitimacy turns out to be nothing but fantasy, itself simmering into nothing once exposed to the real world.” The Huffington Post reported in 2013 that “experts, government reports and academic publications are increasingly confirming what survivors have been saying for a long time — that the legalisation or decriminalisation of the commercial sex industry does not

reduce stigma, does not eliminate violence and fails to make things safer for people in prostitution.”

In comparing prostitution laws in the west, the model that has garnered the most favour by women’s rights activists, at least relatively, is what has come to be known as the Swedish or Nordic model. Sweden, Norway, Iceland, France and other countries have adopted an approach whereby the selling of sex is not illegal but the buying of it is, essentially in order to target pimps, brothel owners and the ‘johns’, basically the men who control the women and the flow of the money.

Amnesty chose to reject this model for another liberal agenda that they decided is in dire need of defence by them: the right for consenting adults to have sex. That as it turns out is the basic human right they prefer to stick their necks out for. Not the right of a prostitute to escape poverty, or receive safe shelter or conserve her health but the ability for adults (who are we kidding, men) to have sex at will by paying for it. The fact that they chose to present the right to sell sex as empowering for women leaves me and many others in shock and disgust.

One of the key critics of Amnesty who has written a series of articles on the holes in the policy of decriminalising prostitution is Julie Bindel, an English writer and feminist. In one of her interviews, she frames what in my opinion forms the crux of the issue. First, how legalising prostitution would influence any society in its treatment of women over time and, second, how each society measures the worth of a human being, how it protects them, respects them. Bindel moderately favours the Nordic model as a start sharply denouncing Amnesty’s proposal but, overall, she does not believe that prostitution can ever be a ‘job’ like any other because of its inherently exploitative nature and its extremely damaging effects: psychological, physical (heavy drug and alcohol addiction), inherent high risk of violence etc.

Rather than focusing on statistics of how many pimps were jailed and how many women were arrested, she speaks to the larger issue that determines the future of countries that wish to be considered as civilised as they seem to want to crave freedom of choice. Some 80 percent of Swedes supported their form of the legislation to criminalise buyers and middlemen. As a result of that cohesive position, she explained, “It has meant a total change in attitude from a human rights perspective of young people that are growing up thinking about sexual exploitation and violence against women in Sweden. In contrast, the last poll across countries that shared the Netherlands’ attitude to sex showed that prostitution was seen as a job much like any other and totally harmless for the women.” And that shift of an erasure of human compassion for someone in dire need of it is what everyone should be extremely worried about.

Peddling prostitution as a choice of livelihood and its legalisation to lend ‘dignity’ to prostitutes is a monumental failure on the part of Amnesty, one that should

have consequences for them in terms of exposing their lack of integrity in defending the rights of half the populace of the world: women. But, as it turns out, Amnesty was never front and centre when it came to women's rights anyway: "the group failed even to recognise sex trafficking as a human rights violation until the late 1990s." No wonder they seem to be having a difficult time connecting the dots between the two issues even though a largely cited academic study "looking at 150 countries argued there was a link between relaxed prostitution laws and increased trafficking rates".

Like most things in a capitalist world, the sex industry is driven by one main number: the dollar value of its size and the power lying in the hands of men who run it, control it. Estimates for the US alone, where the industry is predominantly illegal, exceeds \$ 14 billion annually. Human trafficking is billions more and sexual exploitation makes up a large, if not the largest, component of reasons behind it. Governments can gain financial benefit from legalising prostitution but only at the expense of the women involved in it.

In the west, when something starts trending, many come on board. The Economist went from acknowledging that "many women become sex workers involuntarily" in 2013 to lending support to Amnesty this August by arguing that no data thus far was conclusive, and paramount was the fact that "making the purchase of sex between two consenting adults illegal is also deeply illiberal". At the end of the day, I return to Bindel's point about defining society and its standards of equality, respect and dignity for women. Decriminalising prostitution would enhance the perception of generations to come to see women as objects of trade and their bodies available for cash at will.

The following quote from a piece in The Times by a woman who was forced to sell her body at age 14 when she lost her parents and had no other means to support herself, addresses Amnesty's concern for lack of freedom of choice for prostitutes. "I know there are some advocates who argue that women in prostitution sell sex as consenting adults. But those who do are a relatively privileged minority — primarily white, middle-class, western women in escort agencies — not remotely representative of the global majority. Their right to sell does not trump my right and others' not to be sold in a trade that preys on women already marginalised by class and race."

These days people seem to be caught up in an absurd frame of mind where defending 'the other's' right to anything overrides all other considerations. Granted, this is the modus operandi mostly in the west where no other systems of belief matter except one's own but it increasingly exists in other countries as well where new generations feel a disconnect with their faith. There is no God to please, no prophets to follow, just each other in a maze of darkness. Today it is prostitution, next it will be incest. Even that will be acceptable as the function of a person's 'choice' as fathers will marry daughters and sons mothers. From New Jersey to Zimbabwe, it has already begun. And again, keeping rules set by faith

out altogether since they are increasingly considered entirely bogus, there will be no emotional dysfunction to consider, no abuse of power, no psychological repercussions, no connection to substance abuse in that disturbing scenario either. All hail freedom of choice!

Decriminalising prostitution is the opposite of anything progressive or liberal, it perpetuates misogyny. God knows enough rap songs have been written by ex-pimps who acknowledge that fact more honestly than Amnesty has, and their plan will institutionalise that misogyny. The women who are the sex trade should be provided an exit strategy. But no, that thought would be too patriarchal. Still, it must be said out loud: Amnesty would do better to dedicate their vast network of resources to working with governments to assist millions of women trapped in a state of physical and mental despair, rather than paving the way for boys and men to exploit them in different roles, which will ultimately dehumanise them as well. For the majority of the world, endorsing prostitution is unequivocally endorsing the exploitation of someone in poverty, which is prostitution's birthplace. And, as for uncles who are on point decades in advance, time to grab a pencil every time they speak!