

“Who Says We Do Not Work?”

Looking at Sex Work

SUJATA GOTHOSKAR, APOORVA KAIWAR

Sex workers' organisations have argued against trafficking and see it not only as a human rights violation, but also as a threat to their own work and credibility. Often the debate is couched in terms of anti-trafficking lobbying/campaigns. The debate needs to be framed differently. Equating trafficking with sex work does a great disservice to both sex workers and to anti-trafficking campaigns, and only ends up infantilising women. The most powerful weapon to deny sex work the status of work is that of stigma. Stigmatising sex work has ensured keeping sex workers out of the legitimate political space and sections of the left and the women's movement seem to have acquiesced in that.

News reports of a national award winning actress “caught” in a “prostitution racket” have put the focus on sex work. Apart from the details of acts that are criminalised and how best to deal with this “social problem”, a broader understanding of sex work within capitalist society is needed. This article is an attempt to look at the broader issues as we understand them.¹

“Prostitution is only a particular expression of the universal prostitution of the worker”.² Marx wrote this in *The Economic and Philosophic Manuscripts* in 1844. This comment has been forgotten by many people on the Left, and Marx and Engels' critique on prostitution in the *Communist Manifesto* is used as a philosophical objection to prostitution and extrapolated as an objection to sex work. That the critique was part of a larger one on bourgeois marriage and capitalism itself is often forgotten. Early Marxist feminists like Alexandra Kollontai also locate their problems with prostitution within issues of the family and household.

This selective memory of left parties and groups continues to this day. Further, there does not seem to be much clarity and agreement among the Left on the question of prostitution or sex work. There is usually a studied silence until probed. When probed, the positions range from advocating repression and abolition on the one hand, to decriminalisation and union organisation on the other. Much of the current debate centres around whether prostitution can really be considered as work or whether it is best dealt with as a form of violence against women. This is also true of the feminist/women's movement globally. There is hardly another issue that divides the feminist movement as sharply as that of prostitution.

We will try to look at the issue of sex work and work of women in the entertainment industry from our personal and organisational engagement with it.

The Global Context

There are hardly any reliable statistics regarding the extent and monetary value of the global sex industry and it is difficult to obtain these statistics. However, it is generally accepted and not incorrect to say that the multibillion dollar sex industry is growing and proliferating.

With the break-up of the Soviet Union and the crisis in East Europe since the early 1990s, the global employment situation worsened. Over the last half decade, there has been a severe downturn in the economy and jobs have been lost in most industries around the world. Global growth has decelerated

Sujata Gothoskar (sujatagothoskar@gmail.com) is an independent researcher and an activist. She has been a part of the women's movement and the labour movement for many years; Apoorva Kaiwar (akaiwar@yahoo.co.in) is a labour lawyer and consultant on issues of gender and labour.

and unemployment has increased. According to the Global Employment Report 2013, 197 million people were jobless in 2012. Moreover, nearly 39 million people have dropped out of the labour market as job prospects proved unattainable, opening a 67 million global jobs gap since 2007. Despite a moderate pick-up in output growth expected for 2013-14, the unemployment rate is set to increase again and the number of unemployed worldwide was projected to rise by 5.1 million in 2013 to more than 202 million and by another 3 million in 2014. A quarter of the increase of 4 million in global unemployment in 2012 has been in the advanced economies, while three quarters has been in other regions, with marked effects in east Asia, south Asia and sub-Saharan Africa. Those regions that have managed to prevent a further increase in unemployment have experienced a worsening in job quality, as vulnerable employment and the number of workers living below or very near the poverty line increased.³

Added to this is the prevalent and persistent gender discrimination in several sectors of employment, which has resulted in women working mostly in the informal economy in very low wage jobs. The labour force participation of women declined more than that of men, driven by south Asia and east Asia.⁴

Migration, Trafficking and Sex Work

Since the last decade of the 20th century, especially after the collapse of the former Soviet bloc,⁵ and the spread of poverty in Africa, Asia and Latin America in the wake of the financial crisis of the 1990s, there has been a massive increase in poverty-driven migration on a scale never experienced in recent history. Millions migrated from Latin America to North America, western Europe and Japan; from eastern Europe and Africa to western Europe; from south-east-Asia to western Europe, Australia, Japan, North America and other places in Asia, especially east Asia.⁶ There have also been large sections migrating from south and south-east Asia to west Asia. Similar migrations have taken place within the south Asian region as well, and from rural hinterlands to cities within countries. Most of this migration has been from poor regions/countries to rich ones.

According to the United Nations Population Fund (UNFPA), one of the most significant changes in migration patterns in the last half century is that more women are migrating than ever before. They now account for half the international migrant population, and in some countries, as much as 70% or 80%. As women migrants frequently end up in low-status, low-wage production and service jobs and often work in gender-segregated and unregulated sectors of the economy, such as domestic work, they are exposed to a much higher risk of exploitation, violence and abuse.⁷ Much of this migration is illegal, both individual and organised. While the end result of this migration may be varied – factory jobs in west Asia or cleaning jobs or domestic labour in east Asia or other sorts of employment, a large part of this migration is also for sex work. In Australia, South Korean women who migrate for sex work go on what they call “working holiday”. According to Jang, Jung and Dalton, since the early 1990s, an increasing number of Korean women have migrated overseas to find work in the

entertainment and sex industry. Australia has become one of the key destinations for these women.⁸

According to an International Labour Organization (ILO) study of four south-east Asian countries (Indonesia, Malaysia, Thailand and the Philippines), between 0.25% and 1.5% of the total female population were sex workers. The sector was said to account for 2% to 15% of the gross domestic product in each country.⁹ A 1998 press release of the ILO gives detailed statistics on the massive increase in sex workers globally, including almost every country in Asia.¹⁰ Women account for a large proportion of both legal and undocumented migrants and a high proportion of these enter the entertainment and sex industry in the receiving countries. This is partly because the tourism, entertainment and sex industries are some of the few industries that may be called “sunrise” industries, while an entire range of industries that used to employ women have been victims of the downturn in the global economy. For example, global textile and leather industries have declined while those like electronics and garments have shifted from east Asia to south-east and south Asia.

This “sexual” labour of women is tacitly accepted as part of the labour force in the global economy, in terms of accounting for it in UN documents and ILO studies. However, this acceptance is coloured by negation – that sex work/prostitution is per se exploitation of women and/or that it is immoral. This leads to viewing sex work as illegitimate and different from other kinds of work, and also excuses disengagement with the issue. In fact, one of the reasons why sex work or prostitution is looked at essentially as violence is the conflation of sex work with trafficking. Women are trafficked into prostitution, and therefore prostitution is violence – this is an understanding shared by people across the political divide. This conflation is at the crux of the legislative frameworks on “prostitution”, dating back to a United Nations Convention on Trafficking and Prostitution in 1949. The South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, signed in 2002, continues this exclusive focus on prostitution as the end point of trafficking. In India, the Immoral Traffic (Prevention) Act, 1986 which in its earlier form was the Suppression of Immoral Traffic Act, 1956 deals essentially with prostitution and not trafficking. Incidentally, the term sex work finds no place in any law in the region. Instead, prostitute and prostitution are the vocabulary of law, terms that have gained centuries’ worth of negative connotations.¹¹

It is common knowledge that trafficking takes place not only for the purposes of sex work but also for begging, domestic work, construction work, brick kiln work, fish-processing, camel-riding and marriage to name a few. Trafficking has to be looked at as an issue separate from sex work or prostitution as well as migration. Sex workers’ organisations have argued against trafficking and see it not only as a human rights violation, but also as a threat to their own work and credibility. Often the debate is couched in terms of anti-trafficking lobbying/campaigns. The debate needs to be framed differently. Equating trafficking with sex work does a great disservice to both sex workers and to anti-trafficking campaigns, and only ends up infantilising women.

Aside from trafficking, and the binary of choice vs forced, the legality and illegality of sex work in India and elsewhere is a much misunderstood question. Sex work or simply put, having sex in exchange for money or other consideration is not per se illegal in India. What is illegal is “carrying on prostitution” in areas which are within a distance of 200 metres of any place of public religious worship, educational institution, hostel, hospital, nursing home; solicitation; running a brothel; and living off the earnings of a “prostitute”. This in effect may render doing sex work difficult as well as more unsafe, apart from penalising partners, older parents or young adult children who live with their partner/daughter/mother who is a sex worker.

Though not applicable in India at present, globally, criminalising the client, which is now known as the “Swedish Model” has also rendered sex workers more vulnerable and exposed to danger. They are forced to work in a criminalised environment or have been driven underground.¹² This model seems to have caught the imagination of an increasing number of governments, including South Korea and Iceland. The law in most places on the one hand again treats adult sex workers as it does children, incapable of consent and choice, and needing protection from clients, while on the other hand protecting society from these women. Sex work is both coerced and voluntary. Often women and sometimes transgender people and men too are coerced into prostitution and then continue out of “choice” as they realise that the other options are no options at all. In a survey of bar dancers in Mumbai¹³ as well as a national-level study of sex workers in India that has recently been published,¹⁴ it was clear that the women had tried several options – factory, agricultural and domestic work, work in the retail sector and so on – before they stumbled into sex work and decided to continue. The more recent and ongoing study on women in sex work who are in “protective homes” indicates the same trend.

What the binary of choice vs force does is to differentiate where no difference may exist. And it does not stop at just one step. While there are “good women” and “bad women”, there is also within “bad women”, the “good prostitute” and the “bad prostitute”. The good prostitute is one who says she did not choose to do sex work, but was forced or coerced into it. The bad prostitute is one who says she does it out of her own choice. Sex workers’ unions and collectives routinely attempt to dispel these notions, as these neither explain nor take into account any of the aspects of the lives of sex workers.

This entire debate regarding trafficking and voluntary vs coerced sex work is an important focus of most sex workers’ organisations nationally and globally for defining their politics and practice, as are concepts of decriminalisation and legalisation.

Though the definitions of the terms “decriminalisation” and “legalisation” are not universally agreed upon, it is generally understood that legalisation involves some amount of regulation and control, including licensing, zoning regulations, specifying working conditions and taxation. A number of sex workers’ unions and collectives including COYOTE in the US and VAMP in India advocate decriminalisation instead of legalisation, the argument behind it being that sex workers’ work and lives should not be “controlled” by the state.

Work and Sex Work

This section seeks to locate sex work within the paradigm of “work” performed in capitalist societies, and further attempts to look at what sex work would mean in a socialist society. In *Wage Labour and Capital*, Engels (translating Marx) writes,

... labour power is a commodity which its possessor, the wage-worker, sells to the capitalist. Why does he sell it? It is in order to live.

But the putting of labour-power into action – i.e., the work – is the active expression of the labourer’s own life. And this life activity he sells to another person in order to secure the necessary means of life. His life-activity, therefore, is but a means of securing his own existence.¹⁵

This is the basis of our understanding of wage-work; that all work that a worker performs is for him, only the means to secure his livelihood; that all wage-work is exploitative as it divests the worker of value added by his labour; and that the value added itself becomes alien to him. Despite this understanding, sex work is singled out as “exploitative” work. And unlike all other workers who sell their “labour power”, sex workers are seen as “selling their bodies”.

This singling out has a lot more to do with perceptions, rather than material realities – perceptions around sex itself and perceptions that are also shared by some feminists. Mirroring popular understanding, sections of the Left and the feminist/women’s movement too tend to look at sexual relationships as those that have a basis either in love or in marriage. Sex outside of these socially sanctioned situations (depending on what is acceptable, ranging from only heterosexual monogamous marriages to same-sex relationships to other “love” relationships) is seen as perverse and immoral. Sex is a “valid activity” among human beings only on certain terms, under certain conditions. Outside these conditions, sex is debased, invalid and illegitimate. According to this view, “sex divorced from love” is anathema; “sex for money” is debasement supreme. And therein lies the objection to sex work. The underlying discomfort with certain types of sexual behaviour is identified as one of the reasons why some feminists are not completely allied with the sex workers’ movement.¹⁶

It is antisex sentiment, or erotophobia, that leads to such a strong distinction between sex work and other types of work available to women on the bottom rungs of the economic ladder. Many women have left jobs as waitresses or secretaries for sex work, which they find gives them better working hours, more freedom to work as they wish, and a better economic return on their investment of time and effort. Everyone should have the opportunity to leave the sex industry if they choose, but anti-prostitution crusaders should not assume that women – either in the industrialised or in the developing world – would necessarily be better off doing low-wage domestic, factory, office, or agricultural labour than they are doing sex work.¹⁷

Moreover, women’s sexuality has always been a constant source of tension. While sex work has notoriously been called the “oldest profession”, it is one kind of work that has been constantly debated and denied any recognition from more quarters than any other work. This is because women’s exercise of their sexuality is in itself perceived as a threat, not only by men but also by women who are at the other end of the divide. It is also seen as a threat to the institution of marriage. To be able to critically look at work, including sex work, it would

help if we keep our “morality” aside and look at a range of activities that women perform as work.

After years of scholarship by Marxist feminists, the concept that women’s work is undervalued because women perform that work need not be explained here. Patriarchy operates in the world of work and reinforces gendered work. That women perform this work has also had an impact on the manner in which it has been valued, undervalued or devalued. This devaluation of work also affects “reproductive” work – work that regenerates labour power.¹⁸ Thus, cooking, cleaning, bearing children, nurture and care of children, infirm and the old – all these which are essentially performed by women in their own domestic sphere are either unpaid, or if paid labour is employed, very poorly paid. This poorly paid wage labour is also mostly of women. The market valuation of largely female-dominated labour has been through the prism of patriarchy just as dalit-dominated labour like sweeping, scavenging, etc, is valued through the prism of the dominant caste. All these go on to show that women’s work is complex and cannot be explained only through a strict framework of “labour in capitalism”.

A rigid understanding of capitalist work, including of surplus value extracted, also contributes to not accepting sex work as work. However, when it comes to work like that of security services, we do not usually question whether that is in fact “work” or not. This difference in treatment is not just because of the gendered nature of the work, but also a notion of morality.

Usually, socially necessary reproductive work is performed by women. This is the work of reproducing human beings involved in “productive” work. This distinction between “productive” and “reproductive” work is a false one from the point of view of work and the worker. The same work – cooking, cleaning, sweeping, looking after children and the sick, etc – is also performed outside the home by workers who are paid and produces surplus value for the employers. However, this distinction has a bearing on the “value” assigned to the labour power deployed. It is important to challenge this so-called dichotomy between “productive” and “reproductive” work and the value assigned to each.

Though devalued in the labour market, reproductive work is both essential and seen as being essential. In addition to cooking, cleaning and nurturing, the entertainment industries also form part of reproductive work in society as they serve to rejuvenate labour power. And this is where various forms of sexual labour enter. Sexual labour, in its various forms, would include sex work, bar dancing, strip show performances, phone-sex services, etc. Other than this, there are other employments which use sexual labour in an indirect manner including that of front office work in hotels, receptionists, etc. All these “jobs” are part of a continuum which use sexualised labour. All these would come within what we understand as “social reproductive work”. Even when we understand this reproductive work as “exploitative” of the women who are in it, as is the case with a whole range of work that women do, it is deemed socially useful work. Some forms of this kind of work are recognised and validated by society (such as front office work) and the others are stigmatised.

This stigma comes from a “moral” standpoint. The most powerful weapon to deny sex work the status of work is that of stigma.

Stigmatising sex work has ensured keeping sex workers out of the legitimate political space and sections of the Left and the women’s movement seem to have acquiesced in that. When the moral lens is set aside, sex work, front office work in hotels and an entire range of work that women do, all fall into a continuum.

In the domestic sphere, care work and domestic work (both paid and unpaid) bear a lot of similarities to sex work. Both care work and domestic work were historically performed by women of the family and are manual in nature, using the body. There is even an element of the “sexual” in it, though not consensual, as sexual abuse of care workers and domestic workers is very common. The essential thing that separates sex work from care and domestic work is stigma. Again, if we take off our morally-tinted spectacles, sex work would not be so different. Sex work would then have a legitimate place in “social reproductive work” – like care work and domestic work.

The argument that sex work is nothing but commoditisation of the human body needs to be redefined in an economy which is almost completely capitalist, and the number of people outside of capital’s reach like subsistence farming communities, are both rapidly reducing and dependant on the market for all their other needs.

To be able to answer the question of whether sex work will have a part in an ideal society, we need to understand how “work” looks in an ideal society. Work would not be “waged” work. Each person would be doing various tasks, and not be limited to one. Each worker would perform to the best of his ability. The work that would be done would be necessary/useful for society. What would be unnecessary or un-useful would be for example work in an armament factory. What would be necessary and/or useful would be the work of cooking, cleaning, taking care of children, elderly, infirm, disabled, etc. In this range of labours, we would include sex work.

Even today, the proposition that sex work is “useful” cannot be countered when one looks at narratives of disabled persons.¹⁹ As David Heckendorf, a human rights activist and legal scholar affected by cerebral palsy says, “If it was not for professional sex workers, many of us would never experience the joys and pleasure of a respectful sexual experience in a safe appropriate environment.”²⁰ This, of course, is based on a proposition that sexual expression is a fundamental part of being human, which has been evidenced by several studies. In fact, a number of studies have shown that having sex helps in bettering physical health as well as psychological well-being.²¹

Sex workers’ narratives also bring out the issue of sexual compatibility. A number of people are deprived of sex due to the incompatibility in terms of the sexual needs of the partners. This results in either imposition or deprivation of sex. For women, this has often meant distasteful and demeaning sex; for men it has meant either lack of sex or dehumanised sex. This point has not been taken seriously precisely because it has been a part of the sex workers’ experiences, analyses and to some extent the *raison d’être* of their work, their expertise and their profession.²²

As we believe in the significance of sex in the lives of healthy and happy people, we consider sex work to be socially necessary/useful work, whether it is to assist people who are not

able to access sex – disabled or socially challenged persons – or to facilitate different types of sexual activity or preference, or when it is looked at as forming a part of the range of labours that go into being “social reproductive work” as discussed above.

Sex work, like other work, will not be wage labour, but will be a creative performance by the sex worker. For those of us who believe that there can be no creativity in sex work, the narratives of sex workers doing various kinds of sexual labour is an eye-opener. If the ultimate goal is full freedom for the worker then we cannot not recognise the right of sex workers to perform sex work creatively and safely.

Workers in Sex Work

When we speak of workers in “sex work”, we are referring to workers who perform a range of sexual labours. Women who perform “direct” sexual labour, like bar dancing and sex work are seen as inferior to those who perform “indirect” sexual labour, like front office work in a hotel. And like in every other kind of work, the more “dirty” work is, the less it is paid,²³ manual scavenging within cleaning jobs being the most obvious example. We would also like to clarify that we are not conflating these two forms – bar dancing and sex work. In the debates following the ban on dancing in bars, a number of women dancers as well as others saw bar dancing as more “acceptable” than sex work, as it is seen as less “dirty”. However, it is ironic that while bar dancing has been banned and bar dancers have been criminalised, sex work has a much more complicated status in criminal law. This requires a much more detailed analysis than is possible in this article.

There are not many demographic studies of women performing sexual labour, apart from HIV-related studies which show very inconsistent data.²⁴ There is hardly any information available about bar dancers including estimates of how much they number. When the Maharashtra government declared a ban on women dancing in bars, the Forum against Oppression of Women, along with the Research Centre for Women's Studies, SNDT University conducted a study that interviewed around 500 bar dancers. Another study was conducted after the ban took effect. The reports²⁵ of both these studies have been published. The findings of these studies showed that a large percentage of women came from communities which are historically marginalised and poor, and are “sex-work” communities, like the Bedia and Rajnat castes from Rajasthan. The women had very low levels of education and did not possess employable skills. Of those interviewed 42% were illiterate, and another 40% had studied only till class 5 and 8. These women had several dependents, both in Mumbai and in their native villages. About 23% of the women interviewed had held other jobs, before becoming bar dancers. Some of these findings resonated with those of a pan-Indian study of sex workers. A working paper published in February 2013 by the Institute of Development Studies (IDS), Pune shows that about 65% of the 3,000 respondents came from poor families, 26% of the respondents belong to the dalit communities, 50% had no schooling and about 20% had studied up to class 4 and 7. About 50% (1,488/3,000) of the respondents had worked before

entering sex work. Out of these, 93.75% (1,395/1,488) had entered sex work after their entry into the labour market, and 6.25% (93/1,488) had entered sex work simultaneously along with their entry into the labour market. About 21% (315/1,488) continued with their other work, along with doing sex work.²⁶

The IDS working paper reaches this conclusion:

This study reveals that in their working lives, a significant number of women currently working in sex work move quite fluidly between other occupations and sex work. A substantial proportion of women who are currently in sex work, almost half of the women surveyed, had experience in other occupations prior to embarking on sex work. Even those who came to sex work relatively early in their working lives experienced other forms of paid work prior to sex work. We found that it is not easy to demarcate women's work into neatly segregated compartments. For example, a street vendor may search for customers while selling vegetables and a dancer at marriages may also take clients. Sex work and other work come together in ways that challenge the differentiation of sex work as an unusual and isolated activity.

Discussions with domestic workers, construction workers, and garment workers as well as their unions have revealed that a substantial number of women engaged in these kinds of work also do sex work. In Bangalore, union estimates said that 25% of women garment workers are also involved in sex work. This is not surprising given that the average wage of women garment workers, who are, more often than not, the breadwinners in their families and are responsible for the children's care and education, is about Rs 5,000, which is totally inadequate to support a family in a city like Bangalore. A number of construction workers end up having to do unpaid sex work for the contractor so that they as well as their husbands get construction work. This is especially true of women *naka* workers, those who wait at designated places on the street for labour contractors to come and offer daily waged jobs.

In fact, the concept of “one worker, one occupation” in the Indian context is an economic reality for a very small section of the workforce in the formal economy. Apart from this small section which accounts for less than 4% of the workforce, all women and sometimes male workers too who are part of the informal economy are involved in a range of economic activities and “occupations”. This is because the precariousness of the work they have access to and their livelihood situation demand a fluidity of work that does not afford them the luxury of a fixed identity. Thus in the rural economy, women do agricultural work, domestic work, construction work, National Rural Employment Guarantee Act (NREGA) work and forest-produce gathering among others. In the urban economy, poor women are involved in an even wider range of livelihood options – papad making, agarbatti rolling, beedi rolling, domestic work, *naka* or construction work. Some women roll papads in the morning, go out to do domestic work in neighbourhood households in the afternoon and so on. As studies have shown, construction workers may work as construction workers and also pick up their clients there. This indicates that “sex workers” like many other categories of workers in the informal economy may not be a fixed group, as much as they are working women performing one kind of work sometimes along with other kinds. This is precisely the reason why the binary of

choice vs force does not explain the various reasons why women get into and continue in sex work.

Organising Sex Workers

While sex work is not of recent origin, organising sex workers is a relatively new phenomenon starting from around three or four decades ago. The first demonstration of sex workers in Europe in defence of their rights appears to have been the work of the Saint-Nizier Church in Lyon in June 1975. The first sex workers' organisations to be formed were COYOTE in the US in 1973 and AMEPU in Uruguay in 1982. *De Rode Draad* (Red Thread) was founded in 1985 as an advocacy group. The union Vakwerk De Rode Draad was established in 2002 and is part of the largest union in the Netherlands, Bondgenoten FNV. Most sex workers' organisations were formed in the 1990s.²⁷

The International Union of Sex Workers (IUSW) is a London-based organisation. In the editorial of the first issue of its journal in July 2000, the IUSW explained its decision to form a union:

The sex industry has gone global, making vast profits for a small number of individuals, few of whom are women....Sex workers may have been forced into their employment, or may freely have chosen such work. Either way, they have no union which – even in principle – they can join. Marginalised throughout society, they are ignored or shunned by the official trade union movement. We aim to change all that. As in all workers' struggles, emancipation can only be achieved through self-organisation. But above all, this struggle begins with pride and respect... The way to combat criminal abuse of peoples' bodies for profit is to bring the whole industry out. When the oldest profession comes out, pimps and capitalists beware! Whatever your sex or sexual situation, you feel you need a union, you are welcome to join!

In 2002, IUSW members voted to be affiliated to the GMB, Britain's fourth largest union.²⁸ In 2012, GMB had 2,000 members working in lap-dance clubs and massage parlours and had ensured recognition agreements at three lap dance clubs and a massage parlour. Several organisations have been formed in a number of countries. Some are sex workers' organisations, networks or unions. Others are advocacy and campaign organisations. Some of these are: Sex Workers Education and Advocacy Taskforce (SWEAT), Cape Town, South Africa; South African Commercial, Catering and Allied Workers Union (SACCAWU), Johannesburg, South Africa; Vereinten Dienstleistungsgewerkschaft (Ver.di), Germany; Núcleo de Estudos da Prostituição (Center for the Study of Prostitution; NEP), Porto Alegre, Brazil; Exotic Dancers' Alliance, affiliated to SEIU Local 790 (now SEIU 1110), San Francisco, USA; Organización Nacional de Activistas por la Emancipación de la Mujer (ONAEM), Cochabamba, Bolivia, Women's Network for Unity in Cambodia; Erotic Service Providers Union (ESPU), San Francisco, USA; Desiree Alliance, New Jersey, USA.²⁹ Asociación de las Mujeres Meretrices de Argentina (Association of Women Sex Workers of Argentina) was formed in 2002.³⁰

The path towards organising, and especially joining/affiliating with other unions has, as can be expected, been filled with criticisms – both of sex workers' organisations as well as mainstream unions. Sex workers' organisations have been accused of various shortcomings ranging from not being qualified to represent the women in the industry to acquiescing in their abuse.

When the GMB opened its membership to sex workers, it faced flak which said that it "... would far better serve these women by campaigning for the end of commercial sexual exploitation".³¹

This viewpoint stems from the "prostitution is violence" perspective, also advocated by radical feminists like Andrea Dworkin and Catherine McKinnon. It is an abolitionist view that tends to deny the ground reality that women have been in sex work for several centuries and resolutions have not been able to get rid of it. While there is a great deal of talk of the violence women face in prostitution, when sex workers have organised and attempted to deal with that violence, their organising itself is criticised.

This criticism was reflected in the debates that arose when bar dancing was banned in Maharashtra. Some women's groups who supported the ban posited the bar dancers vis-a-vis other women who suffer through the actions of bar dancers in luring their men away. These groups also described bar dancing as trafficking that ought to be stopped. Dalit and Bahujan feminists in India look at sex work as oppression of lower caste women by upper caste men, and feel that by supporting sex work, feminists are supporting the perpetuation of caste oppressions. The dalit movement has a similar articulation and looks at sex work as strengthening the caste system since a majority of sex workers in countries like India come from socially and economically deprived and marginalised communities.

One group of feminists, essentially belonging to the larger autonomous feminist groups, believes that women earn their livelihood from various kinds of work, including sex work. This group believes that sex work should be recognised as legitimate and be decriminalised; that at the same time, women and especially those marginalised due to their caste, class and other disadvantaged positions must have greater choices and opportunities in terms of education, training and work opportunities. This position of autonomous feminists comes out of listening to articulations of sex workers' groups and unions and has been reached after several years of engagement with sex workers' and bar dancers' struggles. Even so, it was only at the Seventh National Conference of the Autonomous Women's Movement in 2006 that a session on sex work was held.³²

The sex workers' movement has put forward the need for a dialogue on the issue of alternatives for dalit women. They have also asked as to why the question of "choice" of work or occupation is raised only for sex work and not for domestic or cleaning work; also, where does the critique of sex work from a caste perspective end and at what point does moralising begin. These mutual critiques signify the need for a dialogue between the different movements and the sex workers' movement. In India, organising of sex workers began only in the mid-1990s. Initially, it was mainly in the context of HIV/AIDS work. The Durbar Mahila Samanwaya Committee (DMSC) was formed in 1995 and now has a membership of 65,000 women, men and transgender sex workers. It has a trade union arm called the Binodini Shramik Union (BSU), which has sought recognition under the Trade Unions Act, 1926. The DMSC (and BSU) look at sex workers as part of "entertainment workers". Veshya Anyay Mukti Parishad (VAMP), a sex workers' collective in Maharashtra, was formed

in 1996. The Karnataka Sex Workers Union (KSWU) was formed in 2006. Both DMSC and KSWU are affiliated to the New Trade Union Initiative (NTUI), a national level federation of independent trade unions. Bharatiya Bar Girls' Union was formed in 2003. Devadasis too have organised under the Mahila Abhivrudhi Matthu Samrakshana Samsthe (MASS), with a 5,000-strong membership in Belgaum, Karnataka.

These organisations and many more have been working at different levels. Some are trade unions and some are collectives. They have initiated health programmes and intervened politically at several levels. These organisations came together in 2007 to oppose drastic amendments to the PITA on the lines of the Swedish law.

As with other workers, sex workers too have gained tremendous strength from organising themselves. It has been observed that "sex workers' organisations have been able to demonstrate that when organised, the capacity of sex workers to choose safe sex or even to refuse to service non-compliant clients, was far superior to that of the majority of Indian women".³³

As has been demonstrated over and over again, the most effective voices and action against trafficking and against minors being coerced into sex work have been those of sex workers themselves. As Iravathy from MASS said in the first National Congress of Dalit and Adivasi Women held in the Tata Institute of Social Sciences in February 2013, "When an elephant falls into the water, only another elephant can lift it out; not a tortoise." They are the only ones to have the wherewithal and the contacts to be able to do that. This was once again reaffirmed in Nashik in Maharashtra in February 2013.³⁴

Organising sex workers therefore becomes crucial – to deal with violence within sex work, to prevent coerced sex work, and to struggle for sex workers' rights. Despite this being demonstrated, there is an antipathy towards sex workers' groups and unions. This antipathy, in our view, is a reflection of the general attitude towards the organised working class itself. While the "poor, unorganised workers in the informal sector" deserve sympathy, the organised worker, demanding her fair share does not. Discussions on the struggles of workers in Manesar, Yanam or Nashik show this clearly. And when it is women from marginalised sections who assert their rights to work as well as organise, the antipathy turns into active hostility. This attitude leads to the kind of politics which plays into the hands of the state. The fact that both the KSWU as well as the BSU have not yet been able to register themselves as trade unions is a case in point.

Most sex workers' unions and organisations address some common concerns and issues. One is the stigmatisation of the women who do sex work and all that it entails – the denial of dignity and justice, the harassment, the violence, from all sections of society from the shopkeeper to the policeman to educational institutions, the health system, courts, etc.

Research on women workers in the unorganised sector, both in India and elsewhere, has repeatedly exposed the extremely high levels of exploitation and abuse, pitiable working conditions, exposure to health and safety hazards, severe and persistent sexual harassment, very low levels of wages

and no benefits whatsoever. Several case studies have shown the terrible violence, including sexual abuse to which women workers in vulnerable positions are subjected. More often than not, sex workers are able to negotiate payment for their services to a greater extent than is possible for most other occupations.

However, it is not all rosy. Sex workers and their organisations have always insisted that sex work can be hazardous and risky. Violence, exploitation and abuse are rampant. There is no doubt that several sex workers are forced into "the trade" against their will. That again is true of many other sites of work as well and in some cases, to an even greater extent. What makes it worse in the case of sex work is the stigmatisation and marginalisation that creates, recreates and reinforces violence and abuse.

Women's movements as well as other progressive movements need to listen to sex workers and their unions and collectives. "Why did it take so long for the women's movement to genuinely consider the needs of whores, of women in the sex trades?", asks working-class queer organiser and ex-hooker Amber L Hollibaugh, in her book *My Dangerous Desires*. "Maybe because it's hard to listen to – I mean really pay attention to – a woman who, without other options, could easily be cleaning your toilet?"³⁵

Conclusions

Women's labour outside the domestic sphere and the valuation of this labour have always been circumscribed by controls that change and take shape through negotiations between the dictates and "needs" of the different dominant systems – capitalism, patriarchy, casteism and so on. Much of women's work is invisibilised and not recognised. This is true not just of women's contribution in what is called the domestic sphere – the work of cooking, cleaning, sweeping, giving birth and looking after children, looking after the old and the sick, etc, but even when women perform "productive" labour in the economy. For example, in agriculture, in live-stock rearing, when women tend to the family shop, women's work is relegated to, what is termed, her role in the family or reproductive as opposed to productive work. In the last two decades, most of the new employment created is in the informal sector, or if within the formal sector, the jobs are precarious. A very large section of workers ranging from 85% to 93% according to varying data work in the informal economy, out of which a large proportion are women.³⁶ What this data shows is also the extent to which women's work is made invisible.

Today, women's employment is driven by a "low cost growth" strategy of employers and wage theft in different ways. In addition, employers violate the law with impunity resulting in women working in exploitative conditions. This is the general context of women's employment in India which needs to be considered when looking at sex work. The work of very large sections of women involves what may not be considered "clean" from different perspectives. This may be domestic work, waste-picking or sex work. Further, most women involved in these kinds of work are from the lower castes and classes, which would mean that they have had very little, if any, access to education or marketable skills. In addition, the work is dangerous

and tedious. Most work that working class women have done and still do also have one thing in common – the stigma associated with them because of sex, dirt or an assumption of being associated with sex and/or dirt. Often, most of the women workers in these sectors have over the years and generations internalised the stigma. This is reinforced by the manner in which they are treated by the state and society, which includes the assumption of illegality (“soliciting” in the case of sex workers or “theft” in the case of waste pickers or domestic workers), and even violence by police, goondas and employers, etc.

A number of domestic workers say that there is a stigma associated with their work. Mostly because it is assumed that the men of the house where they work have easy access to them and therefore they must have had sexual relations with them. Waste workers, and in particular manual scavengers, have the stigma of being touched by human waste and therefore are unclean, in addition to being “unclean” because of their caste. Sex workers, of course, are stigmatised because of the dominant morality of our society and institutions.

Then there is work that is considered suspect either because of the proximity of the work to bodies of other people, including men. This would apply, for example, to women working as *ayahs* and nurses in hospitals. Then some types of workers are stigmatised because they work at night. There are men who work in hospitals and also those who do night work, yet it is women working in these sectors that are stigmatised in ways that the men are not. In some ways, stigma becomes the defining

element of women’s work, other than the white-collar jobs which are accessible only to women from the middle and higher classes. For poor women, anything they do becomes associated with stigma. And therefore addressing the association of stigma with women’s work, and working towards addressing the same is likely to contribute to enhancing organising strategies.

Rather than becoming an obstacle for recognition, dignity, self-respect and self-expression, the common element of stigma could be a rallying point for questioning different levels of oppression, exploitation and hierarchies and serve to build alliances amongst different sections of women workers. To be able to counter controls imposed by capitalism patriarchy and casteism and ensure women’s rights and dignity, an engagement of the Left, the women’s movement, the dalit movement and sex workers’ movement is imperative, particularly when we are looking at not only contested fields such as “sex work”, but even women’s reproductive labour, a recent entrant into the labour market, with surrogacy and similar assisted reproductive technologies being introduced as work alternatives for disadvantaged women and the State’s attempts to regulate/control it through law.

As Martha Nussbaum says, what is needed is a greater engagement with the issue, without either “aristocratic class prejudice” or “fear of the body and its passions”. Further, at a time when unionisation rates are decreasing across the world, the left should welcome the unionising of newer sections of the workforce like the sex workers, and show solidarity with sex workers’ unions.

NOTES

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- 25 See supra n10.
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