



**PROSTITUTION,
TRAFFICKING,
AND TRAUMATIC
STRESS**

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Prostitution and Trafficking in Women: An Intimate Relationship

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SUMMARY. This article, written by the Co-Executive Director of the Coalition Against Trafficking in Women, analyzes the relationship of sex trafficking and prostitution. The author begins by examining prostitution as a system of gender-based domination and as a practice of violence against women that often encompasses specific forms of gender based violence, including child sexual abuse, rape, and domestic violence. She explores legal instruments that address and define trafficking, pointing out that distinctions between prostitution and trafficking in women are relatively recent and have been promoted by organizations and governments working to legitimize and/or legalize prostitution as work. She argues that prostitution and trafficking are fundamentally interrelated, to the extent that sex trafficking can accurately be viewed as “globalized prostitution” while generic prostitution often is a practice of “domestic trafficking.” The author concludes by calling for definitions, laws, and strategies that include and challenge all manifestations of local and global sex industries.

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In 1991 I flew to Strasbourg, France to participate in an international conference on trafficking in women. It was less than two years after I had helped found the international nongovernmental organization, the Coalition Against Trafficking in Women, and I felt confident that I understood what sex trafficking is: the merchandising of women's bodies for the sexual gratification of men in a sex industry that mirrored other industries in its growing globalization. Like drug and arms trafficking, sex trafficking, I believe, is under the control of local and international criminal elements, is fueled by customer demand, and exploits and reinforces inequalities between regions in the global North/West and the South/East. Sex trafficking, I was convinced, is uniquely horrific because the commodity for sale is not inanimate objects but living human beings—almost exclusively women and children—and the conclusion of the trafficking process is a paradigmatically gendered transaction, which the male buyers calls sex or prostitution while the women and children bought liken it to sexual harassment or rape. Sex tourism, military prostitution, brothel prostitution, street prostitution, strip clubs, lap dancing, international trafficking: all these I considered interrelated manifestations of local and global sex industries and components of the human rights disaster known as trafficking in women.

A stop I made on my journey to the conference strengthened not only my belief that I understood what trafficking in women was but also my determination to stop it. I flew into Frankfurt, Germany on my way to Strasbourg, and there I was able to study, up close, the contemporary sex industry in all of its complexity. The Frankfurt city fathers had created a system of legal, regulated brothels, apparently in an effort to stamp out an array of evils, including street prostitution, control of the sex industry by organized crime, and the spread of sexually transmitted diseases. From what I could see, their strategy was a colossal failure. Street prostitution was flourishing; organized crime groups were running underground brothels filled with Asian, Latin American, and Eastern European women and girls; and only the few legal brothels (which were grossly outnumbered by their underground counterparts) made an effort to ensure that customers used condoms.

What had emerged in Frankfurt was a two-tiered system of prostitution. Women and girls who had been trafficked primarily from poor countries were propelled into a competition with white, German-born women for local prostitution customers and a growing number of sex tourists. It was apparent that the quotient of suffering was the most acute for the undocumented women and girls in the illegal brothels: They were forced to endure unwanted sex with half-a-dozen customers each night, unable to protect themselves from HIV and other sexually transmitted diseases (indeed the ability of the customer to refuse condoms was one of the chief attractions of the underground brothels), deprived of travel documents, threatened with violence and deportation, and re-

quired to work off exorbitant debt that locked them into conditions of slavery. While not as dire as that of their internationally trafficked sisters, the lot of the legally prostituted women was also dismal. Posing as an American newspaper reporter working on a story on “new developments in the sex industry,” I was welcomed by the madam into the brothel, which resembled a four-star hotel in the United States. I was soon surrounded by a group of women eager for a distraction from their late afternoon wait for their “clients.” Several of the women’s husbands were also their pimps, most of the women were from poor, rural areas of Germany, and all faced bleak futures with few employment skills. The sex of prostitution was an unwanted invasion they had developed a series of strategies to avoid—their favorite was to get the men so drunk that they didn’t know what they were penetrating. The women seemed bored and depressed. Their depression deepened when I asked them what they hoped to be doing in five years. Aside from one woman who said that she hoped to help manage the brothel, they were at a loss for words.

When I boarded the train to Strasbourg, it seemed indisputable that prostitution and sex trafficking were closely related phenomena. Once I arrived at my destination, however, the conference organizers—the Dutch government-funded Foundation Against Trafficking in Women—announced in no uncertain terms that they believed otherwise. All of the participants were instructed that the topic at hand was trafficking in women; prostitution was not to be discussed. As the conference proceeded, it became clear that the organizers had developed an exceedingly narrow definition of trafficking. The organizers insisted that sex trafficking was the transport of women across national or regional boundaries and always involved the use of force or deceit. The fact that women were trafficked for the purpose of prostitution was, to the organizers, irrelevant. Indeed, it seemed to make little difference to them whether the women were trafficked for purposes of prostitution or cookie baking. It was irrelevant to them that the women were trafficked into local sex industries; their focus was strictly confined to international criminal networks forcibly moving women across borders.

It became evident that the conference organizers’ definition of trafficking and their censorship of the topic of prostitution was a deliberate strategy used to further a specific agenda. The Dutch government, which had funded the conference, was convinced that the sex industry can be a benign and lucrative source of income for countries and women alike if prostitution is legalized and regulated. All of the abuses apparent in local and international sex industries, according to the Dutch government, derives from their illegal status, which drives them underground and under the control of organized crime. Prostitution, if made legal and cleansed of its stigma, can be a job like any other job. A decade after the conference, the Dutch government fully implemented its

agenda by legalizing and licensing 2,000 brothels and registering as prostitutes the women and girls in them (Louis, 1999; LifeSiteNews.com, 1999). Once prostitution was legal in the Netherlands, brothel owners began to recruit women into prostitution through government-sponsored job centers for unemployed workers (Ananova.com, 2002).

The conference organizers' efforts to censor discussion about prostitution backfired. Several of the participants insisted on addressing it. One of the dissenting voices was that of Swedish social work professor Sven Axel Månsson, who had conducted studies of male prostitution customers and was convinced that trafficking could not be curtailed without strong measures to confront and eliminate the demand for prostituted women and girls.

Since that conference in Strasbourg, the question of the relationship of prostitution to sex trafficking has taken on greater significance. Over the decade that followed, other nongovernmental organizations (NGOs) joined the Dutch Foundation Against Trafficking in insisting that trafficking and prostitution are separate and unrelated phenomena. These NGOs argued aggressively that trafficking is a human rights violation while prostitution is work—"sex work." Following the Netherlands, some jurisdictions have adopted legislation that legalizes domestic sex industries while directing criminal penalties against international sex traffickers (The Protection Project, 2001). Reports have documented a dramatic increase in trafficking following the legalization of prostitution industries (Sullivan & Jeffries, 2001). Never has it been more critical to address the issue of the relationship between prostitution and sex trafficking. What is prostitution? How if at all is it related to sex trafficking? To other practices of violence against women? Why is there a debate over definitions of trafficking? Is there an agenda behind efforts to restrict the definition of trafficking? In this article, I will grapple with these questions.

PROSTITUTION: A SYSTEM OF DOMINATION

Prostitution is often addressed in the abstract, as a transaction unconstrained by social forces, in which one gender-neutral individual purchases an act of sex from another, exchanging sexual pleasure for compensation. Both parties to the exchange, in this way of thinking, benefit from it. It is conceivable that in a radically different social order—one of complete gender equity and equality—the exchange of sex for money might be just such a gender-free, benign transaction. However, prostitution exists squarely within cultures of gender-based inequality. Indeed, some have persuasively argued, it is the paradigmatic expression of male domination of women (Giobbe, 1990; Dworkin, 1993, 1994).

Far from being gender-neutral, prostitution is gendered to the hilt. The buyers are men whose goal is their sexual pleasure. The bought are largely women and girls whose purpose—if they are enough in control of their destinies to have a purpose—is often economic survival. The businesses are controlled by men, often assisted by women in their employ. Their goal is profit—and the profits figure in the billions (Pateman, 1988; Leidholdt, 1993; Arizona Coalition Against Domestic Violence, April 2002). In Germany alone, prostitution reaps an estimated \$6 billion annually (Schelzig, 2002).

The reasons that women and girls enter prostitution are profoundly gendered. Research demonstrates that in the global North and West a large majority of women and girls entering prostitution have histories of sexual abuse by a male relative or family friend—some studies estimate as many as 70 percent (Silbert & Pines, 1982; Silbert, 1983; The Council for Prostitution Alternatives, 1991; Giobbe, 1990; Hotaling, 1999). Whether fleeing abuse, and the homelessness and economic destitution that often ensues, drives girls into prostitution or whether the psychological consequences of abuse render them vulnerable to the wiles of pimps, it is clear that incest and sexual molestation are significant risk factors for prostitution. In the global East and South the low social status of girls often induces poor families to sacrifice their daughters to prostitution (Cambodian Women's Crisis Center, 1999; Diakite, 1999; Huda, 1999; Vasconcelos, 1999; Minnesota Advocates for Human Rights, 2000). Around the world, women escaping abuse by their husbands and members of their husbands' extended families are rendered homeless and, with no means of support, find themselves in prostitution (Minnesota Advocates for Human Rights, 2000).

While male customers of prostitution are rewarded by sexual gratification, and male profiteers of prostitution are rewarded by the enormous sums of money they earn, the financial benefits to prostituted women and girls are usually meager and are almost always outweighed by the profound physical and emotional harms of prostitution: sexually transmitted diseases, internal injuries, depression, traumatic stress, somatic and psychological dissociation, to name a few (Raymond, 1999; Raymond, D'Cunha, Dzuhatin, Hynes, Rodriguez, & Santos, 2002). Not surprisingly, however, they got into prostitution, the women and children in it usually want to get out—as quickly as possible (Farley, Baral, Kiremire & Sezgin, 1998; Farley, 2003).

The exit of women and children from prostitution does not square with the agendas of the men profiting from it or the men who derive pleasure from it. Thus, pimps and sex industry profiteers have made prostitution into a system of domination that is remarkably consistent across cultures—one that mirrors the dynamics of power and control exerted by domestic violence perpetrators over the women they abuse (Stark & Hodgson, 2003).

Like prisons or concentration camps, prostitution often does not require overt physical coercion or verbal threat since the system of domination perpetuated and enforced by sex industry businessmen and buyers is intrinsically coercive. Women and girls who enter prostitution are seasoned into it; they are in the parlance of pimps, "turned out." The sex industry entrepreneur "turns out" a woman or girl by eradicating her identity, erasing her sense of self, especially any belief that she is entitled to dignity and bodily integrity. "Turning out" often takes place through rape and acts of sexual humiliation. It is facilitated by changing her name, giving her a "makeover" to ensure that she will be viewed as a sex object, alienating her from her family and friends, instilling in her the belief that she is an "outlaw," rejected by yet superior to "straight" society, and teaching her to accept her place in a rigid hierarchy, where she is obedient to the man who profits from the sale of her body and any women he designates as his surrogate (Giobbe, 1990; D'Cunha, 2000). The final step is to instill in her absolute obedience to the entrepreneur's regime, a system of rules designed to ensure that she stays in the place he has designated for her and generates the income he wants (Giobbe, 1990; Minnesota Advocates for Human Rights, 2000). While obedience may lead to rewards, most often to a position of control over other prostituted women or girls, violations of the rules are punished severely, usually by rape and beatings (Giobbe, 1998; Giobbe, 1993; Giobbe, 1992; Giobbe, 1991). Thus, prostitution is not only a system of gender-based domination; it is a system of gender-based totalitarianism.

PROSTITUTION AND VIOLENCE AGAINST WOMEN

While prostitution may be characterized as an expression of sexual freedom or as a form of labor, the reality is that it bears a much closer relationship to—indeed it incorporates—practices of gender-based violence, especially the sexual abuse of girls, rape, and intimate partner violence. It is well established that sexual abuse in childhood is a precondition for prostitution: studies reveal that between 55 and 90 percent of prostituted women have histories of childhood sexual abuse (Parriott, 1994, Silbert & Pines, 1982, Farley, Baral, Kiremire & Sezgin, 1998). It has also been established that the prime targets for prostitution and the most valuable commodities in the sex industry are children and young women barely out of childhood (Cardwell, 2002; O'Leary & Howard, 2001). As women mature they rapidly lose their marketability as sex objects and, marginalized within the sex industry, become valuable only if they are available for sadomasochism or other especially degrading practices (Carter, 2002).

The relation between prostitution and child sexual abuse is even closer. Prostitution does not just chronologically follow childhood sexual exploita-

tion: For most prostituted adults, it perpetuates its dynamics and effects (Giobbe, 1992). Prostitution customers are often significantly older than the women and girls whose bodies they purchase—frequently old enough to be their fathers or grandfathers. The inequality of social, sexual, and economic power between prostitution customers and those they prostitute is usually as extreme as the power differential between adult and child. Most important, prostitution, like child sexual abuse, is a transaction whose goal is the sexual satisfaction of the male; it is for this end that the bodily integrity of the female is violated (Farley, 2003). Prostituted girls and women describe having flashbacks to incidents of incest or molestation as they turn tricks and frequently experience the same psychological damage as incest survivors—depression, suicidal ideations or attempts, self-mutilation, and post-traumatic stress disorder (Farley et al., 1998). Prostitution keeps alive the experience and damage of child sexual abuse for the prostituted girl or woman. One prostitution survivor vividly described to me her revulsion at the gray pubic hair of a “trick” the age of her grandfather. During sexual encounters with “tricks,” she told me, she re-experienced the sexual abuse she had been subjected to by her stepfather.

While an extraordinarily high number of prostituted women are subjected to rape throughout the period they are prostituted, they also describe the act of being prostituted as rape-like sex acts that are unwanted, violating, and assaultive. One prostitution survivor memorably described prostitution as “bought and sold rape” (Giobbe, 1999). The dissociative state experienced by prostituted girls and women during the act of prostitution is the same dissociation that rape victims employ to shield themselves psychologically from sexual assault. But whereas for date rape or stranger rape victims, rape is almost always a one time assault, women and girls in prostitution are subjected to “bought and sold rape” over and over, often multiple times in the course of a single evening. Thus, for prostituted women and girls, the rape-like experience they must endure is not a single assault but a prolonged, numbing series of sexual violations, carried out by multiple violators, that resembles nothing so much as gang rape, and not just a single gang rape, but gang rape carried out day after day, often over the course of years (Giobbe, 1991).

The relationship between prostitution and domestic violence is profound but rarely understood. In societies where wives are considered the property of their husbands and their husbands’ families, women fleeing domestic violence find themselves in circumstances similar to that of girls fleeing incest in industrial and post-industrial societies: homeless and vulnerable to pimps and other sex industry profiteers. Prostituted women I interviewed in Bangladesh and Mali described the factors that drove them into prostitution as battering by

their husbands and the homelessness that ensued when their own families refused to harbor them after they escaped their husbands' homes.

Much prostitution is domestic violence, and many prostitutes are battered women. Across cultures, procurers and pimps are frequently abusive husbands and boyfriends. It is not simply a coincidence that one of the most common slurs that batterers direct against their victims is "whore," "puta," or its linguistic equivalent. Batterers often regard and treat their victims as "whores"—as communal sexual property—pressuring or forcing their victims to engage in unwanted sex with other partners. Batterers also frequently turn their victims into their personal prostitutes, requiring their wives and girlfriends to perform sexual favors in exchange for money for food and other necessities (author's unpublished interviews with battered women, 1994-2002).

Pimps are themselves batterers. They typically start out as the boyfriends of young, vulnerable girls, often runaways, and then persuade the girls to prove their devotion by turning tricks and handing over the proceeds (Giobbe, 1996). The pimp's "stable" resembles a polygamous family, with the wives ordered into a hierarchy of submission. The pimp's "main woman" is the equivalent of the polygamous husband's first wife and, like her, is charged with the responsibility of keeping the other, younger women in line. In both "families," when the wives or "whores" step out of line, the consequence is a beating by the paterfamilias/pimp (Giobbe, 1990, 1991, 1993).

While the pimp with his stable of "whores" is the prototype, prostitution in contemporary societies is often less stereotypical. Over the last decade, in Germany, Mexico, the Philippines, and the United States, I have interviewed women who are pimped solo by abusive husbands and boyfriends to whom they turn over their earnings, hoping that the money will enable them to buy a dream home, financial security, and an end to the prostitution.

Domestic violence has come to be understood not as a discrete series of violent acts but as a system of power and control the batterer institutes and maintains over his victim through the use of an array of interconnected strategies: isolation, intimidation, emotional abuse, economic abuse, sexual abuse, and threats (Power and Control Wheel, Domestic Abuse Intervention Project, Duluth, Minnesota). The criminal justice system's focus on the batterer's violent acts rather than on his tactics of "coercive control" has hidden the fundamental harm of domestic violence—not physical injury but gender-based subjugation (Stark, 2000).

The power and control model used to understand the modus operandi of perpetrators of domestic violence is rarely applied to tactics of procurers, pimps, brothel owners, and other sex industry profiteers. This fact is likely the consequence of the success of the notion that prostitutes are sex workers who choose prostitution over other career options. The reality, however, is that the

strategies of power and control used by battering husbands and boyfriends are identical to the strategies used by their counterparts in the sex industry.

The first step in the seasoning of girls and women into prostitution is isolation from family, friends, and support networks that strengthens the abuser's control. While batterers teach their wives or girlfriends that their families and friends are dangerous and untrustworthy and punish the women for any contact with them, pimps inculcate in their victims the belief that they are outlaws who exist in opposition to the hostile, judgmental, and punitive world of "straights." Emotional abuse that instills in the victims feelings of inferiority and worthlessness through derogatory name-calling and constant putdowns and criticism is a staple of batterers and pimps alike. Economic control—especially by requiring victims to turn over their earnings—is the sine qua non of pimping and pervasive in battering. Sexual abuse—both pimps and batterers often cement their control over their victims through rape—is endemic to the experience of being prostituted and battered. Likewise, intimidation and threats—to beat, to kill, to abduct her children, to harm her family members, to leave her homeless, to have her deported—are a mainstay of pimps and batterers.

DEFINING PROSTITUTION AND TRAFFICKING

The drafters of the United Nations' Convention for the Suppression of the Traffic in Persons and of the Exploitation of Prostitution of Others (hereafter, the "1949 Convention") did not find it necessary to define trafficking. They considered trafficking to be a cross-border practice of "the exploitation of the prostitution of others" and drafted a treaty that addressed both human rights violations equally. Together, as they understood it, "trafficking in persons and the exploitation of the prostitution of others" encompassed the activities of an increasingly global sex industry whose activities were "incompatible with the dignity and worth of the human person" (Marcovich, 2002). In 1979, the drafters of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) embraced the language of the 1949 Convention, its Article 6 requiring States Parties to "take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women."

A perceived need to define trafficking and to distinguish it from prostitution came only much later, in the 1980s. The goal was to confine both the scope of domestic and international laws addressing the sex industry and activism against it. The 1949 Convention criminalized the profit-making activities of local and global sex businesses without penalizing those exploited in prostitu-

tion. Had the Convention been equipped with implementing mechanisms that enforced its provisions, it would have posed a serious threat to sex industry businesses. An international movement to abolish prostitution, founded by Josephine Butler at the end of the Nineteenth Century, was still active in the 1980s, and feminists speaking out against the sexual exploitation of women in prostitution were beginning to join forces with the "abolitionists" to strengthen the 1949 Convention and to pass and implement national and local laws consistent with it (Barry, 1979, 1995). Media reports of the suffering of trafficking victims and the increasing globalization of the sex industry were fueling support for a campaign against the sex industry. Eager to ward off such a danger, pro-sex industry forces developed a strategy.

Ignoring or denying the harm of the sex industry was not an option, for that harm was well documented. A more pragmatic approach was to focus on the most brutal and extreme practices of the sex industry—transporting women from poor countries to rich countries using tactics of debt bondage and overt force—while legitimizing its other activities in the name of worker's rights.

The old dichotomy of Madonna-whore was replaced by a new dichotomy: sex worker-trafficked woman. In order to defend prostitution as sex work, trafficking was articulated as gender-neutral, with labor trafficking and sex trafficking collapsed under the same rubric as "trafficking in persons." Otherwise it would be too evident that the ultimate harm of sex trafficking is the decidedly gendered condition in which the trafficking victim is transported into—prostitution. "Prostitution" was stricken from the lexicon and replaced by "sex work." Similarly, "pimp," "procurer," and "brothel owner" were replaced by "business owners" or "third-party managers." The old terminology suggested that the sex industry was exploitative or worse whereas, according to the new understanding, it is about the right of individuals to make money as they choose. Indeed it is about the right to economic development. Even "trafficking" was troublesome because it implied that those who were trafficked were victims. The term "trafficking" began to be replaced with the more neutral "migration." Because there was a danger that the agents who profited from transporting women might be stigmatized as common traffickers the phrase "facilitated migration" was coined (Ditmore, 1999; Doezma, 1999; Doezma, 2001; Network of Sexwork Projects, 2002).

The battle over definitions of trafficking came to a fore in the drafting of the Trafficking Protocol to the proposed Transnational Convention Against Organized Crime. Many mainstream human rights organizations, including the International Human Rights Law Group and Human Rights Watch, influenced by the "choice" rhetoric of the sex industry's lobby, supported a definition of trafficking that required proof of force and deceit. Explicitly feminist human rights groups—most prominently the Coalition Against Trafficking in Women,

Equality Now, and the European Women's Lobby—called for a definition of trafficking that included trafficking carried out by the abuse of a position of power or a situation of vulnerability. In this international context, where developing countries grappling with the devastation wrought by the sex industry were active participants, the arguments of the pro-prostitution lobby foundered, and the more inclusive and protective definition was adopted (UN Protocol, 2000; Guide to the New UN Trafficking Protocol, 2001).

In contrast, that same year Congress passed the Trafficking Victims Protection Act, whose provisions governing the penalization of traffickers and the protection of victims were limited to cases of “severe trafficking,” requiring proof that the trafficking was carried out by force or deceit. Although such a restricted definition creates an often insurmountable burden for prosecutors, who must establish beyond a reasonable doubt not only that the victim was trafficked but that she did not consent to it, the restricted definition prevailed. Two years after its passage, only four prosecutions had been brought under the new law.

PROSTITUTION OR TRAFFICKING IN WOMEN?

What is the relation if any between prostitution and sex trafficking?

The truth is that what we call sex trafficking is nothing more or less than globalized prostitution. Sex industry profiteers transport girls and women across national and regional borders and “turn them out” into prostitution in locations in which their victims are least able to resist and where there is the greatest demand for them. The demand is greatest in countries with organized women's movements, where the status of women is high and there are relatively few local women available for commercial sexual exploitation (D’Cunha, 2002a). The brothels of the United States, Canada, the Netherlands, Germany, Austria, and Australia are filled with women trafficked from Asia, Latin America, and Eastern Europe. No less than 50% of German prostitutes are illegal immigrants and a staggering 80% of Dutch prostitutes are not Dutch-born (Owen, 2002; Louis, 1999). The implications for the women's rights movements in these countries of the massive sexual exploitation of poor immigrant women, many trafficked, is staggering, but the mainstream feminist response has, for the most part, been one of indifference.

Conversely, what most people refer to as “prostitution” can also be seen as domestic trafficking. “Casual prostitution,” prostitution in which a woman with apparent options enters of her own apparent volition, accounts for only about one percent of the women in the sex industry, according to Davidson (1998). The bulk of the sex industry involves pimps and other sex industry entrepreneurs control-

ling women and girls, often by moving them from places in which they have family and friends into locations in which they have no systems of support (D’Cunha, 1999, 2002a). Movement is also essential because customers demand novelty. In the United States there are national and regional sex industry circuits in which prostituted women and girls are rotated among cities, ensuring customers variety and sex industry entrepreneurs control (Raymond & Hughes, 2000).

Increasingly, the boundaries between local prostitution and international sex trafficking are blurred. In 2001, the Kings County District Attorney’s Office in New York City busted a prostitution ring run by Russian nationals living in the United States. The ring recruited newly arrived Russian immigrant women, desperate for income, through ads in Russian language newspapers that falsely promised lucrative work. Is this prostitution or is it trafficking?

Sex trafficking and prostitution overlap in fundamental ways. Those targeted for commercial sexual exploitation share key demographic characteristics: poverty, youth, minority status in the country of exploitation, histories of abuse, and little family support. Sex industry customers exploit trafficked and prostituted women interchangeably, for the identical purpose. (There is no specific demand for “trafficked” women—any woman or girl will suffice.) The sex industry businesses in which trafficked and prostituted women are exploited are often one and the same, with trafficked and domestically prostituted women “working” side by side. Local brothels and strip clubs are usually traffickers’ destinations and key to their financial success. The injuries that prostituted and trafficked women suffer are identical: post-traumatic stress disorder, severe depression, damage to reproductive systems, damage from sexual assault and beatings, and sexually transmitted diseases (Raymond, 2001; Farley, 2003).

Certainly international trafficking intensifies the dynamics of power and control that characterize domestic prostitution: the isolation of the victims; their dependence on their abusers; their difficulty in accessing criminal justice and social service systems; and their fear of exposure to the authorities. But the dynamics of trafficking and prostitution are the same dynamics, and their commonalities far overshadow their differences. In spite of efforts to differentiate and separate prostitution and trafficking, the inescapable conclusion is that the difference between the two, at best, is one of degree of, not of kind.

GOVERNMENTS RESPOND TO PROSTITUTION AND TRAFFICKING

Creating distinctions between prostitution (or “sex work”) and trafficking protects business as usual in the sex industry. Those who have promoted these

distinctions have for the most part been those with the greatest economic stake in the sex industry carrying on business as usual—countries, most notably the Netherlands and Germany, which legalize and tax sex industry businesses, and a pro-prostitution lobby representing a mix of Dutch- and German-funded nongovernmental organizations, libertarian groups, and sex industry interests. Their philosophy originates in the propaganda of the California-based organization, COYOTE (Call Off Your Old Tired Ethics), which took credit for coining the term “sex worker” in the early 1970s (Delacoste & Alexander, 1991). Now defunct, COYOTE represented just such a mix of libertarian activists and sex industry profiteers, organizing “Hookers Ball” celebrations of the San Francisco sex industry. COYOTE’s philosophy—that prostitution is a job just like any other job and should be legitimized and legalized as such—found fertile ground in the growing sex industry centers of Western Europe, among sex industry patrons and profiteers, and among fringe groups of the Left like the British-based “Wages for Housework” and its spin offs, “Black Women for Wages for Housework” and “Wages Due Lesbians,” all of which began aggressively, though with varying degrees of success, to promote COYOTE’s message to social change activists. Although far more polished and less marginal than COYOTE, the contemporary adherents of the distinction between prostitution/sex work and trafficking are COYOTE’s ideological heirs and their goal—the legitimization of the sex industry—is identical to COYOTE’s (Ditmore, 1999; Doezema, 1999).

If sex trafficking and prostitution were distinct and separate phenomena, and if prostitution were as innocuous as trafficking is injurious, a logical response would be to direct criminal sanctions against sex traffickers and legalize and regulate prostitution. This is the position that the Netherlands, Germany, and others following the “Dutch” example have embraced. But the Dutch and German experience—along with those of other jurisdictions that have legalized prostitution—have demonstrated just what happens when prostitution is legitimized and protected by law: the number of sex businesses grows, as does the demand for prostitution. Legalized prostitution brings sex tourists and heightens the demand among local men. Local women constitute an inadequate supply so foreign girls and women are trafficked in to meet the demand. The trafficked women are cheaper, younger, more exciting to customers, and easier to control. More trafficked women means more local demand and more sex tourism. The end result looks a lot like Amsterdam.

Sheila Jeffreys, a professor of women’s studies at the University of Melbourne, documents this phenomenon in Victoria, Australia. In 1994, prostitution was legalized in Victoria. The hope was that legalized prostitution would decrease street prostitution, diminish the health risks for prostitutes and cli-

ents, and decrease organized crime's hold over the sex industry. What happened instead was just the opposite: a massive expansion of Victoria's sex industry and an increase in sex trafficking into Victoria. The number of legal brothels escalated from 40 to 64, the "escort agencies" proliferated. A Melbourne businessman was arrested for bringing into Victoria 40 Thai women as contract workers and then confiscating their passports until they worked off their debt. A legal brothel was busted for holding 25 Asian women in indentured servitude. Sullivan and Jeffreys (2000) observed, "Legalization was intended to eliminate organized crime from the sex industry. In fact, the reverse has happened. Legalization has brought with it an explosion in the trafficking of women . . ."

The Swedish government developed an antithetical policy response. In 1999, it passed and implemented legislation that stepped up measures against organized prostitution not only by directing strong penalties against pimps, brothel owners, and other sex industry entrepreneurs but by also instituting criminal sanctions against customers (Goldsmith, 1998). (The law also eliminated penalties against prostitutes, such as the penalty for soliciting.) After the passage of the new law, Sweden spearheaded a public education campaign warning sex industry customers that patronizing prostitutes was criminal behavior (Campaign Against Trafficking in Women, 2002). The result was unexpected. While there was not a dramatic decrease in the incidence of prostitution, sex trafficking to Sweden declined significantly. The danger of prosecution coupled with a diminished demand made Sweden an unpromising market for global sex traffickers (Winberg, 2003).

The antithetical Australian and Swedish legislative approaches to prostitution and trafficking hold important preliminary lessons for social change activists and policy makers. Legalizing and legitimizing domestic prostitution, it appears, throws out a welcome mat to international sex traffickers. Curtailing the demand for prostitution in a destination country seems to chill sex trafficking into it. While Australia's and Sweden's experiences merit further study, they underscore the interconnection of prostitution and sex trafficking.

CONCLUSION

Prostitution and sex trafficking are the same human rights catastrophe, whether in local or global guise. Both are part of a system of gender-based domination that makes violence against women and girls profitable to a mind-boggling extreme. Both prey on women and girls made vulnerable by poverty, discrimination, and violence and leaves them traumatized, sick, and impoverished. Both reward predators sexually and financially, strengthening

the demand and criminal operations that ensure the supply. The concerted effort by some NGOs and governments to separate trafficking from prostitution—to treat them as distinct and unrelated phenomena—is nothing less than a deliberate political strategy aimed at legitimizing the sex industry and protecting its growth and profitability. Unless definitions, laws, and strategies clearly identify and challenge all manifestations of local and global sex industries, the progress that we make on one front will be undone by our inaction on the others.

REFERENCES

- Ananova.com. (2002). http://www.ananova.com/news/story/sm_5666031.html. May 25, 2002.
- Arizona Coalition Against Domestic Violence. (2002). *What Sexual Assault and Domestic Violence Service Providers Need to Know About Sex Trafficking*.
- Barry, K. (1979). *Female Sexual Slavery*. New York: New York University Press.
- Barry, K. (1995). *The Prostitution of Sexuality*. New York: New York University Press.
- Cambodian Women's Crisis Center. (1999). The Sale of Women and Girls to Brothels in Cambodia. In D.M. Hughes and C. Roche (eds), *Making the Harm Visible: Global Sexual Exploitation of Women and Girls*. Kingston, Rhode Island: Coalition Against Trafficking in Women. 131-133.
- Cardwell, D. (2002). Officials Say Sex Trade Lures Younger Girls. *New York Times*. December 7, 2002.
- Carter, V. (2002). Presentation on Panel on "Prostitution and Poverty" during 46th Session of the United Nations Commission on the Status of Women. March 6, 2002.
- Council for Prostitution Alternatives. (1991). Annual Report 3.
- Davidson, J. O. (1998). *Prostitution, Power, and Freedom*. Ann Arbor: University of Michigan Press.
- D'Cunha, J. (1999). A Perspective on the Decriminalization of Prostitution and Reflections on Action Strategies. Presentation During Seminar, "Trafficking and the Global Sex Industry: Need for Human Rights Framework." Palais des Nations, Geneva, Switzerland.
- D'Cunha, J. (2002a). Trafficking and Prostitution from a Gender and Human Rights Perspective in J. Raymond, J. D'Cunha, S.R. Dzuhayatin, H.P. Hynes, Z.R. Rodriguez, & A. Santos (eds.) (2002). *A Comparative Study of Women Trafficked in the Migration Process: Patterns, Profiles and Health Consequences of Sexual Exploitation in Five Countries (Indonesia, the Philippines, Thailand, Venezuela and the United States)*. N. Amherst, MA: Coalition Against Trafficking in Women (CATW). Available at www.catwinternational.org.
- D'Cunha, J. (2002b). Gender Equality, Human Rights and Trafficking: A Framework of Analysis and Action. Paper presented at Seminar to Promote Gender Equality and Combat Trafficking in Women and Children, October 7-9, 2002. Bangkok, Thailand.

- Delacoste F. & Alexander, P. (eds). (1991). *Sex Work: Writings by Women in the Sex Industry*. Cleis Press.
- Ditmore, M. (1999). Addressing Sex Work as Labor. Presentation During Seminar, "Trafficking and the Global Sex Industry: Need for Human Rights Framework." Palais des Nations, Geneva, Switzerland.
- Diakite, F. (1999). Prostitution in Mali in D.M. Hughes and C. Roche (eds.), *Making the Harm Visible: Global Sexual Exploitation of Women and Girls*. Kingston, Rhode Island: Coalition Against Trafficking in Women: 177-180.
- Doezma, J. (1999). How Existing Legal Systems Facilitate Trafficking. Presentation During Seminar, "Trafficking and the Global Sex Industry: Need for Human Rights Framework." Palais des Nations, Geneva, Switzerland.
- Doezema, J. (2001). "Ouch! Western Feminists' 'Wounded Attachment' to the 'Third World Prostitute.'" *Feminist Review* 67, Spring 2001. pp. 16-38.
- Duluth Domestic Abuse Intervention Project, National Training Project. Power and Control Wheel. <http://www.duluth-model.org/ntppce.htm>.
- Dworkin, A. 1997. Prostitution and Male Supremacy. In *Life and Death* 139-151. New York: Free Press. Available at <http://www.nostatusquo.com/ACLU/dworkin/MichLawJour1.html>.
- Farley, M. (2003). Prostitution and the Invisibility of Harm. *Women & Therapy* 26: 247-280. Special issue on Women and Invisible Disabilities, M. Banks and R. Ackerman (eds).
- Farley, M., Baral, I., Kiremire, M., & Sezgin, U. (1998). Prostitution in Five Countries: Violence and Posttraumatic Stress Disorder. *Feminism & Psychology* 8: 415-426.
- Giobbe, E. (1990). Confronting the Liberal Lies About Prostitution. D. Leidholdt & J. Raymond, (eds.). *The Sexual Liberals and the Attack on Feminism*, New York: Pergamon Press, pp. 67-81.
- Giobbe, E. (1991). Prostitution, Buying the Right to Rape, in Burgess, A.W. (ed.) *Rape and Sexual Assault III: A Research Handbook*. New York: Garland Press.
- Giobbe, E. (1992). Juvenile Prostitution: Profile of Recruitment, in Burgess, A.W. (ed.) *Child Trauma: Issues & Research*. New York: Garland Press.
- Giobbe, E. (1993). An Analysis of Individual, Institutional & Cultural Pimping. *Michigan Journal of Gender & Law* 1: 33-57.
- Giobbe, E. (1999). Presentation During Seminar, "Trafficking and the Global Sex Industry: Need for Human Rights Framework." Palais des Nations, Geneva, Switzerland.
- Goldsmith, B. (1998). "Swedish sex buyers feel law's weak slap." *Reuters*, June 14, 1998.
- Guide to the New UN Trafficking Protocol. (2001). CATW online website: <http://www.catwinternational.org>.
- Hotaling, N. (1999). What Happens to Women in Prostitution in the United States. In D.M. Hughes and C. Roche (eds.). *Making the Harm Visible: Global Sexual Exploitation of Women and Girls*. Kingston, Rhode Island: Coalition Against Trafficking in Women: 239-251.
- Leidholdt, D. (1993). Prostitution: A Violation of Women's Human Rights. *Cardozo Women's Law Journal* 1: 133-147.
- LifeSiteNews.com (1999). Brothels Legalized in Holland.
- Louis, M. (1999). Legalizing Pimping, Dutch Style. In D. M. Hughes and C. Roche (eds.), *Making the Harm Visible: Global Sexual Exploitation of Women and Girls*. Kingston, Rhode Island: Coalition Against Trafficking in Women: 192-196.
- Marcovich, M. (2002). Guide to the UN Convention of 1949 on the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. Coalition Against Trafficking in Women. www.catwinternational.org.

- Minnesota Advocates for Human Rights. (2000). Trafficking in Women: Moldova and Ukraine. www.mnadvocates.org.
- Network of sex work projects website. <http://www.nswp.org>.
- O'Leary, C. & Howard, O. (2001). The Prostitution of Women and Girls in Metropolitan Chicago. Center for Impact Research. www.impactresearch.org.
- Owen, R. (2002). Italy Divided Over Plan to Bring Back Brothels. May 9, 2002. <http://www.timesonline.co.uk/article/0,,3-290855,00.html>.
- Parriott R. (1994). *Health Experiences of Twin Cities Women Used in Prostitution*. Unpublished survey initiated by WHISPER, Minneapolis.
- Pateman, C. (1988). *The Sexual Contract*. Palo Alto, CA: Stanford University Press.
- The Protection Project. (2001). Annual Human Rights Report on the Trafficking of Persons, Especially Women and Children, www.protectionproject.org.
- Raymond, J. (1999). The Health Effects of Prostitution in D.M. Hughes and C. Roche (eds.), *Making the Harm Visible: Global Sexual Exploitation of Women and Girls*. Kingston, Rhode Island: Coalition Against Trafficking in Women: 59-63.
- Raymond, J. & Hughes, D. (2002). Sex Trafficking of Women in the United States: International and Domestic Trends. CATW online website: <http://catwinternational.org>.
- Raymond, J., D'Cunha, J., Dzuhayatin, S.R., Hynes, H.P. Rodriguez, Z.R., & Santos, A. (2002). A Comparative Study of Women Trafficked in the Migration Process: Patterns, Profiles and Health Consequences of Sexual Exploitation in Five Countries (Indonesia, the Philippines, Thailand, Venezuela and the United States). N. Amherst, MA: Coalition Against Trafficking in Women (CATW). Available at www.catwinternational.org.
- Schelzig, E. (2002). German Prostitutes Ponder Salaried Work. The Washington Post. May 13, 2002. <http://www.iht.com/articles/57484.html>.
- Silbert, M. & Pines, A. (1982). Entrance into Prostitution. *Youth & Society*, 13: 471-479.
- Silbert, M. (1983). Early sexual exploitation as an influence in prostitution. *Social Work* 28: 285-289.
- Stark, C. & Hodgson, C. (2003) Sister Oppressions: A Comparison of Wife Battering and Prostitution in M. Farley (Ed.) *Prostitution, Trafficking, and Traumatic Stress*. Binghamton, NY: The Haworth Press, Inc.
- Stark, E. (2000). A Failure to Protect: Unraveling the Battered Mother's Dilemma. 27 *Western State University Law Review* 29.
- Sullivan, M. & Jeffreys, S. (2001). *Legalizing Prostitution Is Not the Answer: The Example of Victoria, Australia*. CATW online at <http://catwinternational.org>.
- UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2000.
- Vasconcelos, A. (1999). Casa de Passagem in Brazil in D.M. Hughes and C. Roche (eds.), *Making the Harm Visible: Global Sexual Exploitation of Women and Girls*. Kingston, Rhode Island: Coalition Against Trafficking in Women: 333-338.
- Winberg, M. (2003). Speech by Sweden's Deputy Prime Minister at 47th Session of the United Nations Commission on the Status of Women, UN Headquarters, New York City, March 5, 2003.