

Wards of the State: Pregnant and Prostitute Women¹

Embarazo y prostitución: mujeres bajo la tutela del Estado

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ABSTRACT

The paper demonstrates common mechanisms underlying state control of prostitute and pregnant women. On a global level, institutional regulation of pregnancy and prostitution has been incorporated into “population control” and “migration control” under the name of “family planning” and “anti-trafficking”. Although those policies fit within a coherent system, reproductive and sexual issues are most often isolated, or framed as ideological and strategic opposites, also by feminist theorists and activists. This false dichotomy reinforces the division of women and colludes with social hypocrisy and injustice.

KEYWORDS: Pregnancy, prostitution, family planning/population control, anti-trafficking/migration control.

RESUMEN

El artículo muestra los mecanismos comunes subyacentes en el control estatal a mujeres prostitutas y embarazadas. A un nivel global, la regulación institucional del embarazo y de la prostitución ha sido incorporada al “control de la población” y al “control de la migración” bajo el nombre de “planeamiento familiar” y “antitráfico”. Aunque estas políticas se incluyen dentro de un sistema coherente, las cuestiones sobre reproducción y sexualidad son muy a menudo aisladas o enmarcadas como oposiciones ideológicas y estratégicas, incluso por feministas teóricos y activistas. Esta falsa dicotomía refuerza la división de la mujer y refuerza la hipocresía social y la injusticia.

PALABRAS CLAVE: Embarazo, prostitución, planeamiento familiar, control de la población.

SUMARIO

1. Regulation of pregnant and prostitute women. 2. Population Control and Migration Control. 3. Sex, Money, Travel. 4. The Awfulization of Abortion and Prostitution. 5. Concluding comments.

¹ A first version of this lecture was presented upon invitation by Carole Vance at Columbia University, Mailman School of Public Health, The Program For The Study Of Sexuality, Gender, Health And Human Rights, New York, 25 January 2000. A direct transcript of that lecture is published in French: Pheterson, Gail (August 2003) “Grossesse et Prostitution. Les femmes sous la tutelle de l’Etat.” *Raisons politiques*. N° 11:97-116.

My objective is to present some preliminary notes on an integration of issues generally addressed in isolation or at odds to one another. I will attempt to demonstrate that institutional regulation of pregnancy and institutional regulation of prostitution form one coherent structure for controlling women. "Institutional" refers here to gender-specific laws, policies, norms and state-sanctioned punishments for transgression. This structure is mystified through interlocking ideologies that rationalize discriminatory controls on women's sexual and reproductive lives under the guise of protecting women –or society at large– from harm or indignity. The paper begins by demonstrating the secondary and illicit status of pregnant and prostitute women. It then applies this framework to two parallel global regulatory schemes, namely those devoted to *family planning* and *anti-trafficking*. Lastly the paper examines psychosocial distortions that pathologize or stigmatize women's autonomous sexual and reproductive decisions.

1. REGULATION OF PREGNANT AND PROSTITUTE WOMEN

Once classified as a pregnant woman or as a prostitute woman, a person's status shifts from an individual in and of herself to an individual viewed in relation. Note here that we are referring to classification as pregnant or prostitute regardless of a woman's actual biological condition or social behavior². The pregnant woman's status derives from the fetus within her body, and state policy may be geared more to protect the fetus than the woman (Petchesky, 1987); the prostitute woman's status derives from her relation to male clients, and authorities show more concern for the client, his wife and his offspring than for the woman. The pregnant woman's status is not only derivative but also illegitimate as soon as her pregnancy and potential offspring are deemed illicit, be it due to an illicit union or due to her "race", class, marital or age status. And the prostitute woman is the symbol of illegitimacy itself, her supposed immorality or indecency being explicit cause for

exclusion from also human rights conventions (Pheterson, 1989). Thus Article 29 of the International Bill of Human Rights states: "*In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society*". Both pregnancy and prostitution are socially, and often legally, defined in terms of morality, public order and the general welfare of society. Whether the pregnant woman is granted recognition and respect depends upon the congruence of her reproductive choices with the dictates assigned to her particular female status (in other words, whether her babies would be valued by state and society), dictates construed righteously for the "general" welfare. As for the prostitute woman, she is regarded and treated in courts of law as either agent or victim of immorality, disorder and disease but rarely as subjects due recognition and respect. She is judged by the degree of her supposed infringement on the freedoms and rights of others. In a curious twist, she the actor may even be judged by the degree of her infringement on mythical notions of she the pure passive girl.

Also women who are not (yet or still) marked by a secondary status may suffer discriminatory treatment if they are suspected of being pregnant or being prostitutes, or of being vulnerable to either condition. In regards to pregnancy, any women or girl assumed to engage in heterosexual relations may be treated as a potentially pregnant person and thus subject to involuntary testing, as for HIV or drug use, involuntary sterilization, contraceptive regulation, forced confinement and social stigma - depending on local context. A woman might be refused a job because she might get pregnant. In regards to prostitution, any woman or girl traveling on her own from a poor to rich country or from a rural to urban area or simply walking the street at night may be suspected of prostitution and thus subject to harassment, arrest, fining, imprisonment and involuntary HIV testing; her movement is by definition illicit in many

² For elaboration of the slippery slope between labels and treatment, irrespective of behavior, see Pheterson, 1996.

contexts if she is unaccompanied by a male escort (Brussa, 1994; Delacoste, 1987).³

Whether the woman intends to conceive or bear a child and whether a woman moving about public space intends to solicit money for sexual service aggravates but does not define her sexual transgression. It is her autonomy that incriminates her. Reproductive autonomy and migratory autonomy are both assumed to imply self-serving liberty, a claim on one's own future ultimately illegitimate and blameworthy for girls and women. The first insult a pregnant teenage may hear is: "You whore." Any woman out at night on her own may hear the same. The whore stigma disqualifies and punishes independent women (Pheterson, 2001).

Whereas being caught as an independent actor—especially sexual actor—is incriminating for women, being victim to violence may be the only hope of redemption. Even legal guidelines often stipulate victimization as the sole justification for immunity from punishment for illicit behavior or as the sole reason for access to resources reserved for the privileged. So, many states in the US stipulate that only women who are pregnant by rape or incest are entitled to medicaid coverage for abortions; in a number of European countries only migrant prostitutes whose transport or sex commerce came about by coercion or deceit are entitled to (temporary) reprieve from being sent home against their will (Brussa, 1994). One proposal in the Philippines suggests giving women immunity from prosecution for obtaining an abortion if they testify against their abortionist. In the Netherlands, migrant women working as prostitutes may be granted immunity from criminal charges as illegal immigrants or illegal sex workers if they testify against the person who organized their migration and employment, be it by deceit or by agreement. In Canada, migrant sex workers must say they were victims of coercion in order to avoid prosecution as illegal workers. At the same time, migrant women are recruited, employed and frequented as sex

workers by male nationals. Those sex workers are not supposed to get pregnant, although the majority are working to support their children. They are expected to go for medical checks to STD clinics and they are not expected to need contraceptive or pregnancy information, except regarding sterilization. In Nairobi, for just one example, field workers report the separation between family planning clinics, on the one side, and STI clinics, on the other, each of which is assumed to treat different women with different needs and different social status (Alexander, 1987; Nnugi, 1988). Women are divided physically as well as ideologically into moms and whores, wherein the moms are not supposed to be sexually active and the whores (meaning any woman marked by her work, color, class, sexual activity, age or history of abuse) are not supposed to bear children. The system radically fails on the level of public health since most women have both reproductive and sexual health needs. But it also fails on the level of civil or human rights (Cook *et al.*, 2003). Those who trespass their assigned position are punished by social stigma, a denial of resources and a host of discriminatory regulations. Revealingly, those who comply may suffer the same indignities.

There is a continuum of pressures regulating women that range from law, state policy and police practice to a variety of social imperatives to private incentives or threats. Together these pressures fix the status of women, the status of their babies, the status of their activities and the status of their earnings. Certain women are given incentives to have babies and others are discouraged or punished.⁴ For many years Italian authorities have been offering financial incentives to urge resident and migrant women to produce more children. Milan city officials, for example, promised a monthly allowance for 3 years to women seeking abortions if they would renounce their choice and carry their pregnancy to term⁵. A California private

³ For ongoing updated references related to such mistreatment, see websites for the Network of Sex Work Projects and for the International Committee on the Rights of Sex Workers in Europe: www.nswp.org and www.sexworkeurope.org.

⁴ For a wealth of information, scientific references and pertinent links, see US website www.advocatesforpregnantwomen.org, especially articles authored by Executive Director Lynn Paltrow.

⁵ *El País*, Novembre 25, 1999; for a more recent article on other incentives in another Italian city, see *Los Angeles Times*, February 20, 2005.

organization offers to pay drug-addicted women \$200 to undergo permanent sterilization.⁶ In relation to prostitution, women are given sustained financial incentive for providing sexual service to men; the state supports the infrastructure for this sex industry while harassing, fining, imprisoning, denying child custody and rendering essentially rightless the women who respond to the state-regulated demand. Clearly sexist mechanisms of control, such push-pull interventions are also racist, colonial means of regulating the growth, economic viability and mobility of subordinate populations (Truong, 1990).

2. POPULATION CONTROL AND MIGRATION CONTROL

The double edge of population control has been sharply analyzed by reproductive rights activists and scholars (Hartmann, 1995; Caulier, 2008). Whereas women may benefit from increased accessibility to contraception, abortion and sterilization, they are also subject to coercions, misinformation, penalization for either abortion or pregnancy, abuse in clinical trials of pharmaceutical drugs and surgical techniques, biased interpretations of scientific results and unethical distribution of harmful medications. Such mistreatment is rationalized by persisting calls for women in poor countries and poor women in rich countries to limit their reproduction for their own benefit, for the benefit of their communities and for the benefit - or betterment - of the world. This global consensus may run in contradiction to local pro-natalist ideology, restrictive laws (for example regarding abortion), or a lack of contraceptive resources.

The double edge of migration control, one dimension of population control, has likewise been studied with a critical eye on underlying colonial, xenophobic and racist discriminations and hypocrisies. Whereas populations worldwide migrate to improve their employment and education opportunities, countries of the North and West import and underpay workers from the

South and East; migrant workers are then denied not only fair wages, but also legal status and social welfare benefits due other workers. For women, and women comprise a majority of the migrant labor pool in many countries, the main, if not only, avenues for economic subsistence in the North/West may be domestic work, textile work, sex work and (as non-wage labor) arranged marriage (Wijers and Chew, 1997/1999).

Both population control and migration control shape coercive state policy in the name of protection or punishment of (other) peoples. Whereas population control is framed as a fight against poverty, migration control - specifically control of women's migration - is framed as a fight against violence. Specifically, Family Planning organizations worldwide are enlisted to encourage contraceptive regulation of women's fertility, often under pressure to reach quotas of contraceptive "acceptors". And Anti-Trafficking organizations are increasingly mobilized with significant funding from national and international sources to prevent and monitor women's migration. In law, trafficking is defined by the transportation within or across state lines of persons with the intent of placing them in prostitution for the purpose of illicit financial gain. Specifically and predictably, anti-trafficking policies single out those migrant women assumed to be prostitutes such as black, poor or young women traveling alone or in the company of other women. Trafficking is not defined by force, deceit, debt bondage or rape (offenses already illegal in most countries), but rather by a combination of travel, sex and commerce. In principle, travel agents rather than travelers are criminalized as traffickers; however, the persons dependent on the so-called traffickers are women who need mediators for access to funds, legal documents, jobs or services since they have no independent means. Furthermore, the woman is the sign of the trafficker's criminality and she is thus the target of state discriminatory controls (Wijers and Chew, *op cit*).

Although the rhetorical justification for such controls is to reduce women's vulnerability to

⁶ Committee on Women, Population and the Environment, CRACK uses unethical tactics to stop women with substance abuse problems from becoming pregnant. *The Fight for Reproductive Freedom. A Newsletter for Student Activists*. Hampshire College: Vol. XIV, No. 1, Fall 1999:6.

poverty (in the case of fertility controls) and violence (in the case of migration controls), actual state practice robs women of the autonomy to access their alternatives, limited though they may be, and to decide for themselves how to negotiate their options. Instead they are subject to discriminatory medical and police surveillance.

Population controllers identify the problem as “too many children”. Dorothy Roberts (1997) writes in *Killing the Black Body. Race, Reproduction and the Meaning of Liberty*: “Blaming the birthrate for poverty ignores the structural reasons for people being poor...willingness to pay for poor women’s birth control but not for their basic needs is strong evidence that the government is more interested in population reduction than in furthering women’s welfare” (p.138). One could say the same for blaming migration and prostitution for violence. Anti-traffickers identify the problem as “women running away from home” and “women being lured into prostitution”. This analysis ignores the structural reasons for violence against women and the structural dimension of women’s migratory response, including their recourse to prostitution for an income. If denial of basic needs, like health care, nutrition, education and employment leads to poverty, then denial of basic rights to reproductive, sexual, economic and migratory autonomy leads to dependency and vulnerability to abuse by legal and illegal profiteers. Willingness to institutionalize categorical control of women’s movement, sexuality and labor but not to guarantee women’s rights to migration, sexual self-determination and compensation for services rendered is strong evidence, to extend Robert’s formulation, that governments are more interested in control of immigration and labor than in furthering women’s welfare.

3. SEX, MONEY, TRAVEL

The system of control operates through surveillance of women’s sexual, economic and migratory activity. Although it is sex with men under a continuum of circumstances from choice to force that generates pregnancies and revenues, neither the control of pregnancy nor the control of prostitution regulates heterosexuality per se, a relation between women and men. It is the pregnant or potentially pregnant woman (or her

abortionist) and the prostitute or potential prostitute woman (or her pimp) that are the targets of current state policies on reproduction and prostitution. The police can control women and their heterosexually-generated pregnancies and revenues without monitoring actual sexual conduct or women’s male sexual partners at all, nor should they. Significantly, the arrest of men for rape, homosexual encounters or soliciting sex does focus on their sexual transgression whereas women, rarely considered sexual agents in themselves, are far more likely to be controlled for their illicit pregnancies or termination of pregnancies and illicit earnings. States direct attention toward women’s reproductive and sexual labor far more than toward either their sexuality or the violence committed against them. Sensational reports of sex and violence function to mask the actual focus of legislation and public policy, namely women’s childbearing and money-generating activity.

Turning from sex to money, Family Planning has become an industry with major investments from public and private, governmental and industrial, activist and service-oriented organizations (Caulier, 2009). And the sex industry represents up to 14% of the Gross National Product in certain countries (Lim, 1998). A large part of both family planning and prostitution revenues are international, be it due to transnational industrial investments (such as pharmaceutical sales or research), philanthropic promotion of population control or migration control, or labor migration of employees and managers in reproductive health or sex work establishments.

As to travel, illicitly pregnant women and girls have traditionally had to “leave home”, as have women and girls seeking abortions, as have prostitutes or sexually-stigmatized women. Criminal statutes and border controls target independent women and minors, and target third parties who facilitate their travel with the intent of profiting from illicit reproductive or sexual activity, understood usually as abortion or prostitution. Illegal travel, and often legal travel, leave women - especially women without male escort - vulnerable to abuse by state and criminal profiteers. Their vulnerability derives from their illegality, not from the abortion or sexual negotiation on the other side of the border, unless it too is illegal and fraught with the dangers of

isolation and dependency. Their lack of rights increases their vulnerability to an abortion provider or club manager who may take advantage of the fact that they have no legal recourse in case of abuse; but, here again, the source of vulnerability is illegality or illegitimacy, not abortion or prostitution or travel per se. When governments speak of fighting criminal abortion and criminal prostitution, oftentimes of women or adolescent girls on the run, they bemoan the deaths of women from unsafe procedures or from the violence of the underworld, but they misidentify the danger. They call for stronger state enforcement of the very prohibitions that criminalize women and/or the persons upon whom women rely to exercise reproductive and sexual autonomy. It is important to understand that laws which pretend to protect women by criminalizing those who aide, abet or facilitate (to use the legal language) their illicit activity rob women of legitimate services and force them to negotiate their freedom outside the protection of the law. For example, adults who help a teenage girl procure an abortion across state lines may themselves be liable to prosecution, as are persons who lodge an illegal migrant, especially one who works in the sex industry. Those willing to help are mostly experienced outlaws, often with dubious self-interest, while law-abiding feminists may end up abandoning women and righteously blaming their outlaw allies for violence against women.

Not only may feminists be powerless to help within legal limits and shy outside those limits, they may also find themselves backed into complicity with discriminatory state regulations and coercions. Many NGOs work within state guidelines of population control in order to gain access to family planning resources; and many work within state guidelines of migration control under the name of anti-trafficking in order to gain access to resources for migrant women. As Betsy Hartmann writes in her book *Reproductive Rights and Wrongs* (1995), women's organizations work within the population control paradigm for two reasons: either they believe in the paradigm, that is they believe in the urgent need of slowing down the birthrate, or they believe that accepting

the legitimacy of the population framework gives them strategic leverage with decision-makers. Hartmann, herself, argues against acceptance of the framework for the sake of maintaining clear tools of analysis and a broader political agenda of social and economic transformation. Likewise, women's organizations work within the anti-trafficking framework either because they believe that women's migration should be protectively curbed and regulated or they believe that accepting the legitimacy of state migratory control gives them strategic leverage with decision-makers; at the same time, they express concern about being used by the police for tracking down illegal migrants and by governments for ideological credibility. As one anti-trafficking activist remarked: "We know the state is using us for information about illegal migration patterns and for making the authorities look good as they turn women back from the borders or move them back and forth as it suits their pocketbooks. We also know that most women who migrate are not duped - some really want to leave home, most know they will work as prostitutes, others are desperate, while there are those who really do need to be rescued."⁷ As for rescue, the question arises again and again as to why existing laws against coercion and deceit, for example, are not applied in reproduction and prostitution contexts? Why do we need a new set of guidelines specific to those contexts in order to guarantee ordinary protections, rights and resources? The answer resides in the fact that women, and especially illegitimized women, are not covered by existing laws and do not have access to existing resources because their very status defines them as dependant, damaged or criminal. Pregnant and prostitute women are wards of the state.

4. THE AWFULIZATION OF ABORTION AND PROSTITUTION

Laws which restrict or prohibit abortion and laws which restrict or prohibit prostitution whether within or across state lines are particularly insidious in rendering women more vulnerable to

⁷ Director of a European center against trafficking in women. Personal communication at the European NGO Conference on Trafficking in Women. Noordwijkerhout, Netherlands. April 5-7, 1997.

abuse, exploitation, physical danger and social stigma. British health activist Janet Hadley coined the term “the awfulization of abortion”⁸ to describe the current tendency, also among pro-choice advocates, to demonize abortion. The same term applies well to prostitution. Beginning with abortion, arguments of the pro-choice movement in favor of abortion without risk often go as following:

“Abortion is indeed bad, but necessary, a sort of necessary evil. It is tragic, traumatic and leaves lasting psychic damage. It is always the last resort of women who are on the edge of despair because they were either unlucky or irresponsible. Abortion is a totally personal choice that one is apt to regret. More reliable contraceptives would reduce the need for abortion. Abortion should never be presented as a method of contraception.”

This view differs little from that of anti-abortion lobbyists. Whereas such advocates recognize the need for safe abortion services to save women’s lives, they end up distorting reproductive health realities by separating abortion and contraception. By seeing abortion as regrettable, a sign of bad judgment or a lack of discipline, and seeing contraception as wise and responsible, they reinforce the myth that contraception is without risk and the myth that abortion, regardless of good conditions, is dangerous. Recent questionnaires in diverse legalized settings reveal that few people, including physicians, know that abortion under good conditions is safer than a penicillin shot, often safer than hormonal contraceptives, 14 times safer than delivery by vaginal route and 41 times safer than delivery by caesarian section (WHO, 1998:4). Given such ignorance, few are ready to accept that less reliable but safer contraceptives, such as barrier methods, with abortion as a back-up measure, may be the safest way for women to prevent unwanted births (Hartmann, 1987/1995). In addition, many women are made to feel guilty about getting an abortion and urged to repent and do better, i.e. avoid abortion, in the future.

One could draw a similar profile of prostitution. Also many feminists who favor decriminalization of prostitute women persist in describing prostitution as:

“bad, a necessary evil (not in the classic sense of men’s sexual needs but in the sense of women’s financial needs). It is tragic, traumatic and leaves lasting psychic damage. It is always the last resort of women who are on the brink of despair because they were either unlucky or irresponsible. Prostitution is a totally personal choice that one will regret. More employment options would reduce the need for prostitution and prostitution must never be presented as legitimate employment.”

This view differs little from that of those in favor of criminalization. And, in fact, also many who oppose state criminalization of prostitute women are in favor of criminalizing pimps and traffickers, both defined in law by their financial contracts (more or less honest) with prostitutes and not at all by violence, fraud or bondage, as many believe. The totality of this image reinforces the idea that prostitutes are damaged due to their experiences, that they lack volition, responsibility and morality. Furthermore, it reinforces the myth that other women, who are not prostitutes, are less marked by heterosexual negotiations and labor exploitations than are prostitutes, and that only a forced, bad or stupid woman would end up charging money for sex. The portrayal also leads to a personal interpretation rather than a structural material one of the violence committed against sex workers. Her psychic instability or social misfortune is blamed for her malaise in the place of police harassment, discriminatory law and social hypocrisy. Finally, the evil image denies the reality that prostitution, even with the risks of illegality, is the preferred labor alternative for thousands of women in terms of economic security and relative autonomy (Osborne, 2004; Tabet, 2004; Truong, 1990; Wijers & Chew, 1987; Pheterson, 1989; Delacoste, 1987).

The awfulization of abortion and prostitution rationalizes programs of so-called “prevention” and “rehabilitation”, euphemisms for discriminatory

⁸ The expression was first developed by Janet Hadley (1998), and later elaborated (despite the earlier publication date) by Australian activist Marge Ripper (1996).

regulation of women's - often illegitimized, racialized, poor women's - reproductive and sexual-economic behavior. In relation to reproduction, two forms of "prevention"/"rehabilitation" are revealing of current times. In the United States, especially black and/or poor drug-addicted women are being charged, generally unsuccessfully if contested, with child abuse for putting their fetus in danger, and some courts are making abortion (necessary evil), sterilization or drug rehabilitation a condition of parole.⁹ Abortion becomes the punishment and indeed, forced termination of pregnancy is as coercive as forced pregnancy, and rehabilitation becomes the state qualifier for future motherhood. Or, in the case of women choosing abortion, service providers may consider abortion-seekers irresponsible and in need of punitive re-education. In France, for example, where abortion has been authorized since 1975, physicians, researchers and health administrators speak in terms of prevention. One argument advanced for promoting pharmacological abortion by the two-drug protocol (mifepristone/RU486 and misoprostol) is the awareness - or guilt - women are said to gain by going through the painful process. One physician director of a large abortion clinic said, "Women undergo (*subi*) abortion by aspiration - it's over in a few minutes. But women experience (*vécu*) abortion by medication - it makes them suffer and take responsibility. Whenever possible, we prefer the later since our goal is to lower the abortion rate."¹⁰ Others in France provide only surgical aspirations under general anesthesia since hospital efficiency is more vital to them than reforming women. There is, nonetheless, a mainstream consensus in France that abortion is a problem and prevention the goal. This goal has only recently been coupled with recognition of need for greater contraceptive education; up until the present, prevention was more a moral stance than a concrete call for education or resources. But even now with sexuality and contraceptive campaigns, the emphasis is on pharmacological

contraceptives and pharmacological abortions. Promoters of pharmacological abortion emphasize the supposed trauma of abortion-by-aspiration by calling it intrusive and unnatural as opposed to abortion-by-medication which they describe as responsible, solitary and naturally female like painful menstruation, miscarriage or childbirth. One is reminded of the preference among doctors and pharmaceutical companies for birth control pills over barrier contraceptive methods like the diaphragm, the pill considered less intrusive because it is swallowed rather than inserted, thereby producing a "natural" internal process specific to female anatomy (Hartmann, 1987/1995; Pheterson, 2001).

In relation to prostitution, "prevention" and "rehabilitation" form the crux of government-funded programs for prostitute women. These programs are generally either involuntary or driven by incentives such as parole or access to medical or legal resources. Sex workers in Indonesia are rounded up in police raids and confined in so-called rehabilitation centers (Lim, 1998). Similar practices exist elsewhere. At a conference in the Dominican Republic¹¹, a government official from a women's bureau spoke enthusiastically about a rehabilitation training program which taught sex workers to can preserves. In response, Claudia Colimaro, sex worker activist from Mexico City, asked what the pay differential was between prostitution and canning preserves. When she heard the answer she said, "No thanks, I wouldn't be interested." Claudia Colimaro, like thousands of other sex workers, is fighting for better working conditions within the sex industry. Prostitution is work for her, neither horrible nor traumatic nor irresponsible nor immoral, but surely the target of a host of discriminatory government regulations and social prejudices.

Migrant prostitution has been portrayed as the ultimate horror for women. Feminists have understandably taken a strong stance against the abuse of women in low-paying, exploitative,

⁹ The best resource for following these cases is the National Advocates for Pregnant Women, New York City, directed by Lynn Paltrow.

¹⁰ Interview at the Centre d'Orthogénie of the University Hospital of the University of Picardie Jules Verne with the medical director, Amiens, 2 March 1999.

¹¹ Tráfico de Mujeres para Prostitución, Trabajo Doméstico y Matrimonio. América Latina y el Caribe. Encuentro Regional República Dominicana. 11&12 diciembre 1996.

abusive jobs and circumstances. However, migrant labor and particularly migrant prostitution is often viewed a priori as non-autonomous. Poor women's migration from poor to rich countries has been cast as involuntary, forced by violence or poverty; migrant prostitutes, in particular, have been portrayed as slave victims of rape or kidnapping regardless of the actual conditions of their lives. Even when women nationals in the same occupation are allowed to practice and earn their living and when migrants insist that they want the same worker rights as local women, they are considered to be victims of abuse in need of state "protection", i.e. expulsion, if not arrest and confinement. In the Netherlands, the government enacted a law which authorizes prostitution for women with legal papers from the European Community but criminalizes it for unregistered, illegal immigrants. Meanwhile, more than half of sex workers in most major Dutch cities are foreign women and these women have no legal right to residence or local services. This system separates western European women from those outside the community and makes foreign women rely on criminal agents for the resources they need to live. The government rationalizes their policy by claiming that foreign women are vulnerable to exploitation by profiteers. In fact, the women must hire such third parties for gaining access to resources and for protection from the police. State policy seems to be nothing other than control of migrant labor. Feminists who portray foreign migrants as helpless victims play into the state hypocrisy. Usually the migrant women are among the most ambitious, and often best educated, of their home communities; their migration is an attempt to earn money to send home and to increase future options for themselves and their families.

The awfulization of abortion and prostitution diverts attention away from the material conditions that render abortion and prostitution deleterious to health, safety and human dignity and diverts attention away from institutionalized abuse by police and medical authorities. The focus becomes those criminalized as abortionists or pimps or traffickers, the facilitators of women's efforts to gain reproductive and economic autonomy, facilitators who may indeed exploit women's condition as people with no rights, no resources and no social credibility.

5. CONCLUDING COMMENTS

Social, medical and criminal codes tightly survey women's fertility, on the one side, and sexual-economic behavior, on the other. Control is exercised through a carefully designed system of coercions and restrictions, rendering imperative for some women at certain times in their lives what is prohibited for other women. Mystifications that glorify pregnancy and demonize prostitution divide also feminist theorists and activists such that those who champion reproductive rights rarely join forces with those who champion sexual-economic rights. Mechanisms that stigmatize, immobilize and disenfranchise women as prostitutes are no less discriminatory and oppressive to the class of women than are instruments used to degrade and constrain women who are or could become pregnant. Perhaps demonstrations of the coherent structure regulating both women's reproductive and sexual-economic labor can help fortify our analyses, enhance our service provisions and unify our political resistance against institutionalized sexism.

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