

CHAPTER IV
THE RESPONSE OF GOVERNMENT TOWARD
THE PROSTITUTIONS IN THAILAND

This chapter will answer the research question in the first chapter and explains on how the government solves the problem which uses the policy in domestic policy and foreign policy.

In the past, the prostitution gave huge influence to the society, and government who involve with it. Even though, the prostitution is illegal in Thailand, but also still exists. In the 1980s, Deputy Prime Minister Boonchoo Rajanasthien gave a speech during a conference in Thailand in which he recommended that one way to increase tourism was to offer sex entertainment in the provinces.¹

A. The increasing number of prostitution

Many reasons cause the increase of prostitution in Thailand. Thailand was serious attention that prostitution can uphold the economics to be increase and also their country can get more money from that. Women and children in Thailand enter sex trade because of financial and cultural reasons. Due to the high level of poverty in rural areas of Thailand, citizens are looking for any kind of income. With a huge development of sex tourism, a lot of women and children who experienced poverty and unemployment found the ability to make money in sex industry. The low financial support from the government pushes the population for accepting the most disrespectful kinds of employment. In addition, the

¹ Lim, *the sex sector:the economic and social bases of prostitution in southeast asia*, 137

financial reason is supported by the culture. In Thai culture the family is the main value. In Thailand, people are mostly Buddhists. Some of Buddhists believe that the aim is to connect with male and female. According to Buddhism studies, the whole life of its followers is devoted for purifying their karma, and if someone practices prostitution, it's their personal way of purifying it or practicing dharma. The interpreted texts of Buddhism studies say, "Being a prostitute is not an obstacle to enlightenment if she is willing and diligently practices dharma. In fact, the experience of a prostitute could help her towards enlightenment sooner than otherwise."² However, according to constitution of Thailand, prostitution in Thailand is still prohibited or illegal work. The government cannot directly promote or support it. Therefore, the government chooses other ways to support it. The government decides to develop the tourism of their country and make their country become a good destination for travel. They promote the tourism not only on media, but also through some organizations that have been proposed specially to promote the tourism in Thailand; it is Thailand Authority Tourism (TAT). It is already accessed in several countries overseas. If tourism is successful and many tourists come to visit Thailand, Thailand can get many benefits from that.

As usual tourists are divided into two kinds. The first is tourists, who come, travel and back to their country. Second, tourist who travels for sexual activity, called as sex tourism. Absolutely, Thailand can get more income from both of them, but surely sex tourism will contribute more. Inside of tourism

²"*Women in Buddhism: Questions and Answers*" (2008) <http://www.buddhanet.net/e-learning/history/wbq27.htm>, accessed 14/11/2015.

policy, the government plans to develop, restore, and support tourism in many ways, such as rehabilitating the environment, increasing the capability of customer service and promoting it to around the world so that others can know well about Thailand and come to visit Thailand much more than nowadays. If the number of tourists increases, the number of prostitution also increases since some tourists travel for sexual activity. Prostitution is an easy job. They do not need to have high educational background and relate with the condition of economy in this era that people cannot find a job easily, so make them become prostitutes by willingness. On the other hand, the bad situation gives benefit to the government because, tourists who are coming to purchase sexual services, buy air tickets, rent hotel rooms, visit restaurants, and enjoy the wonderful nature and culture, temples, parks and beaches. Even though, it is a dark market, the government tries hard to support tourism, because tourism is one of the sector that can make Thai's economy stay in the good or high condition.

The statistical number of prostitution in Thailand is hard to find because the prostitution is the outside the system of state statistics. However, the child foundation identifies that in 1994, 2,820,000 people are prostitutions and 800,000 people are child prostitutions.³ In addition, according to Professor Vicharn Vitiyasai of Chang Mai University was wrote about how many percent of people who in involve in the prostitution. "In Thai society, boys begin to buy women when they are around 13 years old; 50 per cent of 16-year-old boys and 90 per

³ อาทรรจันทรวิมล, 2537 : 35 (AtornCantarawimon 1994: 35) *the legal concerning the prostitution in massage parlor.*

cent of university students go to brothels. Married men also think it natural to entertain business clients and friends by taking them to brothels, and they visit brothels themselves as a part of the joy of travel.”⁴ From all of the resources, it can be concluded that the number of prostitution truly increase regarding with tourism policy, that the government has tried to support but they did not consider the result that will create negative impacts. Therefore, it creates a bad reputation for Thailand.

B. The response of government towards prostitution problem

The government of Thailand is debating whether to legalize prostitution, which, is tolerated in the kingdom. Public opinion is deeply divided over the issue. Two hundred government officials, academics, social activists and sex workers gathered in Bangkok to talk about the merits of legalizing what is often called the world's oldest profession. An estimated 2,800,000 women and men work in the multi-billion dollar sex trade that accounts for three percent of Thailand's gross national product.⁵ The sex trade is illegal, but is tolerated as a transaction between consenting adults.

However, Thailand trade is making Thailand a destination for sex tourists. Many sex workers come from rural areas and enter to industry. But human traffickers catch some people by promising work in the city then selling them to

⁴Yayori Matsui, *Women in the New Asia*, 1999. Percentage of Men (by Country) Who Paid for Sex at Least Once: The Johns Chart, <http://prostitution.procon.org/view.resource.php?resourceID=004119>

⁵ Ibid 35

brothels. The Thai government wants to legalize prostitution consenting among adults in order to give sex workers access to social services and health care, because, they want to protect them from abusive brothel owners and human traffickers. The government also wants to increase tax revenues while eliminating a source of corruption.⁶ Many of Thais oppose legalizing prostitution. Some, in particular religious leaders, oppose it on moral grounds. If the legalize prostitution, it means the government give the easy way for those who catch women into the sex industry, and they say, legalization would further hurt the kingdom's image abroad. In particular, women's rights groups, do not want prostitution to legalize because it is institutionalizes the exploitation of women. Education and better job opportunities are more than just solution. Sex workers who have been interviewed as part of the debate hold different opinions. Some support legalization because it would allow them to have more benefits. However, they oppose the registration of sex workers that would come with legalization, because it would stigmatize them forever.

In committing an offence concerning the trafficking in women and children, buying, selling, vending, bringing from or sending to, receiving, detaining or confining any woman or child, or arranging any woman or child to receive any act, for sexual gratification of the third person, for an indecent sexual purpose, or for gaining any illegal benefit for him or another person, with or without the consent of the woman or girl, which is an offence under the Penal

⁶ *Thailand debates legalization prostitution*, www.voanews.com. October 30 2009, accessed on 15/11/2015

Code, the law on prostitution prevention and suppression.⁷ For the time being, in 1966, the Thai government implemented the Entertainment Places Act, which was used to control places where women typically would provide sexual services to clients.⁸ The Act allowed law enforcement officials to inspect these places and shut them down if they found out that sexual services were being offered. The owners needed a license from the local police to operate their business, like karaoke bars or spa salons. It proved insufficient in limiting the sex trade because most Thai law enforcement officials were too lenient or corrupt to any laws. In the end, many of these businesses allowing their women to be, such as entertainers or waitresses.

The law on child and youth welfare, or this Act, the official is authorized to enforce power under this Act.⁹ Thailand has also engaged in substantial legislative reform in an effort to suppress child prostitution and trafficking in both children and women. In 1996, the Prevention and Suppression of Prostitution Act was revised to reduce the penalties on women engaged in prostitution¹⁰ and to

⁷ Royal decree, *Measures in prevention and suppression of trafficking in women and children act* B.E. 2540 Given on the 14th Day of November B.E. 2540 (1997) Being the 52nd Year of the Present Reign

⁸ Alicia N. Tarancon, B.A. Thailand's problem with the sexual exploitation of women in the 21st century. Jefferey, *sex and borders, gender, national identity, and prostitution policy in Thailand*, 38-39.

⁹ Here and below, excerpts from the Trafficking Act were taken from the English translation of the law provided in Save the Children Fund (U.K.)'s *"Thailand's National Policy, Plan of Action and Legal Measures in the Elimination of Sexual Abuse and Exploitation of Children."* The translation was completed by Wanchai Roujanavong, Deputy Executive Director, International Affairs Department, Office of the Attorney General, Chairperson of FACE, and Pen Suwannarat, Program Coordinator, Mekong Region Law Center

¹⁰Section 4 of the Act defines "*prostitution*" as "the acceptance of sexual intercourse, or the acceptance of any other act, or the commission of any other act in order to gratify the sexual desire

increase the penalties on all other persons involved in the prostitution business, especially in cases involving children persons under eighteen. Though this law is targeted primarily at the domestic sex industry in Thailand, it also applies to cross-border recruitment for sex work.

There are several policies that were made by the prime minister in the different eras. All of them are trying to against the sex trade that influences Thailand and gives Thailand a bad image of a country full of prostitutes or sex worker.

1. The effort in the era of Chuan Leekpai (2000-2001)

Chuan was known as “Mr. Clean,” because he was recognized as being free of corruption. During his first administration, he was preoccupied with dealing with the country’s financial situation, promoting rural growth, and lessening government corruption. However, he did take some initiatives to reduce sex trafficking from 1992 to 1995, like announcing a nationwide crackdown on child and forced prostitution and clamping down on government corruption through brothel raids. Regarding the nationwide crackdown on child and forced prostitution, on November 2, 1992, Chuan told seventy-five governors from various Thai provinces that they needed to pay more attention and take accountability for trafficking cases in their prospective areas, so less women and children would be victim.¹¹

of another person in a promiscuous manner in return for earning or any other benefit, irrespective of whether the person who accepts the act and the person who commits the act are of the same sex or not.”

¹¹Alicia N. Tarancon. B.A.*Thailand’s problem with the sexual exploitation of women*, april 2013, p70

He also tried to persuade rural Thai families not to sell their daughters into the sex trade. Although fewer Thai families sold their daughters, the sex workers still exist because they also come from the trafficking groups that caught them from other places and sell them to sex industry. Most of them come from Burma, Cambodia and others. The brothels never get caught by the police, because in some cases, police also involved. The owners pay them money to protect them and the trafficking groups or others to stay away from law. The owners are never arrested but the prostitutes. This image of female sex workers show Thailand's negative side as a country and as tourist destination where tourists can purchase sex. On November 9, 1997, Chuan Leekpai was elected premier for the second time. This 1997 crisis left women and children seeking work wherever they could find it, making them more vulnerable than ever to prostitution.

In Chuan's second term, his administration signed six main laws and initiatives in order to take a stronger stance on curbing the sex trade problem. First, he signed the Prevention and Suppression of Trafficking of Women and Children Act B.E. 2540 on November 17, 1997.¹² Under this Act, women and children under the age of eighteen can be considered victims and harsher punishments would be issued to who try to force them into the sex trade. Second, he put into effect on November 17, 1997 an important law, the Penal Code Amendment Act (No. 14) BE 2540.¹³ In this law, it is also punishing for who

¹² *ibid*, p72

¹³ "Thailand's Actions for the Prevention of Trafficking in Women and Children," *The Royal Thai Embassy (January 2003)*, http://www.niew.gov.my/niew/contents/PDF/acts%20&%20regulations/Thailand/Trafficking_in_women.pdf (accessed 10/11/2015).

specifically attempted to force and entice women and children into the sex industry. Third, Chuan founded the Center for Protection of Children and Women in the Royal Thai Police in 1998.¹⁴ This center was aimed at helping sexually abused women, by educating the Thai Police about the issues of sex trade so that they would apply amore humanitarian approach for assisting victims. This program was effective because it pushed the Thai police to start aiding sex trade victims.

The fourth measure by Chuan against sex trade was in June 1999, when his administration signed a Memorandum of Understanding (MOU) on the Common Guidelines for Agencies Concerned with Cases where Women and Children are Victims of Human Trafficking.¹⁵ The main reason for this MOU was to develop strategies for government agencies to use to protect the human rights of trafficking victims, including immigrants. Chuan's fifth step against sex trade in Thailand involved the adoption of several education programs aimed at girls staying in school longer. The first was the National Education Act in 1999, which lengthened their mandatory years in school from six years to nine years.¹⁶ Under this Act, women were to receive career and vocational training. These steps were effective because the number of educational programs in Thailand had increased and there were now over twenty two educational programs offering under

¹⁴Yumiko Tanaka, "Trafficking in Persons in Thailand and Cooperation of Japan." *International Development Studies Conference on Mainstream Human Security: The Asian Contribution*. 4-5 October 2007 (Chulalongkorn University, Bangkok)
<http://humansecurityconf.polsci.chula.ac.th/Documents/Presentations/Yumiko.pdf>
(accessed 14/11/2015).

¹⁵"National Laws and Agreements: Thailand," *United Nations Inter Agency Project On Human Trafficking*, http://www.notrafficking.org/resources_laws_thailand.html (accessed 14/11/2015).

¹⁶Ibid ,73

privileged women more career opportunities as a means to stay away from the sex trade. Chuan's sixth measure to curb sex trade took place when he signed the UN's TIP Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children in 2001.¹⁷ This was an international agreement, which provided punish for traffickers and urged international governments to introduce national legislation against sex trafficking.

2. The effort in the era of Thaksin Shinawatra (2001-2006)

Thaksin was elected as the twenty-third Prime Minister of Thailand in 2001 and was reelected in 2005 after a landslide victory. Nevertheless, he took measures to lessen the sex trafficking problem in Thailand during his first term and he created five main goals used to help lessen the sex trade problem in Thailand. His first measure against sex trafficking was the National Plan and Policy of Prevention and Resolution of Domestic Cross-Border Trafficking in Children and Women 2003-2008, which had three important Memorandums of Understanding geared towards getting other governments and NGOs to work together in helping victims of sexual exploitation.¹⁸ These were the MOU on Common Operational Guidelines for Government Agencies Engaged in Addressing Trafficking in Children and Women 2003, the MOU on Operations Between State Agencies and Non-Governmental Organizations Engaged in

¹⁷UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000, <http://www.unhcr.org/refworld/docid/4720706c0.html> (accessed 16/11/2015).

¹⁸Yumiko Tanaka, "Trafficking in Persons in Thailand and Cooperation of Japan." International Development Studies Conference on Mainstream Human Security: The Asian Contribution. 4-5 October 2007 (Chulalongkorn University, Bangkok) <http://humansecurityconf.polsci.chula.ac.th/Documents/Presentations/Yumiko.pdf> accessed on 16/11/2015

Addressing Trafficking in Children and Women 2003, and the MOU between the Government of Thailand and the Government of Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking 2003.¹⁹ These agreements sought to strengthen the support between international government agencies and NGOs in helping in the protection and return of migrant sex workers to their country.

Thaksin's second preventive measure to protect sex trade victims was the establishment of the Witness Protection Act in 2003.²⁰ Under this Act, victims are able to receive a paycheck for living expenses for twelve months, a new identity, occupational training, and access to education and bodyguard protection. The family members of victims can also receive protection under this Act. Moreover, those who threaten or try to harm sex trade victims may face a jail time of one to three years or be fined 20,000 to 60,000 baht, this law, though, does not apply to illegal immigrants. Thaksin's third initiative to curb sex trade was to make the issue of sex trade of national importance to Thailand. Accordingly, he created multiple courses of action to protect the victims.

For instance, he declared, "victims must not be treated as offenders."²¹ He also introduced new methods, such as the prevention, rescue, protection, and reintegration of victims. As a result of the 2004 TIP Report, Thaksin also increased government training on sex trade related issues and had more

¹⁹Alicia N. Tarancon, B.A. Thailand's problem with the sexual exploitation of women in the 21st century. Radhika coomaswamy, and ambika satkunanathan, *anti-child legislation in asia: a six country review* (NA:ILO regional office for asia and the pacific 2007)

²⁰ibid

²¹United States Department of State, *2004 Trafficking in Person's Report –United States of American*, June 2004. <http://www.state.gov/j/tip/rls/tiprpt/2004/>, (accessed 17/11/2015).

information to increase public awareness about sex trade. This included of setting up telephone hotlines for reporting all alleged trafficking incidents. During his second term in 2005, Prime Minister Thaksin's fourth step against sex trade was setting up a grant of 500 million baht to have fund help initiatives for trafficking victims. A fifth step in curbing sex trade occurred in July 2005 when the Thai government signed a Memorandum of Understanding between the Government of Thailand and the Government of the Lao People's Democratic Republic on Cooperation to Combat Trafficking in Persons, Especially Women and Children.²² This agreement was aimed at suppressing the exploitation of women and children and to stop organized crimes involved in sex trade. After more than five years in power, Thaksin was ousted from his role as prime minister in a military coup in 2006 after he was accused of abuse of power and political corruption. The government overthrew him while he was in the United States for a United Nations General Assembly meeting. The Thai military entered Bangkok and took control of the government buildings and media on 19 September 2006, and it is the end of his era.²³

Those two prime minister were trying hard to make decisions to protect their own citizens, including children or women. They established the rules not only in domestic area but also in the international, both with the governmental or non-governmental to organizations against the sex trade.

²²“National Laws and Agreements: *Thailand*,” *United Nations Inter Agency Project On Human Trafficking*, http://www.notrafficking.org/resources_laws_thailand.html accessed on 17/11/2015

²³ Alicia N. Tarancon, B.A. Thailand's problem with the sexual exploitation of women in the 21st century. “*profile: thaksin shinawatra*” BBC asia, june 24, 2011, <http://www.bbc.co.uk/news/world.asia-pacific-13891650>

C. The pros and cons on policies legalizing prostitution

Most of people in the world agree that prostitution is a horrible, tragic truth. The extreme emotional stress is pressure of physical demands, the danger, and the severe moral and ethical conflicts. However, the basic of everything in the world is always divided in two sides, the positive and negative sides. Everything is good and bad, but it depends on how people see the point of view. People can make decisions based on their need. In reality, people will decide for themselves before others. Legalizing prostitution leads to 2 points of view to emerge.

Table 4.1 PRO legal prostitution/ CON legal prostitution

PRO legal prostitution/ CON legal prostitution			
1. Victimless crime?		2. prostitution & free choice	
<p>“Prostitution should not be a crime. Prostitutes are not committing an inherently harmful act. While the spread of disease and other detriments are possible in the practice of prostitution, criminalization is a sure way of exacerbating rather than addressing such effects. We saw this quite clearly in the time of alcohol prohibition in this country. What makes prostitution a 'victimless crime' in the sense that no one is necessarily harmed by it is that there are consenting adults involved.”²⁴</p>	<p>MYTH 2 - Prostitution is a victimless crime.</p> <p>“Prostitution creates a setting whereby crimes against men, women, and children become a commercial enterprise.... It is an assault when he/she forces a prostitute to engage in sadomasochistic sex scenes. When a pimp compels a prostitute to submit to sexual demands as a condition of employment, it is exploitation, sexual harassment, or rape -- acts that are based on the prostitute's compliance rather than her consent. The fact that a pimp or customer gives money to a prostitute for submitting to these acts does not alter the fact that child sexual abuse, rape, and/or battery occurs; it merely redefines these crimes as prostitution”.²⁵</p>	<p>“We chose sex work after we did a lot of things we couldn't stand. Sex work is better. For me, sex work isn't my first choice of paying work. It just happens to be the best alternative available. It's better than being president of someone else's corporation. It's better than being a secretary. It is the most honest work I know of.”²⁶</p>	<p>“The ILO [International Labour Organization] report admits that most women 'choose' prostitution for economic reasons. Surely no one can argue that this is free choice any more than the cattle in the squeeze chute choose to go to their death.”²⁷</p>

²⁴ Sherry F. Colb, JD Judge *Frederick Lacey Scholar at Rutgers Law School E-mail to ProCon.org* Dec. 17, 2006

²⁵ National Center for Missing and Exploited Children *Female Juvenile Prostitution: Problem and Response* 1992

²⁶ *Veronica Monet Prostitute and Author in Gauntlet Magazine* 1994

²⁷ Diane Post, JD Attorney and Human Rights Activist *"Legalizing Prostitution: A Systematic Rebuttal"* in the journal *off our backs* July 1999

PRO legal prostitution/ CON legal prostitution			
3. morality of prostitution		4.human trafficking	
Why is it illegal to charge for what can be freely dispensed? Sex work is no more moral or immoral than the chocolate or distilling industries. ²⁸	Prostitution as an institution is evil. It doesn't matter if it is the 'world's oldest profession', it is still wrong. ²⁹	Criminalizing the sex industry creates ideal conditions for rampant exploitation and abuse of sex workers...[I]t is believed that trafficking in women, coercion and exploitation can only be stopped if the existence of prostitution is recognized and the legal and social rights of prostitutes are guaranteed. ³⁰	I believe that we will never succeed in combating trafficking in women if we do not simultaneously work to abolish prostitution and the sexual exploitation of women and children. Particularly in light of the fact that many women in prostitution in countries that have legalised prostitution are originally victims of trafficking in women. ³¹

²⁸ Catherine La Croix Founder of Call Off Your Old Tired Ethics (COYOTE) chapter in Seattle "Love For Sale" in the magazine Internet Underground Oct. 1996

²⁹ Dorn Checkley Director of the Pittsburg Coalition Against Pornography "Legalized Prostitution?" on Wholehearted.org Jan. 22, 2007

²⁵ Marjan Wijers Chair of the European Commission's Expert Group on Trafficking in Human Being in her article in the book *Global Sex Workers* 1998

²⁶ Margareta Winberg Former Deputy Prime Minister of Sweden *Speech in Stockholm* Nov. 5-6, 2002

PRO legal prostitution/ CON legal prostitution			
5. prostitution & violence		6.HIV/AIDS Prevention	
Decriminalization would better protect people in the sex industry from violence and abuse. ...Police cannot and do not simultaneously seek to arrest prostitutes and protect them from violence.... Indeed, women describe being told, 'What did you expect?' by police officers who refused to investigate acts of violence perpetrated against women whom they knew engaged in prostitution. The consequences of such attitudes are tragic: Gary Ridgway said that he killed prostitutes because he knew he would not be held accountable. The tragedy is that he was right - he confessed to the murders of 48 women, committed over nearly twenty years. That is truly criminal. ³²	Regardless of prostitution's status (legal, illegal or decriminalized) or its physical location (strip club, massage parlor, street, escort/home/hotel), prostitution is extremely dangerous for women. Homicide is a frequent cause of death.... It is a cruel lie to suggest that decriminalization or legalization will protect anyone in prostitution. It is not possible to protect someone whose source of income exposes them to the likelihood of being raped on average once a week. ³³	For HIV/AIDS prevention to succeed, the conditions of risk have to change. The context - legal, social, economic - of sex work has to change, with repeal of criminal laws, access to visas and work permits, freedom of movement and association, and occupational safety and health regulations, to reduce the imposition of risk from above. Until then, it will be heroic, strong individuals that can insist on safe behaviours, leaving those who are less heroic, those who are more timid and afraid, to suffer the consequences of the context of risk. ³⁴	Even if a prostitute is being tested every week for HIV, she will test negative for at least the first 4-6 weeks and possibly the first 12 weeks after being infected.... This means that while the test is becoming positive and the results are becoming known, that prostitute may expose up to 630 clients to HIV. This is under the best of circumstances with testing every week and a four-week window period. It also assumes that the prostitute will quit working as soon as he or she finds out the test is HIV positive, which is highly unlikely. This is not the best approach for actually reducing harm. Instead, in order to slow the global spread of HIV/AIDS we should focus our efforts on abolishing prostitution. ³⁵

³² Melissa Ditmore, PhD *Coordinator of the Global Network of Sex Work Projects Washington Post's PostGlobal website Feb. 28, 2007*

³³ Melissa Farley, PhD *Founding Director of the Prostitution Research and Education "Prostitution Is Sexual Violence" in the Psychiatric Times Oct. 2004*

³⁴ Priscilla Alexander *Co-founder of the National Task Force on Prostitution "Contextual Risk Versus Risk Behaviour" in Research for Sex Work 2001*

³⁵ Jeffrey J. Barrows, D.O. *Health Consultant on Human Trafficking for the Christian Medical Association "HIV and Prostitution: What's the Answer?" The Center for Bioethics and Human Sep. 9, 2005*

PRO legal prostitution/ CON legal prostitution			
7. prevalence of rape		8. prostitution as a legitimate business	
It is estimated that if prostitution were legalized in the United States, the rape rate would decrease by roughly 25% for a decrease of approximately 25,000 rapes per year.... ³⁶	Prostitution cannot eliminate rape when it is itself bought rape. The connection between rape and prostitution is that women are turned into objects for men's sexual use; they can be either bought or stolen. A culture in which women can be bought for use is one in which rape flourishes ³⁷	Sex work is legitimate work and problems within the industry are not inherent in the work itself. It is vulnerability, not sex work, which creates victims. Sex workers should enjoy the same labour rights as other workers and the same human rights as other people. ³⁸	One needs to completely rid oneself of the voracity for cash to see that prostitution, although legalized, can never be a legitimate business because it will always be associated with crime, corruption, class, mass sexual exploitation and human trafficking. ³⁹

³⁶ Kirby R. Cundiff, PhD Associate Professor of Finance at Northeastern State University *"Prostitution and Sex Crimes"* Apr. 8, 2004

³⁷ Coalition Against Trafficking in Women (CATW) *"Frequently Asked Questions About Prostitution"* on the CATW-Australia Website Mar. 8, 2007

³⁸ Ana Lopes, PhD President of Britain's General Union (GMB) Sex Workers Branch *"Stigmatising Sex Workers"* in the Chartist Mar. 2006

³⁹ ViradaSomswasdi, JD President of the Foundation for Women, Law and Rural Development (FORWARD) *Speech at Cornell Law School* Mar. 9, 2004

PRO legal prostitution/ CON legal prostitution			
9. prostitution as a career option		10. former prostitutes' viewpoint on prostitution	
<p>Prostitution is not merely an exchange of sexual favors; it is a financial exchange. At this point, individualist feminists rise to defend the free market as well as a woman's self-ownership. This is expressed by the question: 'Prostitution is a combination of sex and the free market. Which one are you against?'</p> <p>Feminists of all stripes should speak with one voice to demand the safety of these women by granting them the same protection as any other woman can expect. Only decriminalization can provide this.⁴⁰</p>	<p>Some prostitution defenders argue that prostitution is an acceptable solution to poverty....</p> <p>What they mean, but do not say, is that prostitution is an acceptable solution for women living in poverty. Seldom do we see proposals that poor men should make their way out of poverty by welcoming the insertion of penises and other objects into them on a regular basis or dance naked on a stage in front of ogling and masturbating males.</p> <p>The prostitution industry exploits to its advantage the fact that most women and children who are in prostitution come from the most oppressed and vulnerable groups in society.⁴¹</p>	<p>Decriminalization is not at all a solution to every injustice that exists in the sex industry; it is a starting point. If prostitution were not an underground activity it would allow us to much more effectively address the serious problems of forced prostitution and juvenile prostitution and the other abuses which are part of an industry that operates completely in the shadows. ...[T]here are many who... want other options and they should be given alternatives and assistance. And then there are also those who organize for their rights and are not quitting at the moment and they should be afforded options, their rights, and self-determination as well. Whatever ills are attendant to prostitution, criminalization of prostitutes exacerbates the abuse.⁴²</p>	<p>As long as we point the finger away from ourselves, away from the institutions that blame and criminalize women and children for their own rape, sexual abuse, trafficking and slavery, away from the men who we normalize as - Johns, - and as long as we disconnect adult prostitution and the exploitation of children and disconnect prostitution and trafficking in human beings for the purposes of rape and sex slavery; then we are to blame and we have assisted in creating well-funded transnational criminal networks - dollar by dollar.⁴³</p>

Source: Top 10 Pros and Cons Should prostitution be legal? Retrieved from <http://prostitution.procon.org/view.resource.php?resourceID=000115>, accessed 17-11-2015

⁴⁰ Wendy McElroy Research Fellow at the Independent Institute "Solutions' to Prostitution" on Ifeminist.com Feb. 13, 2001

⁴¹ Gunilla S. Ekberg *Special Advisor on prostitution and trafficking in women at the Swedish Division for Gender Equality Speech in Stockholm* Nov. 2002

⁴² Carol Leigh Founder of Bay Area Sex Workers Advocacy Network (BAYSWAN) and former prostitute "Justice Talking" on National Public Radio (NPR) Mar. 4, 2002

⁴³ Norma Hotaling Executive Director of the Standing Against Global Exploitation (SAGE) *Project and former prostitute Testimony to U.S. Congress* Apr. 28, 2005

