

**VIOLENCE AGAINST  
SEX WORKERS  
IN SRI LANKA  
CAUSES, CONSEQUENCES  
AND  
REMEDIES**

*Address by*

**Jody Miller**

*on the basis of a study assisted by*

**Dheeshana Jayasundara**

**D.M. Dayawansa**

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**International Centre for Ethnic Studies  
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*Jody Miller is Assistant Professor of Criminology  
and Criminal Justice at the University of  
Missouri-St. Louis*

## **VIOLENCE AGAINST SEX WORKERS IN SRI LANKA CAUSES, CONSEQUENCES AND REMEDIES**

I should clarify two things before I start. My focus today specifically is on *women* commercial sex workers. So that means I won't be talking about the child sex industry and I won't be talking about male sex workers. Also, I'm focusing specifically today on the *local* sex industry rather than on the tourist sex markets. And my primary reason for that focus is that that's where most women who are involved in the sex industry operate. So, in essence, the Sri Lankan clientele are their main clientele.

Let me give you a little bit of background about the methodology that we have employed, so you have a sense of the research. This (Table 1) is our sample as it stands to date. So we've interviewed 105 female sex workers, 31 male sex workers, 42 other participants in the commercial sex industry. So, as I indicated, this includes brokers, taxi drivers, management and staff in brothels, massage clinics and lodges. We've interviewed 36 clients, and also we have interviewed criminal justice officials and individuals working in non-government organizations. Essentially the research has been based on qualitative interviewing with individuals, but in addition to that we've supplemented it with some observational work and a lot of information drawn from informal conversations over the past year and a half.

**Table 1: Current Sample (N = 246)**

<b>Female Commercial Sex Workers</b>		<b>105</b>
Chain Referrals/Snowball Sampling	<b>84 (80%)</b>	
Gangodawila Detention Centre	<b>21 (20%)</b>	
<b>Male Commercial Sex Workers</b>		<b>31</b>
Tourist Sector	<b>19</b>	
Colombo/Street Workers	<b>12</b>	
<b>Other Industry Workers</b>		<b>42</b>
Brokers; Taxi Drivers; Management and Staff in Brothels, Lodges, Massage Clinics		
<b>Clients</b>		<b>36</b>
<b>Criminal Justice Officials</b>		<b>15</b>
Police, Defense Attorneys, Magistrate, Detention Centre Director		
<b>NGO Staff/Social Service Providers</b>		<b>11</b>
<b>Focus Groups</b>		<b>6</b>

The primary methodology that we've employed has been snowball sampling. This essentially means that you find individuals, talk to them, get them to agree to interview, and then from there ask them for their contacts, interview their contacts and "snowball" outwards until that particular chain of referrals is saturated. So that's the approach we've been taking. This tends to be the best approach in a situation where you are interviewing individuals who are involved in illegal activities because of the secretive nature of the work. Because of that, it's difficult, for instance to do representative sampling.

In addition to snowball sampling, as you can see, about a fifth of the women that we talked to were women that were housed at the Gangodawila Detention Centre, which is the government facility to house women con-

victed under Sri Lanka's Vagrants Ordinance. Toward the end of the talk, I'll talk a little bit about the situation at Gangodawila. Other things in terms of the sample that you might want to know: about two-thirds of the individuals that we've interviewed have been individuals working in and around Colombo itself. The areas in the city where we've done interviewing include Fort, Pettah, Galle Face Green, Maradana, Rajagiriya, Borella, Kollupitiya, Cinnamon Gardens, Bambalapitiya, Havelock Town, Kirillapone, Pita Kotte, Nugegoda, Dehiwala, Mount Lavinia. What's notable about Colombo especially is the sex industry here tends to be geographically dispersed rather than concentrated in red-light-districts like you find in a lot of other places.

In addition to Colombo, about 20 percent of the interviews have been in beach tourist communities; the more exact number is about 44 interviews. This includes Hikkaduwa, Negombo, Galle and Tangalle. And then the rest — which is about fifteen percent — have been conducted in smaller towns in other sections of the country. Now those last two places, the tourist industry and regions outside of Colombo, are the areas that we're concentrating on in the last couple of months of data collection, to expand those sections of the sample.

The other thing about the sample I should note is that it represents most sectors of the sex industry. We've interviewed individuals at the street-level, in brothels, lodges, massage clinics, and out-call services. But I should say we've been most successful at the lower and middle ends of the industry. So, we haven't had success accessing the higher ends of the industry. What our sample is missing are "high class" call girls, foreign sex workers, and women who work out of casinos. Those are sections of the sex industry that are missing from our research.

## **FACTORS CONTRIBUTING TO THE ABUSE OF COMMERCIAL SEX WORKERS**

What I'd like now to do is provide you with an outline, that will give you a sense of where I'm going throughout the talk. These are the issues that I'm going to be focusing on specifically today. So first, factors that contribute to the abuse of commercial sex workers. And I'll be focusing spe-

cifically on cultural definitions of masculinity, femininity and sexuality; and how prostitution is dealt with in the law. Then to apply those discussions, I'll be talking about violence and coercion in the context of entrée into the sex industry, and then be giving some information about various sectors of the industry, and women's experience of violence and coercion in each of those sectors and how they differ. Then as I said, a few comments about the Gangodawila Detention Centre, and then wrap up with a discussion of possible remedies.

So, as I said, in terms of factors contributing to the abuse of sex workers, there are two issues that I want to highlight today. One is cultural beliefs about gender and sexuality, the second is how prostitution is dealt with through the law. And what I especially want to highlight is the overlapping nature of these two — in essence, how they work in tandem with each other. Law enforcement practices draw on cultural beliefs about gender and they draw on cultural beliefs about sexuality, in terms of how the sex industry is intervened upon. And who is targeted specifically. Other issues that are relevant in terms of factors that contribute to abuse that I want to mention briefly but I won't be focusing on today: one, obviously, is women's relative lack of economic options and the dependency that results from that; and second is the impact of the ongoing civil war. Now, over the course of the next few months we'll be working on a final report for ICES, and I can say that both of those issues will be addressed in that context.

## **CULTURAL BELIEFS ABOUT GENDER AND SEXUALITY**

In terms of cultural beliefs about gender and sexuality, what I want to do is briefly note a couple of themes that I think are significant, and then as I go through presenting some of the data, hopefully you'll see the connections and you'll see how the relevance takes place. The first issue is the primary emphasis in Sri Lanka on female sexual purity, and especially the importance that's placed on young women's virginity. Some of the consequences of this are that young women's mobility is lessened, so they have less opportunity to move around in public space often, especially in adolescence. And also, especially in adolescence, both informal and formal gender seg-

regation takes place — which takes place primarily in the effort to limit girls' interactions with men outside of the family, because men are seen as at-risk of corrupting and "ruining" girls. So girls and boys are kept apart, particularly during adolescence.

The other consequence that's especially significant in terms of the sex industry is that young women who violate these norms — so for instance, they're sexually active outside of marriage or they get pregnant outside of marriage — are heavily stigmatised, particularly if they get involved in a relationship that ends. So if they get involved sexually with a young man, or get pregnant in a relationship with a young man, and he leaves them, then there's quite a bit of stigma that falls on them, and they're defined as "fallen" women. So then of course naturally, the strongest stigma or the most intense stigma is directed at women in the commercial sex industry. And essentially, the way that they're viewed — as "fallen" women, women who don't meet the cultural standards — is used as a justification for their mistreatment. And it's used to define them as deserving victims of violence.

But it's not sufficient just to look at constructions of female sexuality, because these work in tandem with constructions of male sexuality. So the other thing that I want to note before I move on is the way that the culture defines male sexuality. Now I should make a clarification — not all of the information I have in terms of this has come from client interviews. If these discussions of male sexuality only came from client interviews then you could easily argue that they are a particular type of person, that they're not representative of larger cultural beliefs. But this is from informal conversations we've had with a number of men over the last year and a half, in addition to clients. And essentially what I would argue is that these notions of male sexuality that I want to mention exist in the context of a culture that on the surface is sexually repressive. On the surface, sex is seen as something that's sacred.\* And this is indicated by the controls on female sexuality. But the opposite rules apply for male sexuality. And again this creates a situation in which violence against sex workers is exacerbated.

So two things that I want to note: One predominant theme is the belief that, for men, sex is a fundamental necessity, that men have intense cravings for sex, that these cravings need to be fulfilled, and that if they don't have sexual outlets to fulfil them, then dangerous things could occur.

So, for instance, sexual assault could occur. The argument in terms of prostitution is made pretty frequently, that if we didn't have prostitution then the rape of women would increase because men have these innate sexual needs that need to be fulfilled and they'll fulfil them in whatever way they can. So, sacrifice one group of women in order to protect the honour of all other women. Actually, we even had men that we interviewed who argued that if semen builds up too much in a man's system they'll get physically ill. So these notions are linked to notions of biology.

The second issue, that's related of course to the first, is a belief in male sexual entitlement. Because it's necessary for men to have sex, they have a right to sexual access to women, they have a right to have women made available to them for sex. So what happens then is it's the young woman's responsibility to protect her purity and it's the young man's entitlement, if possible, to persuade her otherwise. And the consequences of course are her responsibility. And the other issue, related to male sexual entitlement, another theme that was pretty common in our interviews with clients, is that men need sexual variety. This is also part of these notions of male sexuality, so that we had men who said: you can't eat the same food for dinner every day, because eventually it loses its flavour. And we had—[turns to Dheeshana] Dheeshana what's the Sinhala phrase, the cock's comb eventually looks white? [Dheeshana replies: "hamadaama dakina kukulage karamalet sudui."] These comments were really common in clients' interviews, in terms of explaining why it was that they felt it was necessary to go to sex workers.

## **SRI LANKA'S LEGAL FRAMEWORK FOR DEALING WITH THE SEX INDUSTRY**

One of the points that I want to make, as I said, is that these cultural definitions of gender and sexuality are also reflected in law enforcement practices — to a lesser extent in the law, though it's there — but particularly in law enforcement routine practices, in the operation of discretion, and how they actually practice the law, practice criminal justice. In order to make this point, let me give you a brief overview of the law as it applies to prostitution here. Essentially there are three ordinances in Sri Lanka that deal

with the commercial sex industry: the Vagrants Ordinance, the Brothels Ordinance, and the Houses of Detention Ordinance.

The Vagrants Ordinance is actually a pretty broad ordinance, and it defines vagrancy very broadly, so it includes people who are begging on the streets, it includes people who are loitering on the streets and who are unemployed, but it also includes commercial sex workers. Let me just review for you some of the relevant features of the Vagrants Ordinance as it applies to prostitution. And hopefully what you'll see as noteworthy is what these laws look like, in contrast to law enforcement practices. So the relevant features of the Vagrants Ordinance: one is 'common prostitutes' behaving in public in a "riotous or indecent manner" are individuals who by law are defined as vagrants. The law also mentions public solicitation, it mentions procurement, and in both of those instances the way the law is written it could just as easily be interpreted to mean clients as well as sex workers. But as I'll discuss, that's not how it operates in practice. It also includes living off the earnings of a prostitute, so an individual who is living off the earnings of a prostitute is defined as a vagrant and can be prosecuted under the Vagrants Ordinance. It also includes aiding, abetting, or compelling a prostitute. The Vagrants Ordinance also specifies that females arrested under the act — there's a special section to address females — may be committed to a House of Detention rather than being committed to a prison.

One other thing that I should note that doesn't appear in any of these ordinances but is routinely practiced is that women who are arrested for prostitution-related offences, when they are remanded, are sent to the government health clinic for tests for sexually transmitted diseases. And often that's a determining factor in deciding whether the woman will be fined, or whether she'll be sent to the detention centre.

The second ordinance dealing with prostitution is the Brothels Ordinance. And essentially what the Brothels Ordinance says is that it's illegal to run a brothel house. So the ordinance is written in a very specific way: it applies to management and owners of brothels. It has absolutely nothing to say about women who are working in brothels. And again that will become noteworthy when I talk about police interventions.

And then third is the Houses of Detention Ordinance. This ordinance is basically set up to provide for the housing of vagrants. What's especially notable in this ordinance is that it provides for indeterminate sentencing. So that means that it provides for discretion in terms of when

to release an individual who's been placed in a house of detention and under what conditions that person can be released. So the way that the law is written, for example, if the individual who's in a house of detention can find suitable employment, then that would be just cause for releasing them. Gangodawila is the house of detention for women vagrants, and I'll come back to that towards the end of the talk.

One of the things that I want to emphasize today is that the prohibitionist model that's used in Sri Lanka — and is used in other places as well — has consistently been found to be the most oppressive for sex workers themselves. And as I talk about the problems in various sectors of the industry, hopefully this will become more clear. And also, as I've indicated, it's not enough to talk about the ordinances themselves, but also how the ordinances are applied in daily practices, and particularly the role of discretion. That is, the latitude criminal justice officials have in deciding how to apply the laws and whom to apply the laws to. Also, what I'd like to highlight and have you keep in mind as I turn to presenting some of the data, is how laws against prostitution, and especially the ways that the laws are implemented, link back with these cultural definitions of masculinity and femininity, link back to cultural definitions of male entitlement to sex and female responsibility for deviation from sexual norms.

## ENTRÉE INTO THE SEX INDUSTRY

What I want to start with first is violence and coercion in the context of entrée into the commercial sex industry. That is, how it is that women end up working as commercial sex workers. I gave a talk here last year about some of our preliminary findings, and this is the issue that I focused on. And essentially what we found is that there tend to be, not surprisingly, varied pathways into the sex industry. These tend to be clustered by age of entrée. So that, older women, or women who get into the sex industry at older ages, say mid-twenties into their thirties, are more likely — but not always — to enter the industry of their own volition, for economic reasons. The economic reasons are pretty clear when you compare the kinds of money they can make working in the sex industry with the other sorts of job opportunities that are available to women, especially women who are poor and who don't have education.

But, in terms of the contexts I want to focus on today, in terms of violence and coercion, the flip side of that is that especially younger women — though not exclusively — adolescents, young women in their early twenties, are much more likely to be pushed into the industry as a result of deception, coercion and sometimes force. And what I'd like to do to illustrate this is to give you a few examples from the research.

The first is probably the most extreme case that we came across, a woman who I'll call Sriyani. She grew up in a village; when she was about thirteen years old, a man in his mid-twenties abused her sexually and she was pushed into marrying him. Ameena Hussein's report on violence against women noted that that's a practice that sometimes goes on. So that again because of this notion that women have to be virgins, if she lost her virginity, even if it was in the context of a sexual assault, if she can be married off to that person, then somehow she's kept from being "ruined." So Sriyani married her assailant. Within about two or three weeks of their marriage, he made arrangements with a broker to start selling her against her will. And so the broker would come, pick her up from the house, take her to a brothel and force her to work, and then bring her back to the house at night. And give all of the money to her husband. So she never saw any of the money from the transactions; she was forced to go into the sex industry. So that's the most extreme case, but again it's the sort of thing that does happen occasionally.

Another example is a young woman from a small town in the south-eastern part of the country who got involved with a young man romantically. She was about nineteen or twenty. And he lived in another town about two hours away, and gave her his address, wanted to keep in touch. He left, went back to his village, and the girl found out that she was pregnant. So she went to the village in search of her boyfriend. In the meantime his parents got word that she was coming, they sent the boy out of town, and when the girl arrived they took her to the local lodge and basically made an arrangement with the owner of the lodge to prostitute her, and left her there.

It's also relevant to note the context in which I learned the story. This actually wasn't from an interview, a friend of mine told me this story because an employee of his was one of her first clients. And this employee came running back, bragging and thinking he was providing my friend with this great opportunity to go have this hot young babe that was newly

available and not very experienced. And so, this is a story we learned second-hand through this client who had been one of her first contacts. And when my friend's reaction instead was to scold him for having done such a thing, his reaction was: well she was so young and beautiful, I just couldn't pass up the opportunity. So that also should give you an indication of client attitudes, and again attitudes about male entitlement.

A couple of other examples: As I said, we've interviewed some brokers. The brokers have provided a lot of information about their techniques for procuring women into the industry, and it's worth noting a few of those as well. One man that we interviewed, actually Dayawansa interviewed, would go into villages under the guise of searching for domestic help. So he would go and say so-and-so has sent me to come and find a young woman to work in their household, it's fairly good money, your daughter can send the money back. And so the parents would send the daughter along and he would take her and sell her to brothels. And essentially what these brokers have said is that the way the brothels break the girl in is for the manager to sexually assault her, and from there have her see clients.

Another less outwardly violent but deceptive and coercive method that brokers use is, for instance, I'm a broker, I become friendly with a woman who I think is a potential prospect for the industry, she's somebody who's looking for a job. And so this particular broker, what he would do is say, 'Well I know somebody who's the secretary of so-and-so. And if you sleep with him, then he can help you get a job at that place.' So then the woman makes the decision to sleep with the individual and the job doesn't come through. Then the woman complains, 'What happened? You promised I would get a job.' And he says, 'I don't know what happened, but I have this other friend who's really well connected, if you sleep with him then maybe he can help you get a job.' So then the woman sleeps with him, and what the brokers say is that eventually this is a way to break the woman in. And again, linking back to these notions of sexuality, as soon as a woman's had sex with several partners, then she's essentially seen as "damaged goods." And so what this broker said and what some women have told us as well is that, 'Well, what can I do at this point? I might as well make the best of it.'

What's important, in terms of these earlier links that I made about notions of gender and sexuality, is that the sheltering of young women in order to protect them, and the naivety that results, and their lack of expo-

sure to men — those are precisely the things that are used by these brokers as a strategy to coerce young women into situations where they can be pushed into the sex industry. What's particularly sad about this is that young women themselves, once this has happened to them, regard themselves as damaged or ruined, and feel helpless, feel this is their fate. And also, men perpetuate the distinction, as I said, between pure and "ruined" women, but again in a context in which they have a right of sexual access to women.

I thought a nice way to illustrate this would be to pull two quotes from the research. One from a woman, actually Sriyani, the woman that I mentioned in the beginning, and one from a young man that's talking about how women get into the sex industry. What you'll see is the parallel discourse illustrating exactly this theme. So the first one is Sriyani, the woman who was sold by her husband. She says:

When I got used by six boys, no use of my life, better earn and give him [her husband] so. I can't go back home, my parents won't take me. So like that [I continued].

So she defined herself as ruined as a result of what happened to her.

The second quote is from a young man who was a client but who was also talking about how young women get involved in the sex industry. And again, you'll see in the client's discussion the same parallel theme. He says:

If we see a girl go in the road we somehow get friendly with her and do it [mewa keragannewa]... Like that it becomes a string. Now let's say ten of us got involved [with girls], not all ten of us marries them. Out of that ten, mostly either two or three would get married. And the others get their necessities filled and drop [the girl], no?

In a situation like that, that girl must somehow continue her life, no? So she gets involved with another one. But that one knows her history, she has been involved with a person like that, this and that happened to her. So he also does it and leaves her. If such a thing repeats four, five times, that girl automatically becomes a prostitute. So she went with four, five people, no? So it doesn't matter anyway to her now, no?

So, essentially from a male perspective and from a female perspective, they are articulating similar themes in terms of how it is that young women get drawn into and trapped in the sex industry, and again how these link to notions of female sexuality.

The other thing I should note in terms of the coercive aspects of entrée into the sex industry is — for instance, the brokering I've described or Sriyani's husband who forced her into the sex industry — despite the way that the law is written, it is primarily applied to women, women are held responsible. Brokers operate in this manner basically with impunity. None of them reported any fear that they would be arrested, fear that they would get into trouble. They essentially felt that they could do so, and in fact they could. They don't get arrested. And so it continues.

## **VIOLENCE AND EXPLOITATION ACROSS INDUSTRY SECTORS**

Moving to violence and exploitation in different industry sectors, what I want to do is highlight variations across industry sectors. What you'll see is: there's a particular distinction between street-level sex work that occurs in public, and indoor sex work — sex work that occurs in brothels, lodges, massage clinics. Starting with the streets, by far the most significant problem that women who worked on the streets reported to us, their biggest complaint, was harassment by the police. One of the things we ask in the interviews was what sort of things would you like to see changed? What kinds of things would help you? And repeatedly what they told us was that police harassment was the most important factor for them, was the most important issue that they faced.

## **STREET-LEVEL SEX WORK**

In terms of street-level sex work, there are some contradictions involved. It's clearly the most stigmatised form of sex work. So, for instance, clients that we interviewed described street-level sex workers as dirty, as low-class, and sometimes they actually used terms for animals to describe them

— really described them or saw them basically as not really fully human in some way. And of course I should say that that's some clients, it's not representative of all clients. But that's the general theme. So it's the most stigmatised form of sex work that takes place. The flip side of it is that some of the women that we talked to preferred to work on the streets. They chose to work on the streets, sometimes they had worked in brothels and moved from brothels to the streets. And they chose to work on the streets because they felt it gave them more control over their work.

They had more control over their work in several senses: they could set their own working hours. So for instance, if I'm a street-level sex worker I can go work for two hours in the afternoon and if I make enough money I can go home. Or I can work during the times of day that I want. So for instance if I have children and my children are in school, I can work during those hours. They had more flexibility in terms of the time that they could work. Also they said that they preferred working on the streets because they could choose their clientele. So that, if somebody came who — the biggest issue was somebody who came who was really drunk — they could say no thank you and send the person off.

Also they kept the bulk of their earnings. The thing about street-level sex work here that we found routinely is that it tends to be freelance based. In the United States, for instance, pimps who have a stable of women who work for them are a primary issue on the streets. We really didn't find evidence of that here. We did have women who had relationships with men who benefited from their work. The woman would say she kept the man to have someone to bail her out of jail, the man would say he had a woman who was providing him with money, he didn't have to work. The woman needed the man in order to bail her out of jail, but we didn't come across a stable of women working for one man who had to give the money to one man. So the other benefit that street-level sex workers said they got from working on the streets was they kept their money. So that, for instance, if a client approached them in a car and they went with the client, they didn't have to pay anybody else off. If a tri-shaw driver or a taxi driver brought them a client then they would have to give him something, but they wouldn't have to split their earnings in the same way that the women who work in indoor settings have to.

But as I said, women who work on the streets face the most intense police surveillance. They are routinely arrested and remanded, and I should

note clients are not arrested. Very rarely, and if they are arrested it's essentially to get them to provide evidence against the woman if necessary. Taxi drivers aren't arrested. It's basically street-level sex workers who are arrested. There are some other points about the operation of policing on the streets, and I thought the best way to illustrate that, I have some focus group dialogues that Dheeshana and Dayawansa conducted with police officers in Colombo. And what I'd like to do is just read through the transcript to give you a sense of how the police define legitimate opportunities to arrest women and how they use discretion in discriminatory ways, and then I'll talk about some of the consequences in terms of violence.

Dheeshana's asking these officers about how they intervene on sex work that occurs on the road. The first officer (Officer A) says:

Only if they misbehave in a popular place can you arrest them....When we catch somebody in the street, we have to list [that] it's misbehaviour. We have to make notes: it's like this, this number of buses went....

Dheeshana says, "OK, so she was standing on the road, buses went, now let's say you arrested her. But that's not misbehaviour, she was just standing there no?" And what you'll see is that the discussion gets a little bit antagonistic because the officers don't like Dheeshana's perspective.

So Officer A says, "We must get a sense that she is misbehaving. That is the thing...." Dheeshana says, "Explain that to me, what is actually there in the law? Explain that to me." Then Officer B jumps in, he says:

Miss, I will tell you. There is a woman in the road at one o'clock in the morning, alone in the road. Then as a police officer, is it suspicious or not, miss? Tell.

Officer A says, "suspicious." Officer B isn't satisfied, he wants to hear Dheeshana say that it's suspicious, so he says:

Miss, tell! A woman like that stays in the bus stand, one o'clock in the morning, with a bag. Nobody coming or going, then do you not feel, 'why is this?'

Officer A jumps in:

Not even that, walks up and down [a well known street for prostitution] around ten, eleven, with a bag. True picture, is it suspicious or not? What do you say? (laughs sarcastically)

Dheeshana tries to avoid answering the question and she says, "So continue." Officer A says, "No! Tell whether it's suspicious to you or not." Dheeshana sort of hedges, and then she says, "Ok, let's say it's suspicious. Then?" Officer A says, "Let's say is not enough." And then Officer B jumps in and says, "It is then that the arrest takes place." It's an illustration of a by-the-books arrest of a street-level sex worker, but it's also, I thought, an interesting dialogue because it shows the condescending tone that they took toward Dheeshana — especially that she's this sort of naïve young woman who doesn't know the real world.

So that was by-the-books. The conversation continues as Dheeshana continues to probe. This is a later point in the conversation, Officer B at this point says:

When a police officer sees one [a sex worker], the officer knows that this is a prostitute, this is because there is a thing called previous wrongs.

Dheeshana asks, "What is previous wrongs?" The officer says, "Previous wrongs is if the person has been convicted before." Officer A jumps in and says "Previous conviction." Dheeshana says, "Hari, OK fine. Now when the woman gets caught, she says she's innocent." The conversation continues:

**Officer B:** If she's innocent, what I ask is why does she stay in the road at that hour?

**Dheeshana:** Hari. Somehow she wins the case....

**Officer A:** How would she win the case? [All of the officers jump in, ask, How could she win the case?]

**Dheeshana:** But she didn't do anything publicly, just went up and down that is it?

**Officer A:** Even though she doesn't do anything publicly, from experience, we know - now you misunderstand. Don't just try to think from their side, think fairly.

**Officer D:** There are several sides to it.

**Officer A:** As police officers, through experience we know who this is....and if she has a previous conviction, they have no chance at all. She will definitely get convicted.

So the other thing that this dialogue is saying, and part of what I wanted to illustrate with this discourse, is what they're saying is 'once a prostitute, always a prostitute.' And that if a woman was previously convicted she essentially has no chance of not being convicted again. So then how that comes into play, what's relevant is that women who have convictions for sex work can't move around in public spaces without the fear of arrest. They can't go down to the corner store. They can't go pick their children up from school. They can't actually take the bus. If they appear in public, particularly in an area that's known for prostitution — which could also be the area where they live — then they can be picked up and arrested by the officers.

Now remember when the officers were describing an arrest before they said that there has to be some kind of misbehaviour. The law says it's not just that it's a known prostitute but that she has to be engaging in some kind of 'misbehaviour'. Let me move on in the police discussion. They finish up this discussion about prior convictions and the implication, and then Dheeshana points out this issue that I just raised, Dheeshana says:

Now a woman who has previous convictions can be arrested if they just walk on the street, no?

And the officers said yes, she can; all of the officers agreed, yes that she can. Then Officer A says:

But it's like this, don't misunderstand. Even if she goes a hundred times and we arrest her, we file the cases according to the right procedure. That is, 'she stayed like this,' we have to make notes that she stayed like this at these times, she looked like this, the way she looked at people. [She's engaged in misbehaviour.]

He's saying all of this has to be documented. Then Dheeshana says, "But the writing is in your hands, no?" The conversation continues:

**Officer A:** Writing is in our hand, that of course we have to do properly.

**Officer B:** Otherwise problems. [But] there's nothing a police officer who can write well can't do.

**Dheeshana:** What?

**Officer B:** If he can write well, a police officer can do anything.

**Officer A:** Can make Dayawansa the owner and can make you the prostitute. Or you can be made the owner and Dayawansa the prostitute.

**Officer B:** Miss, there's a saying, 'gorakathe dhada mas kereneva.'

Basically, he's saying you can turn anything into anything. In this case you can change goraka into dhada mas. So the officer says, "Can do that also." Then all the officers laugh. So the officers are essentially admitting to Dheeshana, they know how to construct reports, they can write anything in the report that they want. Officer A says, "That's the example." Officer D jumps in and says, "That's happened often, we have often seen it." Then they back off, Officer B says, "But we of course don't do that." Officer A says, "We don't do that." Officer D says, "But we have seen in court that happened often."

That then raises this issue, not just that women can be falsely arrested, but what are the implications of that? And some of the implications are that the police essentially have women at their disposal. They have the threat of arrest in their hands, they admit they can write false reports. They can say whatever they want, they know how to write those reports to make them appear accurate. And so what happens routinely, women told us this and the officers did as well, sometimes street-level police officers demand money from women, or they demand afternoon tea or they demand lunch, or a bottle of arrack. And the women are obliged to give this, otherwise there's the threat of arrest held over their head. In addition, police officers can and do demand free sex from women who are working on the streets, again in exchange for non-arrest. And we have reports of not just one

officer doing this but a group of officers taking a woman and all of them using her, saying we won't arrest you if you let us do this.

The officers in this focus group that I was reading, they basically normalized it by making analogies to other situations. They said, well yeah, of course that happens, but that happens everywhere. So if you have a boss in a company and he hires an attractive young secretary, he's going to do the same thing. He's going to tell her, 'Well if you sleep with me you'll get a promotion, if you sleep with me you'll get a raise.' And that's common practice, so therefore essentially there's nothing wrong with it, according to the officers. Other problems in terms of police interactions, a lot of the women that we talked to reported being scolded and berated when they were arrested by the police, and occasionally being hit by police officers.

Criminalization and police harassment also increases women's risk of other violence on the streets, and it does so in a couple of ways. One thing it does is that women have no legal recourse when they're victimized. They can't go to the police; police are primary victimizers. They can't go to the police and say, "This client robbed me," because then they can be charged with having committed the crime of prostitution. So that makes them safe victims for men who are looking to abuse women. The other way that criminalization and harassment increases women's risks on the streets is that women try to decrease their visibility when they're working. So that means they try to hide from the police, that means they're more likely to get into cars quickly in order not to be seen, scrutinize clients less carefully because they're in a hurry to make sure that the police don't see them. So that again increases their vulnerability to violence.

There were two forms of violence against street sex workers that were pretty frequently experienced by women that we talked to who work on the streets. One was gang rapes. Essentially what would happen is a client would pull up in a car or pull up in a tri-shaw and they would make an agreement. The woman would get in the car with him and he would drive to an isolated spot. What she wouldn't know is there was a carload of five or six other men behind them, who would follow, and then all of them would sexually assault her. Or, in the case of tri-shaws, sometimes what would happen, the woman would get in the tri-shaw with the man and they would go. There would be a designated corner where his friends were waiting, then the friends would jump in the tri-shaw and again they would take her and sexually assault her, gang rape her. The other problem that

women faced on the streets was harassment by drug addicts, being robbed by drug addicts. Especially when they get out of cars, sex workers are known to have money with them. So being harassed by drug addicts, robbed by drug addicts, was another common theme reported by women who were working on the streets.

## **BROTHELS, LODGES, MASSAGE CLINICS, OUT-CALL SERVICES**

Let me move on to brothels, and what you'll see is some of the differences between outdoor work and indoor work. What's interesting, again is the contrast, there's less risk of violence for women for the most part in brothels. Because they are in an enclosed space, there are other people around, they are not isolated. But that doesn't mean there aren't problems. Sometimes women have to sleep with the managers, as the brokers I referred to earlier described. In addition, because they often work on tips, as well as the cash that's paid up front, they feel pressure to satisfy the customer and whatever he wants. They also have less control over their labour. They can't choose which clients they go with, but instead have to go with any man who chooses them. They do not have the right to refuse a client, because for instance, he's drunk or he prefers to engage in sex acts they do not want to. They also can't choose their working hours, but have to work when they are told to, and at least half of the proceeds from every client goes to the house.

Brothels have arrangements with the police that if a police officer comes to the brothel, they use women free of charge. In addition, all of the management in brothels that we talked to reported that they gave some kind of payoffs to the police as a way of trying to reduce raiding. There's no guarantee that the raiding won't occur, because sometimes if it's lower level officers that they are paying off and the order to raid comes from above, then the officers don't have a lot of choice, in terms of the fact that they have to raid. But they still take the payoffs, and essentially the way that they negotiate the fact that they still have to raid is, may be, they'll tip the brothel off that the raid is coming so that they can have as few women on site as possible. The other thing that officers will say is that instead of

raiding you every day, which we could technically do, we'll only raid you once a month, so basically what they're buying is a reduced level of raiding.

The other thing that happens is that instead of raiding a brothel and charging them under the Brothels Ordinance, the police come in and arrest women who are working in the brothel under the Vagrants Ordinance. Now the Vagrants Ordinance doesn't say anything about brothels, and the Brothels Ordinance doesn't say anything about women who are working in brothels, anything about that being illegal. Essentially what they're doing is defining the notion of public space very broadly to include brothels. So what happens is that when raids occur, women are routinely arrested. If you pay attention to the newspapers, you see reports all the time, "X number of women were arrested in this brothel raid," but they're arrested under the Vagrants Ordinance. Management are rarely arrested, although sometimes it does occur. But all the managers we've interviewed who have been arrested along with the women who were working with them reported that managers were given immediate bail, the women were remanded. So management is less likely to be held, even if they are arrested.

And essentially arresting sex workers in brothels under the Vagrants Ordinance is beneficial to the establishment itself, because it doesn't call the legitimacy of the establishment in question, it focuses only on the women. Then the other thing that happens is that brothels actually bail women out routinely. If the brothel is raided and ten women are arrested, the brothel will front the money for the bail to get the women out, but in exchange for that the women are encouraged to plead guilty under the Vagrants Ordinance, to having been a vagrant. And that's so that the bail money will be returned quickly to the brothel owner or to the brothel manager. But then again what happens is that women plead guilty, then they have a record as a known prostitute. And I've already indicated to you some of the problems, what happens once a woman has a record as a known prostitute.

The other significant issue that we uncovered in brothels is problems that brothels have with organized crime or with the underworld. Again, because it's criminalized, brothels can't go to the police if they're victimized. And so sometimes what happens is that drug addicts or a group of men in the area break into the brothel, they rob them of all of their money and then they rape all of the women who are working at that time. Again the brothels don't have legal recourse and so what happens is that the brothels come to rely on the underworld for protection. So they have to pay for

protection from, to use the local term, "thug" groups in the community to keep that from occurring. These thugs themselves also will do the same thing. For instance if there's a brothel in the neighbourhood that isn't paying for protection, they themselves will send in a group of people to rob the place, rape all of the women, and they'll do it routinely until the management agrees, OK, we'll set up a pay schedule for your protection, in exchange you'll quit doing this to us.

Lodges, very briefly. Some of the issues that lodges face are similar to those of brothels, but they tend to have fewer problems than brothels because lodges run under the guise of a legitimate establishment. So essentially lodges are *lodges*. They rent rooms to couples on an hourly basis or half-day basis or whatever, and they operate in several different ways. Sometimes lodges will keep a few women on hand so that if the man doesn't come with a woman, there are women on the premises that they can provide. Sometimes they rely on out-call services, so they have a list of phone numbers for women that they know. And if a client calls ahead and says he's coming at such-and-such a time, then they'll call the woman and she'll come in. But again because they run as legitimate establishments — they rent rooms by the hour, not just to clients who bring sex workers but also couples who are looking for a private place to be together — they have fewer problems. But the problems that they have are parallel to those I described for brothels.

Massage clinics primarily are involved only in masturbation, or 'handjobs'. If there's a situation where there's a regular client who has been going there for a long period of time, he may be able to negotiate something different. But for a man who walks off the street into a massage clinic, primarily what he's going in for is to be masturbated. In massage clinics, in some cases women receive a monthly salary in addition to tips, in other places they only work on tips. And so, especially what happens when women are only working for tips is that there is greater pressure on them to provide sexual services, but in a context in which massage clinics work very hard to maintain the legitimacy of their business. And so, they forbid women, as a rule of the business, from being involved in any sexual activities aside from masturbation. But there's pressure on the woman if she's only working on a tip basis and she has a customer who wants something else, then there's increased pressure on her to provide it. Again because clinic rules are against it, she puts herself at risk of losing her job.

Other features with regard to massage clinics that are distinct — and again, because they maintain that they are a legitimate business and a health provider, and they do so with the constant threat of criminalization and of being raided — this also leads to other kinds of discriminatory practices within the massage clinics themselves, in the context of trying to maintain a reputation as a legitimate business. So, some clinic managers reported to us that they would only hire married women. The idea behind hiring only married women was that these women would be less likely to arrange to meet clients outside of the clinic. The managers we talked to said that women aren't allowed to do this, that and the other because it calls into question the legitimacy of the business as a health provider if an employee makes arrangements to see clients and have sexual exchanges on the outside. Some of the managers told us they would fire women if that happened. So in some cases they only hire married women to discourage that kind of thing from happening.

Also some massage clinics require the woman to have a legal guardian. They have to have proof from a legal guardian, like a letter from a parent or husband that says "my daughter or my wife has permission to work here." And the reason for that is when they are raided, they need to have somebody for the woman to be released to when she's arrested. And that is because in some cases, but again it's not on the books as a legal proceeding, magistrates refuse to release woman on their own recognizance. They'll only release her to a parent or a guardian — so to an older brother, a parent, a husband.

Massage clinics, in terms of police involvement, face similar issues: police officers can come and receive free services, when raids of massage clinics occur the women who are working are arrested under the Vagrants Ordinance. Again they are encouraged to plead guilty. Sometimes the establishments where we interviewed had been charged with running a brothel under the guise of a massage clinic. That was a case that the massage clinic would fight. But they were less willing to fight when it was the women themselves who were arrested. They encouraged the women just to plead guilty and get it over with quickly.

Finally, outcall services. On the whole women who work in out-call services — that is, the woman has a phone number, clients can then call her to make arrangements to meet; sometimes they have regular clients, sometimes, as I said, lodges will have the woman's phone number and they'll

call her to come to the lodge — on the whole they tend to have fewer problems. Especially if they have a regular clientele, or if they have a lodge that they have a regular relationship with. When that's not the case and they end up going with clients that they don't know very well, maybe somebody else referred them to the client, and they go to a destination of his choosing, that increases their risk of victimization.

I'll just give you one story to illustrate this. This was a woman who did outcall services but she did it through a broker. The broker made the arrangements for this particular transaction. This was actually a boy of about eighteen that we interviewed, and in the course of giving a client interview, discussing how he became involved in going to sex workers, what he also talked about was this one particular incident. The broker made arrangements to take this woman to one of his friends' houses. So there were six or eight boys and the woman was brought to one of their houses, the parents were out of town. She wasn't told that she was going to have to have sex with six to eight men, but the boys promised her when she got there, 'We'll make it up to you, we'll give you extra money in the end,' which they didn't do. Also notable, they kept her all day, so she was there for an eight-hour period of time. They had her in the bedroom, they were all hanging out in the living room, they were drinking and they all took turns going back and forth, some of them went a couple of times.

During that entire eight-hour period, none of them ever thought, 'Does she need to go to the bathroom? Does she need some lunch? Does she need something to drink?' It never occurred to them, she was an object for them to move in and out and take advantage of and use. Towards the end of the day, an older boy, maybe twenty, twenty-one, who was more experienced went in and anally raped the woman. Now the boy that we interviewed had tried to get her to have anal sex and she said, 'No I don't do that.' This older boy went in and forced her to have anal sex. What this boy [whom we interviewed] and his friends' response was — she was screaming and they could hear her screaming in the next room — they became concerned that the neighbours would hear. And so they turned the music up really loud, and they all started singing really loud, to drown out the sound of her screams so that none of the neighbours would find out.

## GANGODAWILA DETENTION CENTRE

I've reviewed some of the aspects of violence against sex workers in different sectors of the industry. One other thing that I want to talk about briefly, is Gangodawila Detention Centre. We spent a couple of months doing interviews there last year, and I should clarify that the director of the centre has changed since the time that we did the interviewing. Most of what I have to say came from our interview with the previous director, so I can't say whether these practices are still going on. Nonetheless, some of what's occurring, I think, is cause for concern. The detention centre, as I said, is where women are sent when they are convicted under the Vagrants Ordinance, and in particular if they're convicted under the Vagrants Ordinance and they have multiple offences, or they test positive for a sexually transmitted disease, that's when they are most likely to be sent to the detention centre.

Gangodawila operates under a rehabilitation model, but there are very minimal services provided, from what we could see. I should say, the centre is divided up, there are two sides to it. We didn't get confirmation of this, but it almost seemed that women arrested under the Vagrants Ordinance but not for prostitution were sent to one side; women arrested for prostitution were sent to the other. Now I don't know that for sure but there was a clear division of women on the two sides. The first time we went to the centre we were shown the 'good side', and there were services there — some of the women had their children there, there was a pre-school for the children, there were arts and crafts and things like that. A small number of women — mostly from the "good" side — had been arranged garment factory work during the day. On the 'bad side', really there was essentially nothing going on in terms of rehabilitation. But, as I said, the way that the Houses of Detention Ordinance is written, there's discretion in terms of when women can be released. What the director told us was that women are released when they are rehabilitated. Well, if there are no rehabilitative services, then how do you determine when a woman has been rehabilitated? So there was wide discretion in terms of who was released and who was kept. Some of the women that we talked to had been kept there for years after being arrested under the Vagrants Ordinance.

Other kinds of discretion that were employed at the centre, again nothing in the law says this but this particular director had a rule that he

would only release a woman to a parent or a guardian. So we're talking about women in their thirties, forties — adult women — who couldn't be released from the centre unless they had a guardian to come and collect them. And of course often times they got involved in prostitution because their husbands had left them, or they were distanced from their families because they were involved in the sex industry, they don't want to tell their families that they are locked up, and so it doesn't happen.

The other thing that occurred at Gangodawila is that one of the ways that women can be released is through the arrangement of marriages. So that's a way to exit the facility. During the time that we were doing interviews, we were actually invited to come to one of the weddings; the director had actually arranged this marriage. This was a girl who was about eighteen years old, and he had arranged a marriage for her with an army officer who was in his mid-forties. So we were invited, it was a big celebration, everybody at the facility was excited because this girl got to be released and she got to leave.

Probably the most disturbing issue, though, is that this director, who Dheeshana and another research assistant interviewed, during the course of the interview told them of a situation in which he had arranged a marriage for a woman who was in the facility. The groom married the woman, took her out; he was dissatisfied with her. This director let him exchange her for another bride. The first one was sent back to the facility, and another bride was exchanged for her. So, you can imagine the power dynamics in a marriage like that, where the threat of being sent back to a detention facility is held over the young woman's head. So those are a few issues with regard to the detention facility. Again, this is the primary facility where women arrested for prostitution-related offences are sent.

## CONCLUSION

I want to wrap up by coming back to this point that I made about the intersection of cultural definitions of sexuality and the law. I want to do that by again returning to the focus group with these police officers, which I think illustrates really nicely the ways that law enforcement practices are linked with definitions of appropriate female sexuality and the desire to control

female sexuality, and how criminalization functions to do that. So again, four police officers; I should also note (and this will come up in the course of the conversation) that several of them had also given client interviews previously. This particular segment is toward the end of the focus group. At this point, they're really fed up with Dheeshana, Dheeshana is really fed up with them, and it gets a little bit antagonistic as you can see. Dayawansa basically tries to mediate between the two and keep everything calm.

**Dheeshana:** What do you have to say about the fact that this [prostitution] is banned by law?

**Officer A:** I think it should be banned, because—

**Officer B:** Preserving the culture.

**Officer A:** Yes, my angle is based on preserving the culture. Because Sri Lanka has a culture based on Buddhism.

**Dheeshana:** So does Buddhism say that men can go to prostitutes?

**Officer A:** Aah, wait, wait till I explain.

**Dheeshana:** It only affects the women?

**Dayawansa:** Let the mahaththiya talk, no?

**Dheeshana:** I'm letting him talk but I'm also answering him.

**Officer A [talking to Dheeshana]:**

Do you like it when you're seated at a bar, when people come and approach you, like in Bangkok?

**Officer B:** She doesn't know the meaning of *kaamasumichachara*.

**Officer A:** Aah, yes, that's the problem.

**Dheeshana:** No, it's sexual misbehaviour.

**Officer A:** Yes, sexual misbehaviour. [shifts back to original point] When you stand on the road, do you like when some body comes and asks 'Do you like to come with me?' or when they horn the car as they pass you?

**Dheeshana:** But you yourself say it's a social necessity. That it's a social necessity when you're a man, prostitution is a social necessity.

**Officer C:** It must be there. To be done secretly.

**Officer A:** Hari, I don't like a pious country like Sri Lanka getting drawn to such a thing.

**Dheeshana:** Now, you say it's a pious country, the country shouldn't get drawn to it. But you're also a person who's gone to prostitutes, no?

**Officer A:** No, hari, wait. I don't deny that, no? Personal necessity of course is a different story. If it's illegal, what we want is to minimize it. Then we can do anything, that's if it's illegal. But if we legalize it, then you'll see what kind of situation arises. There will be open brothel houses on every street, they'll earn as much money as possible, they'll transact any person for money. Then can we catch them? No! Brothels will function freely. We can't raid them also, no? It's legalized so we can't go there. But at least this way [when it's illegal], we can minimize it, we can minimize the way it's kept....

**Officer B:** Miss, no matter what approach we take, there are basic necessities among people [i.e. among men], that's where it starts. It's from there this comes to the whole society. When you take it like that—

**Officer A:** Yeah, you know what would happen in the end [if prostitution were not a crime]? The family structure will break down....Like what happened in Russia, women will get unruly. Harida? It will lead to a point where it will totally destroy the social economy. People will stop respecting each other.

So, women "become unruly," the family structure breaks down, the social structure breaks down, people won't respect each other. What's notable in this dialogue is, obviously, keeping prostitution illegal is a means

of keeping it available for men, for whom it's a necessity, but at the same time controlling it by controlling sex workers. By controlling sex workers, also you control women more broadly — keep them from becoming unruly. It's by keeping them from becoming unruly that you maintain the culture's values, by maintaining the family and maintaining children. So essentially what they're saying is that it's women's responsibility to maintain the culture's values and it's through the control of women that this can take place.

What I would argue is, it's pretty clear that prostitution is a patriarchal institution. But the criminalization of prostitution, and particularly the way that the law functions, is even more of a patriarchal institution because it's the threat of unruly women that requires its control. So legal interventions against prostitution, the fact that they almost exclusively target women, serves not just to disempower sex workers, but all women. It also makes sex workers more dependent, it makes them vulnerable, and it leads to coercion and violence within the industry.

Now we come to the issue of remedies, I don't know how familiar all of you are with variations in the way that prostitution is handled across nations. I had prepared to briefly review that, would that help in terms of the discussion? [Yes indicated] The source that I've drawn this list (Figure 1) from is a report entitled *Trafficking in Women, Forced Labour and Slavery-like Practices in Marriage, Domestic Labor and Prostitution*. Essentially, legal approaches to prostitution and the sex industry fall into several different categories. Prohibition, you can see, is where Sri Lanka fits, as well as a handful of other countries, including the United States. As I said, with prohibition technically all parties are criminalized. As I read you the relevant statutes in the Vagrants Ordinance — it covers procuring, it covers clients, it covers sex workers, it covers living off the earnings of a prostitute. Technically all parties are criminalized — the Brothels Ordinance again is written to go after owners and managers. But that tends not to be what happens. In Sri Lanka, as I've indicated, as elsewhere, it's mostly women who are arrested under prohibition. This tends to be the most oppressive means of approaching the commercial sex industry for women, for all of the reasons I've just outlined in the presentation.

**FIGURE 1. LEGAL RESPONSES TO THE COMMERCIAL SEX INDUSTRY**

**PROHIBITION**

China	Slovenia
Iceland	Sri Lanka
Japan	Tanzania
Malta	Uganda
Nepal	United States
Philippines	Vietnam
Romania	

**ABOLITION**

Bangladesh	Finland	Norway
Belgium	France	Poland
Bulgaria	Hong Kong	Portugal
Cameroon	India	Spain
Canada	Ireland	Sweden
Colombia	Italy	Thailand
Czechoslovakia	Lithuania	Ukraine
Denmark	Nigeria	United
Dominican Republic		Kingdom

**LEGALIZATION/REGULATION**

Australia	Netherlands
Austria	Peru
Curacao	Switzerland
Equador	Turkey
Germany	some counties in Nevada, USA
Greece	

**DECRIMINALIZATION**

**SOURCE:** Wijers and Lap-Chew, *Trafficking in Women, Forced Labour and Slavery-like Practices in Marriage, Domestic Labor and Prostitution*. Netherlands: Foundation Against Trafficking in Women.

A second approach is an abolitionist approach. And again, looking at what the law says and then looking at how it's practiced are two different things. Essentially an abolitionist approach criminalizes third parties rather than the sex worker herself. So it's all of those other people — brokers, pimps, clients in some cases, brothel owners, managers — those are the individuals who are criminalized. The sex worker is by definition a victim of the sex industry, and so she is not criminalized under an abolitionist approach. Sex workers' rights organizations have a lot to say about this approach in particular because they resist the notion that women are nothing but victims, that they're victims of the sex industry. So it doesn't recognize women's right to choose to be involved in sex work. The other issue with regard to abolition is that countries that take this approach typically don't have a purely abolitionist approach, so that for instance, it's an abolitionist approach except when it comes to street prostitution, that's the most common thing. There are still laws against particular kinds of prostitution when women commit it; working on the streets would be the most common example. Some forms of prostitution generally remain criminalized in terms of how the law is applied.

A third approach is legalization and regulation. And that is, there is state tolerance of prostitution, coupled with some kind of government regulation. Brothels have to be registered, women who work in brothels have to be registered, typically they have mandatory health exams, sometimes their movement is restricted. For instance, some counties in Nevada in the United States have legalized prostitution. From the work that I'm familiar with in that context, women aren't allowed in public places at particular times or they're not allowed in public places in the company of a man. Then, if women aren't registered or they aren't tested for STD's they can be prosecuted for breaking the law. A lot of sex workers' rights groups again say that legalization and regulation — the way that it's been structured — tends again to disempower the women who are sex workers themselves, it tends to put restrictions on them without putting restrictions on other people who profit from the industry.

Sex workers' rights organizations tend to argue for decriminalization. That is, prostitution is defined as legitimate service work, it is part of the service economy, it's a legitimate service that's offered, and all laws regarding prostitution should be removed. What these organizations argue is that this would provide women with more control over their labor. You

can see that I have no countries listed under this model. So at this point it's an ideal model, it's an idea that a lot of people are lobbying for, but we don't know how in practice it would operate versus at the level of ideas. A lot of people who argue for decriminalization argue that it can't simply be decriminalization and "hands off", but in addition to that there have to be protections against coercion. There has to be protection against women being forced into the industry, it's not simply decriminalized, when women are forced into the industry, that's a crime.

Also, in the context of decriminalization they lobby for other kinds of rights for women who work in the sex industry: the right to health and safety standards; the right to minimum wages; the right to protection from fraud, extortion, abuse; and legal recourse when those kinds of things happen. And again in Sri Lanka the biggest complaint among women we talked to in every sector of the industry was police harassment. And so what I would like to suggest is to think about how decriminalization might operate. It's a complicated issue, as I said it's never been instituted in practice.

The other thing that has to be linked to decriminalization would have to be other kinds of protection, as I said, but also opening up other kinds of economic opportunities for women so that they could make the choice to become involved in sex work in the context of a wider range of economic choices. Again, looking at the local context: Say I'm a poor woman without very much education. I can work in a garment factory, maybe I'll make 3,500 rupees a month, maybe I'll make 4,000 rupees a month. I can work as a domestic, maybe I'll make 2,500, 3000 rupees a month. The same woman could work in the sex industry and easily make 30,000 rupees a month, so eight to ten times that. The issue in terms of trying to solve the issue is also how do we improve women's economic situation more generally so that there are viable economic alternatives available, so that sex work isn't the only opportunity for women to make that kind of money.

A couple of other things that I would say. Ultimately it's not an issue that can be fully solved at the national level. International relations between wealthier and poorer countries structure relations of inequality, they structure and exacerbate poverty in poorer countries. But it's also the case that there are discriminatory practices with regard to gender and work here as well that block women's economic opportunities and make the sex industry a particularly viable and lucrative economic option.



