

Taking sides on prostitution

Contributed by Kai Ma
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A Berkeley initiative fails at the polls, but succeeds in drawing attention to the sex work debate.

Berkeley residents defeated Measure Q, in part, because of fears that an increase in prostitution would result, adding to unsavory detritus in the neighborhood.

Scarlot Harlot, a self-proclaimed "unrepentant whore, activist and artist," sauntered into the Missouri Lounge on November 2 looking more like a patriotic Scarlet O'Hara on a tempestuous Saturday night. Joining sex workers and friends to await election returns inside the saloon-esqe Berkeley venue, Harlot sported an American-flag-turned-18th-century-period gown that swayed playfully over white knee-high boots.

Otherwise known as Carol Leigh, Harlot was energized by the buzz of election night, occasionally turning her attention from the blare of Led Zeppelin's "Houses of the Holy" to watch a televised U.S. map gradually cloak itself in Republican red. Yet, while voters in the historically left-leaning city of Berkeley slumped their heads as swing states bent toward re-election, Leigh had reasons to celebrate: Measure Q, a local initiative that would have made prostitution the lowest police priority, managed to re-ignite a highly publicized debate surrounding the world's oldest profession—a dialogue that continued despite the initiative's defeat.

"I am so miserable about the state of this nation," said Leigh, her glittery magenta-coated lips smirking in disapproval. "Tonight I could not be happier. This is a huge milestone in the history of prostitution in America. People have begun to accept us as sex workers."

Leigh is a member of the Berkeley-based Sex Workers Outreach Project (SWOP), the outspoken prostitutes' rights group that served as the political mouthpiece for the Measure Q crusade. Arguably one of the more provocative issues on the Berkeley ballot, Measure Q was rejected on election day by a nearly two-to-one margin. But for Leigh and SWOP members, there was a larger victory in growing awareness of sex work.

"In this day and age, I believe the most important thing to end the stigma and oppression of women in the sex industry is to decriminalize prostitution," said Robyn Few, a 46 year-old former prostitute and executive director of SWOP. "Measure Q was never a failure because it put the word out there, had it circulating in the media and thriving in the form of national dialogue."

Residents on both sides

In June 2004, Few, a charming, energetic Kentucky native, helped put Measure Q on the November ballot after collecting 3,200 signatures, well more than the required 2,100 to qualify as a city initiative. The symbolic measure was known as the Angel Initiative, named for Angel Lopez, a San Francisco transgendered prostitute murdered in 1993. Measure Q could not repeal laws against prostitution at a citywide level, but would have instructed city officials to lobby the state legislature for the decriminalization of prostitution and to require from local police a semi-annual report of prostitution-related law enforcement activity.

A teenage runaway, Few was standing up for herself long before launching the decriminalization campaign in October 2003. She turned to exotic dance and prostitution to pay the bills before getting convicted in June 2002 on one federal count of conspiracy to promote prostitution. Few received six months house arrest with electronic monitoring and three years probation. Outraged by what she saw as a total lack of protection and rights for prostitutes, she began pushing Measure Q while under confinement.

"Without being arrested, I would've hidden behind closed doors, but I chose to speak out and fight back," said Few, who on election night had donned a black suit with a "Smoke Bush in 2004" bumper sticker stuck to her bum. "We've rekindled a smoldering, re-sparked a flame and provoked a very important issue in the Bay Area. The world is watching; this is not just about Berkeley."

But on November 2, Measure Q was about Berkeley—particularly among voters in District 2, where most of the city's prostitution takes place on San Pablo Avenue. A heavily trafficked north-south corridor that cuts through the city's sprawling residential and commercial districts, San Pablo Avenue is also the city's red-light district. When night falls, this concrete pocket is often littered with hypodermic needles, used condoms and abandoned liquor bottles—unsightly

byproducts that, according to many South Berkeley and bordering West Oakland residents, would have become more common had Measure Q passed.

Laura Menard, who moved to South Berkeley 23 years ago, said Measure Q's laissez faire policy would have aggravated already-existing social ills. She had heard that prostitution and heroin use were "rampant" near her house from 1973 into the 80s, and described the nearby park as littered with needles and unsafe for her two kids when they were growing up.

Yet District 2 resident Rachon Harris, who says there are so many prostitutes in his neighborhood that they're "like streetlights," supported Measure Q because he believed prostitution deserved a low priority with police. Leaning against the Rosa Parks Environmental Science Magnet School building, his black baseball cap hung low, Harris said prostitution is a choice. Getting pulled over because of the color of his skin, however, is not.

"We have more important issues here like guns on the streets, the crooked police, racial profiling, domestic violence, and homelessness," said Harris, each sentence punctuated with a fist against his palm. "The police shouldn't have to worry about johns and sex."

Though his support was not mirrored by the city at large, backers of Measure Q said they are not discouraged. Carol Stuart, co-author of San Francisco's "Equal Benefits Ordinance," said although those who voted against Measure Q feared losing their neighborhoods to hookers and johns, Measure Q forced the city council to address the needs of sex workers for the first time.

"Prostitution is an issue that divides households," Stuart said. "But we want an end to prohibition; we're bringing sex out of the darkness and into the light of day. The threat of arrest and criminal status of their work is hindering women from access to basic human rights."

For Berkeley voter Dafney Blanca Dabach, the criminal status of prostitutes is what swayed her vote for Measure Q. Although she thought the initiative sounded more like a college paper "poorly written and ideological" she ultimately supported the measure after she heard about a woman who could not find a job because of her prostitution-related criminal record.

"The weight of a criminal record makes it harder for women who are poor and vulnerable to transition out of prostitution; it hinders them from finding other forms of legitimate work," Dabach said. "Instead of worrying whether Berkeley will become a haven for prostitutes, we should ask why prostitutes are considered criminals."

Dabach's friend disagreed. Adrian Bankhdad argued that prostitutes in Berkeley are "women who are often addicted to crack, not in control of themselves and degrade themselves for a fix." What they need, he said, "is not a measure that will reduce the stigma of prostitution; they need positive intervention from the legal system." Bankhdad, who voted against the measure, was among the 64.2 percent of voters who opposed decriminalization.

"Berkeley made the right decision to vote for what is best for their city and for our most fragile citizens," said Nara Dahlbacka, the campaign coordinator for the Committee Against Measure Q. "People in Berkeley want to be groundbreaking and progressive, but are not going to go for a knee-jerk reaction, which is what Measure Q was."

Members of SWOP gather at a local tavern after putting up door hangers in Berkeley.

Feminists for and against

But for Ron Weitzer, a George Washington University sociology professor, Measure Q's defeat does not indicate failure for the legalization campaign. At the minimum, he said, the initiative triggered thoughtful dialogue around prostitution and law enforcement practices "a rare occurrence in the United States.

Measure Q's largest accomplishment was perhaps achieved by merely getting on the ballot. Weitzer estimates the initiative is the first in over two decades to call for reduced enforcement of prostitution laws. Occasionally, a state legislator or city council member will propose such a change, but it has not occurred in the United States since 1971 when Nevada successfully legalized brothel prostitution in rural counties.

"The very act of getting the measure on the ballot, holding public discussions and debates about it, and raising the issue of prostitution policy in the public's mind "all may be considered victories of a sort," he said.

Prostitution as a back-door reality for residents of South Berkeley also gained the attention of many scholars around the nation, who believed Measure Q held significant bearing on the legalization movement in the United States. Laurie Shrage, a philosophy professor at Pomona's California State Polytechnic University, believes the major challenge to decriminalizing prostitution is resuscitating the long dormant and marginalized dialogue over sex for sale. Similar to same-sex marriage "which took more than a decade to make headline progress" prostitution is an issue that despite increasing public support faced major setbacks in recent polls.

"It takes a long time to build electoral majorities that can change the way our society operates," said Shrage, a pro-decriminalization feminist scholar. "Making progress will require keeping the issue in the public spotlight so that voters' fears and concerns can be discussed and addressed."

Similar to abortion, the issue of legalizing sex work has long been contentious for feminists around the nation. Does prostitution represent a form of oppression or is it instead a hallmark of female empowerment and independence? Measure Q, despite its rejection and localized domain, sharply divided leading feminist scholars and raised the question of how to define feminism itself.

"There is no one form of feminism, although the overarching campaign is to promote the safety and status of women in our society," said Wendy Chapkis, a University of Southern Maine women's studies and sociology professor. "It's strategies to securing those goals that are the source of great debate."

Chapkis, author of *Live Sex Acts: Women Performing Erotic Labor*, supported Measure Q because she said decriminalization improves the safety and wellbeing of women by providing legal safeguards and social acceptance for prostitutes. Prostitution, according to the pro-decriminalization feminist camp, is a legitimate occupation beleaguered by stigma and exploitation that arise from sexual double standards. Women in prostitution are vilified for being promiscuous or victimized via a socially paternalistic desire to "protect" women from sex. According to one scholar, punitive laws against prostitution symbolize double standards of sexual morality that result in stigmatizing not just prostitutes, but many unconventional women, as "sluts or whores."

Class clash

Other feminists who oppose decriminalization maintain that those who defend prostitution "generally white middle-class intellectuals" know little about the practical realities of the daily lives of sex workers. In Berkeley and elsewhere, most sex workers are poor, uneducated, immigrants; women of color; or have substance abuse problems and few other life options. Celeste Robinson-Hardy, an Oakland-based former prostitute and heroin addict, opposed Measure Q for that reason. Now 43 years old, Robinson-Hardy spent over three decades prostituting in the Bay Area to support her drug habit. Although prostitution also economically supported her four children, it was an occupation that put her life in danger each time she entered a john's car. When she was a teenager, a male customer drove her to a remote hill, put a gun to her head, raped and robbed her.

"He left me up there butt naked, and my hard head went back to work the very next day," she said. Now a peer counselor in Berkeley, Robinson-Hardy devotes her life to helping women transition out of prostitution. "What are these girls doing with their bodies? That's God's temple and they're just tearing it up. There are no high-class hookers here."

Janice G. Raymond, a women's studies professor at the University of Massachusetts- Amherst, believes the prostitution debate is problematic when groups that claim to represent sex workers are led by women who are not in systems of prostitution "meaning, they have done it casually, or do it as an ideological form of women's resistance."

"There are two groups of women in the prostitution debate," said Raymond, also author of *Sex Trafficking of Women in the United States: International and Domestic Trends*. "The first group is characterized as being articulate, and engaging in outlaw sexuality or sexuality as a form of resistance. The second group is out on the streets, in brothels, trafficked, poor, and of mainly African, Latin or Asian descent."

The Coalition Against Trafficking in Women, an international human rights organization that combats prostitution and sexual trafficking, defines prostitution as a function of female oppression. Experts in modern feminism echo this sentiment. Andrea Dworkin, the iconic feminist critic wrote in a speech entitled, "Prostitution and Male Supremacy," "When men use women in prostitution, they are expressing a pure hatred for the female body."

Raymond opposed Measure Q because she insisted it would grant men legal and moral permission to engage in more sexual exploitation of women. A common argument for anti-prostitution scholars is that although women should not be arrested in countries such as the United States, where prostitution is illegal, decriminalization of the total practice will merely turn pimps into third party businessmen, and brothels into supposed "houses of protection."

"Most women would not be prostitutes if they had another option or choice," Raymond said. "Women in prostitution wa

one thing: they want to get out.â€•

Another argument against decriminalization is that it would condone the influx of pimps recruiting girls as young as 12 into street prostitution. Debbie Hoffman of the Oakland Police Department, said pimps â€” called â€œboyfriendsâ€• by the prostitutes who work for them â€” often lure girls into sex work with the false illusion of love. Yet Measure Q supporters maintained that arresting prostitutes does little to restrain the sexual or economic exploitation of women and children.

Shrage, who supported Measure Q, notes that decriminalizing adult sex work would result in sharper political focus on far more serious and harsher practices, including minors in prostitution, forced and child labor, slavery and indenture, and violence. Rather than prohibiting prostitution, she said, sex work must co-exist with an environment of tolerance. Shrage also noted how the production of cheap consumer goods is linked with appalling labor and living conditions in many third-world countries. â€œI wish that those appalled at feminists for their support of voluntary, adult sex work were at least equally appalled by the practices that make cheap consumer goods available to them.â€•

Shrage observed that contemporary â€œthird-waveâ€• feminists, especially those who emerge from lesbian, gay, bisexual and transgendered movements, tend to defend prostitution as an occupation because sex workers are similarly stigmatized by mainstream society for their sexual practices. By contrast, many â€œsecond-waveâ€• feminists of 30 years ago linked female prostitution with slavery, dismissing the entire sex work industry as immoral or demeaning.

Despite this historical feminist divide, the current prostitution debate marks another evolutionary step in the often discord-ridden tableau of American feminism. Anti-prostitution views, according to Raymond, are now progressive and feminist whereas before, they were tainted by the moral indignation of neo-Victorian thought.

â€œWeâ€™re not right-wingers and weâ€™re not conservatives â€” weâ€™re feminists,â€• Raymond said. â€œProstitution divides some elements of the feminist community but issues divide a lot of groups. To present it as a catfight among feminists is feeding into the stereotype that we women just canâ€™t get it together.â€•

For Robyn Few â€” a woman who got it together enough to put a hotly-contested measure on the map â€” the discourse and discussion it triggered made at least a dent in the national vista of American politics. â€œMeasure Q allowed us to speak out as political actors and demand better working conditions. We, as sex workers, are part of the political landscape.â€•

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Sex Workers Outreach Project
URL: <http://www.swop-usa.org/>

Coalition Against Trafficking in Women
URL: <http://www.catwinternational.org/>

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