

Sex Workers' Struggles: Trade Unions must accept Workers' Realities

By Thierry Schaffauser

While Amnesty International adopted a policy favouring full decriminalisation of sex work earlier this year, the labour movement remains divided: should it see sex work as violence against women, to be abolished (Bindel 2003), or as a legitimate occupation needing to be unionised (Hardy 2010)? Sex workers have organised for their rights since at least the 1970s, even forming or joining trade unions in some cases, but the labour movement tends to ignore these efforts.

Sex workers do matter!

The debate around decriminalising sex work often focuses on questions such as whether or not we like the job, if we have been forced to engage in it, or if we have been raped as children. These questions are never asked about other workers before defending their rights. As sex workers, we accept that work is, most of the time, not a choice but an economic constraint, and we are able to distinguish between slavery, forced labour, and the consented exploitation of our work.

The conflation of sex work with trafficking conceals much about the reality of sex work. For instance, peep shows, bars, or massage parlours have to hide the fact that sex work happens. As a result, neither condoms nor information about safe sex are available in those workplaces. In some clubs, employers refuse to pay for heating while workers are almost naked. In others, sex workers now have to pay fees to enter when they used to be paid for their presence. Legal constraints on sex work allow websites and newspapers to censor our adverts as they please, making us pay again for new ones.

We know that workers' self-organising is the best way to resist oppression. Progressives would never deny other kinds of workers their agency, even when their situation is terrible and their struggle very difficult. However, sex workers' oppression is analysed differently. First, we are seen as a women's movement and therefore suffer sexist prejudice. The first trade unions were for men only, and to this day few have women leaders. Second, sex work is not considered productive labour. Therefore, sex workers are not seen as revolutionary subjects able to destroy capitalism by withdrawing their labour. Third, sex workers are seen as hopeless victims, to be taken care of by religious groups or rehabilitated by the state, rather than as respectable comrades.

These prejudices have been detrimental to both sex workers and the labour movement. Thanks to socialist feminists such as Federici (2012), the social reproduction of labour has eventually been taken seriously, allowing us to think of work forms outside the factory or the office. Moreover, the econo-

my is changing and informal sectors such as sex work or domestic work are expanding. Employment rights disappear with freelance work, and workers have become increasingly isolated, with no trade union to defend them. The bad working conditions in the sex industry and informal sectors are suddenly the new norms, which is another reason that the experience of sex workers does matter.

Some lessons from sex workers' organising

In this neoliberal context of increasingly deregulated and unregulated labour markets, trade unions could learn a lot from sex workers' organising.

Lesson number 1 is that, whatever the laws are, we always need to fight, and allow *all* workers to join labour organisations. Working in a criminalised setting means that we are not protected by basic labour laws, which makes us extremely vulnerable to violence and exploitation. But this does not necessarily mean worse conditions than in a legal setting. "Good laws" are a result of workers' mobilisation, easily ignored when workers stop fighting. On the other hand, the first trade unions were able to make huge achievements despite union illegality and lack of labour rights, because workers gathered together and learned from each other.

Lesson 2 could be that trade unions must understand industrial changes, and accept that workers are the way they are and not the way unions wish them to be. Self-employed people still need the support and resources of trade unions. This means that we need to find workers where they are, including outside the traditional workplaces. When people use the internet to advertise their services, as many sex workers do, trade unions need to contact them online. When workers work alone, trade unions need create social events outside work to break their isolation.

Trade unions need to adapt to workers' realities, otherwise they will ignore more and more of them. For instance, trade unions need to fight social oppression outside the workplace too. This includes discrimination but also difficult issues such as migration and drug use. Human trafficking is always reported from the angle of criminality and never in terms of workers' or migrants' rights. This leads to police intervention, anti-migration policies and other prohibitive measures which do not protect people. Yet if trade unions were strong in all in-

dustries, and migrant rights were protected, there would be no trafficking. Thus one of the first things to do is to support migrant workers' organising, whatever industry they work in.

What causes our exploitation?

The structural causes of our oppression are always hidden. Currently, there is what the media calls a "refugee crisis". We hear little about the causes of migration, which can be economic, environmental or owing to wars. The media accuses "terrorists" and "traffickers" from other countries of exploiting the migrants, but we never hear about the economic imbalance between rich and poor countries. It is as if there were only bad individuals - some social deviants - and the state was only trying to protect "us" from "them".

This is also how the debate around sex work is organised. Sex work has long existed but suddenly our clients are accused of causing trafficking. They are an easy target for governments that do not want to address poverty, migrants' exploitation, and gendered economic inequalities. The police are portrayed as the solution while most sex workers continue to fear them. Sex work is criminalised but we still need to do sex work to survive. Ironically, the bargaining power is therefore more in favour of clients.

The only legal possibilities to fight exploitation are laws criminalising third parties. But we never want to use them. These laws are used by the police to prevent us from working, to enter and to close our workplaces, and to stop sex work, not to stop exploitation. Exploitation remains and worsens as sex work is more hidden. Sex workers do not call the police when we need to, since we do not want to lose our job. Worse, these laws can be used against sex workers themselves when we share a flat or a vehicle to accommodate clients. We end up having to pay higher rents since most landlords will refuse us.

Why decriminalisation?

The sex industry is vast and diverse. Strangely, those who are most independent from a boss and those who are already the most vulnerable because they work alone, are the ones most at risk of being criminalised. This can be explained by police and state corruption but also because of the difficulties of hiding from the police. Full decriminalisation of sex work is not going to resolve all the problems, especially regarding exploitation, but it is a first step to help sex workers organise without fear.

After New Zealand decriminalised sex work, the levels of violence decreased because sex workers could report crime without fear of arrest (NZPC, 2013). All UN institutions and health organisations support decriminalisation because it is proven to reduce the rate of HIV infections in sex work. In New South Wales no case of HIV infection between a sex worker and a client has been recorded since sex work was

decriminalised (Donovan et al. 2012).

Prohibitionists claim that decriminalisation expands the sex industry, but in New Zealand the number of sex workers decreased, because it became easier to find other kinds of jobs without a police record. Also less time is spent on the streets when you no longer need to hide. What makes the sex industry grow is austerity measures and poverty, as in Greece (Kouvoussis, 2012).

The best way to fight the sex industry is to side with sex workers for solutions that give us more choice. You may not like what we do for a living but you cannot deny that sex workers are part of the working class. We do not own the means of production, only our bodies and intelligence. For that reason, we should be accepted as trade union members and fight together for our class.

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