

Sex work is a social and not a criminal issue!

Sex work is a social and not a criminal issue!

Committee for the Civil Rights of Prostitutes 3 March 2016

Sex workers in Italy banned together against abolitionist projects and managed to force support mechanisms for 'trafficking victims' into anti-trafficking legislation.

Photo provided by author. All Rights Reserved.

On

one night in 1982, a group of street sex workers in Italy decided they had had enough. We were working along a provincial road, near a park, in the industrial northeast of the country. Our protest burst against some American citizens from a nearby US military base. The young soldiers had been repeatedly abusing prostitutes verbally and physically. We had also had enough of police repression. We wrote a press release, short but to the point, and became a hot case in the national media.

Our collective registered as an association: the 'Committee for the Civil Rights of Prostitutes' (Comitato). Thanks to the visibility we gained, we were able to involve other groups of prostitutes & women and trans & in other cities. The debate spread across the country at both the political and cultural level, and everybody, including feminists, participated in the discussion.

Some small radical and liberal left parties brought our demand to reform the 1958 Prostitution Act to parliament. We demanded respect for the self-determination of those who freely choose to practice prostitution, as well as the decriminalisation of this activity. This was a very difficult and conflicted debate & at least in Italy. To date, the 1958 law remains the same. Also known as the Merlin law, this

classic piece of abolitionist legislation got rid of Napoleon-style, state-run brothels and outlawed not prostitution but its exploitation. It was a big achievement for the rights of women at the time, as it finally gave them the right to leave the brothels and work outside.

However, the general abolitionist tendency never really allowed for the freedom of those working as prostitutes to be respected. Moral condemnation, stigmatisation, and the lack of recognition of sex work as work had led to a generalised criminalisation of those who chose to practice this activity, even though they were not infringing upon any law. This pushed us into the margins of society, and we continue to remain there.

In the 1990s, Comitato managed to stop the practice of expulsion orders, which allowed authorities to classify sex workers as dangers to the public order and therefore forcibly remove them from any given area of the country, even if they were not infringing any law. However, this victory only provided a short relief. The presence of migrant and transgender street workers was growing in Italy and an unjustified panic started to develop. This panic was then instrumentalised by some xenophobic and racist parties to produce new repressive policies.

Sex work is not a problem of public order. It is a social issue.

Society as a whole is responsible for this phenomenon. Poverty is responsible, as well as misery and war that push thousands of people into the hands of international smugglers who exploit them. Moreover, in Italy there remains a deeply rooted prejudice towards people who are considered ‘different’ for their non-conforming sexual choices or gender identity, making it very hard for them to find places in traditional labour sectors.

Work, but not work like any other

Even though prostitution can become a work choice for many people, it cannot be considered a job like any other. When you engage in sex work you put a very sensitive part of the self on the line. Also, one should not forget that many people practice prostitution for short periods of time. They work occasionally, in moments of emergency. For others prostitution is not a choice, but a condition more or less imposed on them. In such cases, the method of coercion is violence.

Since any person may find themselves in economic trouble and decide to sell sexual services at any time, and since any person may decide to offer money in exchange for sex at any time, it is impossible to impose how-when-where restraints on the purchase and sale of sex through law.

A Comitato protest. Photo provided by author. All Rights Reserved.

We

must legitimise those who freely decide to do sex work as their main work and protect their labour rights. This should not be seen as an obligation but as an opportunity to maintain freedom, because how, when, with whom, and under which conditions a person's sexual relations are lived and their sexual services offered must remain as independent a choice as possible.

It is time to change our attitudes towards sex work, no matter the physical space in which a person decides to exercise prostitution, because the primary space in which we exercise it is our bodies. We expose ourselves through our bodies on the sex markets. Bodies, upon which others can exercise the power of exploitation exactly like they do in factories, or worse than in factories. Bodies of women, trans, migrants, and Italians, upon which gendered, racist, and institutional violence are enacted. The lack of recognition of sex work as work as well as its moral condemnation and stigmatisation facilitate, above all else, uncontrolled exploitation, abuse and coercion, unacceptable working hours, unhealthy working conditions, and irrational restrictions on the freedom of movement.

These are forms of violence! We are confident in saying that this violence is increased by institutional choices. Only when sex work is formally recognised and labour rights granted will sex workers be able to report abuses and organise themselves against unacceptable and exploitative working conditions. In turn, this will also be less degrading for those who use our services. We demand policies that free us from violence: the gender-based violence grounded in our unequal social system and the institutional violence that follows from prohibitionist laws on migration and on prostitution.

Non-European migrant women not only face the repression of prostitution, but also the repression directed against migration. These women must be supported in order to decrease their vulnerability and promote their empowerment. We, as an organisation, have chosen to work with and support them in order to ensure that they make it through their migration and prostitution journeys unharmed. Since the beginning of the 1990s, Comitato has been a leader in activating experimental projects of social inclusion for migrant sex workers. For instance, we used the 'TAMPEP' project in Turin, and the 'Citta' e Prostituzione' in Venice to loudly demand a support mechanism against the emergent phenomenon of trafficking and sexual exploitation, anticipating what became Art.18 Law 286/1998. This progressive piece of legislation made Italy famous across the world, because it provides not only a set of health, legal and psychological support services to victims of trafficking, but also the possibility for them to obtain residence permits. These can then be converted to work permits, thereby offering them a real alternative to exploitation and violence.

Today, we are witnessing the re-emergence of heavy exploitation accompanied by violence, which reminds us of the trafficking situations typical of the 1990s. This takes place not only on the street but also indoors. It happens also in other sectors, such as textile and domestic work, where people for many reasons are not able to access services and rights. Furthermore, the asylum system has not been able to give efficient support for the mental and physical health of women victims of trafficking. In many cases it did not even detect situations of subjection within Italy's centres for asylum seekers (CARA). We have regularly denounced such situations, but we have been ignored. As a result, violence against female and trans workers has reached unprecedented levels in our country.

Not one week goes by without a murder or a severe physical aggression. Gangs of fascists, racists, and homophobes organise to attack those working in isolated areas. Spaces at the margins of civil life, where sex workers are left as prey for criminals. Spaces where even the police attacks us instead of protecting us. Spaces that will eventually be developed and speculated upon. Our society, nourished by a spreading subculture of hatred and prejudice against anything different, is losing its capacity to get outraged.

Today, in Italy, being women, trans, lesbian, gay, migrant, and sex workers de facto condemns us to violence and discrimination with no rights or protection. Where is the dignity in this for a democratic and civil country?

Translated from Italian by Giulia Garofalo Geymonat and P.G. Maciotti

This article is published as part of the 'Sex workers speak: who listens?' series on Beyond Trafficking and Slavery, generously sponsored by COST Action IS1209 'Comparing European Prostitution Policies: Understanding Scales and Cultures of Governance' (ProsPol). ProsPol is funded by COST. The University of Essex is its Grant Holder Institution.