

SWAC ATTACKS !

second issue



SEX WORK AUTONOMOUS COMMITTEE



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A Very Brief Overview of American Anti-Sex Trafficking Laws' Racist History

By Jesse Dekel

This article was first published in a June 2019 issue of Street Sheet (a street newspaper published in San Francisco). I adapted it from an essay I wrote in 2018, shortly after SESTA/FOSTA passed, which was a law supposedly intended to stop sex-trafficking but resulted in the abolition of a very large amount of sex work advertising platforms including backpage.com and other ubiquitous online resources.

Reluctantly talk to any proponent of SESTA/FOSTA, and you can hear how moralistic discourse represents sex workers as precarious, agentless victims. This narrative has come out of sex trafficking discourse, to the extent that these arguments render “sex work” and “sex trafficking” as one of the same, which consequently creates a self-perpetuating problem wherein moral arguments by reactionaries with Christian Missionary savior complexes. The “agentless victim of sex trafficking” narrative further deconstructs the notion of sex work as a legitimate form of labor, which in turn also reinforces these moral arguments. It is difficult to understand why sex work and sex trafficking are confused with each other, but looking at the social and judicial history of sex trafficking laws provides a lot of explanation.

The history of the concept of “sexual slavery” began during the Progressive Era¹ in the United States. This coincided with the third wave of immigration that happened in the early 20th century, shortly after the Civil War, and after the passing of the 14th Amendment². Sex workers were then represented as white American girls who were being trafficked by male pimps, who were in turn represented as Black Americans and Jewish immigrants. White women were also portrayed as being drugged or otherwise coerced to move to larger urban areas for sex work, and the narrative of “innocence” emerged as well as “white slavery” to describe this farcical phenomenon. The term made a distinction between “chattel slavery”, of whom the victims were people of color, and “white slavery”, which was a more pressing concern because all white sex workers were “innocent” and therefore worthy of protection.

1 “The Progressive Era (1896-1916) was a period of widespread social activism and political reform across the United States of America that spanned the 1890s [after the Civil War] to World War I. Progressive reformers were typically middle-class society women or Christian ministers. The main objectives of the Progressive movement were addressing problems caused by industrialization, urbanization, immigration, and political corruption.” Wikipedia. (2021). “Progressive Era”, retrieved from https://en.wikipedia.org/wiki/Progressive_Era

2 “The Fourteenth Amendment (Amendment XIV) to the United States Constitution was adopted on July 9, 1868, as one of the Reconstruction Amendments. Often considered as one of the most consequential amendments, it addresses citizenship rights and equal protection under the law and was proposed in response to issues related to former slaves following the American Civil War.” Wikipedia. (2021). “Fourteenth Amendment to the United States Constitution”, retrieved from https://en.wikipedia.org/wiki/Fourteenth_Amendment_to_the_United_States_Constitution

This rhetoric also completely ignored how victims of sex trafficking at this time were more likely to be Asian women. This is probably because white supremacy deems sexual violence towards Asian women far less of a human rights issue as they're allegedly not innocent and civilized, but rather promiscuous and foreign.

The anti-sex work movement also coincided with the implementation of explicit and implicit anti-miscegenation laws, in which state officials could still practice racism below the Mason-Dixon line³. One of the most famous being the Mann Act, aka the *white-slave Traffic Act* which made it a felony to transport “ *any girl or woman for immoral purposes or prostitution between countries or across state lines.* ” ⁴ Randal Kennedy writes in *Race, Crime, and the Law* that the Mann Act was used to soothe racist fears of Black sexuality: “ *Proponents of the Mann Act constantly deployed the imagery of race to solidify support. They named ‘ white women ’ as the intended beneficiaries of the legislation. They also mobilized support by evoking the specter of purchased interracial sex.* ” ⁵

The Mann Act was used to convict people engaged in consensual interracial relationships, and the women were treated as criminals, forced to stand trial against their will. The infamous conviction of Black American boxer Jack Johnson led to a proposed anti-miscegenation amendment to the House of Representatives, as well as multiple laws that passed. In 2018, Johnson has been posthumously pardoned on the grounds that the conviction was (obviously) racially motivated.

White slavery reformers were often suffragettes, Christian groups and social reformers, including the founder of social work Jane Addams. “ white slavery ” began being amorphous in definition, any sort of “ immoral ” female sexuality from white women, was tacitly understood as being akin to sex work and slavery (particularly when the woman was involved with a person of color). Christian groups represented sex work as “ immoral ”, while many suffragettes and social workers regarded it as the exploitation of women. Jane Addams thought that opposition to “ white slavery ” could be used to garner support for the suffragettes and introduce “ social justice ”. She said “ *it is quite possible that an ... energetic attempt to abolish white slavery will bring many women into the equal suffrage movement.* ”⁶

Social work emerged and gained traction, with a goal of rescuing white sex workers. While this was happening, the social purity and social hygiene movements began working alongside moral reformers, first-wave feminists and social workers to develop laws regulating white slavery and sex work. Jane Addams eventually became a vice president for

3 “ [D]emarcation line separating four U.S. states, forming part of the borders of Pennsylvania, Maryland, Delaware, and West Virginia (part of Virginia until 1863). Historically, it came to be seen as demarcating the North from the South in the U.S. ” Wikipedia. (2021). “ Mason-Dixon line “, retrieved from https://en.wikipedia.org/wiki/Mason%E2%80%93Dixon_line

4 Nicole F. Bromfield. (2015). “Sex Slavery and Sex Trafficking of Women in the United States.” *Sage Journals*, Affilia, p. 132, retrieved from journals.sagepub.com/doi/abs/10.1177/0886109915616437

5 Randall Kennedy. (1998) *Race, Crime, and the Law*. Vintage.

6 Nicole F. Bromfield. (2015). “Sex Slavery and Sex Trafficking of Women in the United States.” *Sage Journals*, Affilia. Retrieved from journals.sagepub.com/doi/abs/10.1177/0886109915616437

the American Social Hygiene Association, and the “ *vigorous attention to social hygiene moved the prostitution debates out of the religious realm and into the realm of science and politics.* ”⁷ In other words, many of these movements that were heavily associated with segregation and Christian moralism aimed to change their focus from ending the “ immoral ” behavior of white sex workers to evidence-based research approaches with the intent to abolish sex work.

Social reformist O. Edward Janney remarked on this shift that “ *[t]here are many social workers who should know the facts [of sex slavery], and [should] have presented to them methods by means of which they may assist in the suppression of the evil.* ”⁸ In short, with the medicalized model of the Victorian-era, the Christian moralists who

used to condemn homosexuality and promote social purity were reworking their discourse into diagnosing “ feeble-mindedness ”. Social workers used this diagnosis to explicate sex work and provide evidence as to why sex workers should be ostracized.

It is clear from the history of anti-sex work and “ white slavery ” that moral arguments have been heavily politicized around racist intent and Christian morality. These exact same moralistic arguments have been reworked into SESTA/FOSTA, without even a hint of change. And sex workers are the ones paying the price.

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Nicole F. Bromfield. (2015). “Sex Slavery and Sex Trafficking of Women in the United States.” *Sage Journals, Affilia*, retrieved from journals.sagepub.com/doi/abs/10.1177/0886109915616437

O. Edward Janney. (1975) *The White Slave Traffic in America*. Microfilming Corporation of America.

Randall Kennedy. (1998) *Race, Crime, and the Law*. Vintage.

7 IDEM, p. 132

8 O. Edward Janney. (1975) *The White Slave Traffic in America*. Microfilming Corporation of America, p. 5



Jesse Dekel at the microphone at our action on May 1st 2021 for International Workers’ Day



The Dark Side of the Looking Glass

Rose Epiphany Glitch
Conversations with Céleste

Pictures by Orion
Artistic direction by
Céleste et Orion

With love

Céleste: What are your pronouns? How do you refer to yourself?

Rose: She/her but f*ck gender, but she/her.

Céleste: Me too honestly. Now, what are your jobs?

Rose: I'm a sex worker in various branches; I do a lot of sex work. I'm a porn actress, a cam girl, a model, and a stripper.

Céleste: Did you go to school or are you going to school right now?

Rose: I stopped college because I didn't like it. I was in theater and visual arts.

Céleste: Why did you stop school?

Rose: I had more things to learn outside of school.

Céleste: In the end, was it the system that you didn't like? That it's so regulated and managed in that specific way?

Rose: I don't like that they try to shape you into something and that there isn't a lot of liberty.

Céleste: Otherwise, what are your hobbies?

Rose: I like to write; I write a lot. I like sex. I liked to read before, maybe I'll get back into it. I like doing my makeup, like I did during the photoshoot; it's a form of visual art, you know. And I like fashion also.

Céleste: Yes, makeup is a way to express yourself.

Rose: And dancing. Sexy dance.

Céleste: Is it a way to express your sexuality when you dance?

Rose: Yes, express the power and the sex.



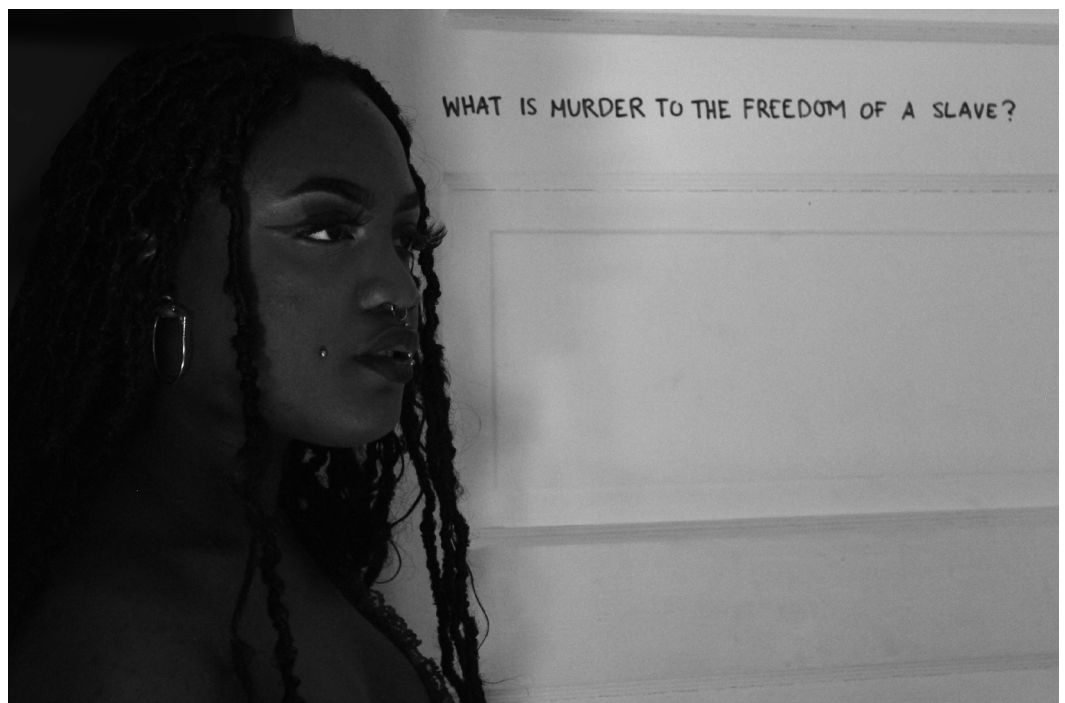
Céleste: What would the decriminalization of sex work change in your life?

Rose: People could tell me less shit. And I just know it would be so much better for all of us. And that all of us being better and safer is gonna raise all our vibrations. It's just gonna make the world a better place.

And that's it.

Céleste: I agree, that was well said. Do you have something you would like to say or not say to people outside the sex industry? Or a message, a little something.

Rose: Everybody's a whore.
So that's it.



Céleste: Last question I have, why were you interested in doing this photoshoot?

Rose: I like photoshoots.

Céleste: True, earlier you were saying that you wanted to get more into photography.

Rose: I like the whole creating part and putting myself out there to promote myself and stuff. I gotta network for my career and meet people. I'm kinda introverted so I like to participate in every project I can without overwhelming myself. And this seemed like a chill thing, so I was into it. And it was a chill thing!

Céleste: Yes, me too I think this was fun. We wanted it to be relaxed so the person could show us who they are. I liked it a lot!

Rose: Yes, thank you!



HOLDING MY GROUND

By Maxime

I am obsessed with prostitution.
My head has been full of it all week.
I'm eager, so eager to pierce the abscess, to break the taboo.
To be among those who "offer sexual services in exchange for money".
To finally have some money. A flexible schedule.
A space for feminist intervention?
To cultivate my compassion, my kindness, my tenderness.
To maintain my pride, my solidarity.
To stand my ground.
Forever and through it all.

Whores Against Prisons

What can penal abolitionism bring to the sex workers' rights movement

By Mélina May et Adore Goldman

Translation by Latsami

“ If sex work was decriminalized, we could more easily report the violence that we experience! ”; “ Criminalization makes it so that SWers can't go to the police! ”; “ There are already laws in place to criminalize the violence we experience without having to rely on the criminalization of sex work. ”

These affirmations are often heard from the mouth of activists advocating for the decriminalization of sex work. This is because we need to convince our opponents of the validity of our demands and that we care about women's safety. Yet, we know that these are only half-truths; that even with decriminalization, many SWers will never be able to go to the police because they are at the intersection of other oppressions; because the response of legal institutions is often unsatisfactory when it comes to sexual and gendered violence; because the State will always find other tools to criminalize and stigmatize us, especially the most precarious among us.

While Black women theorists like Angela Davis have been questioning the role of the penal system in cases of violence against women for decades, the white, mainstream feminist movement has only begun to ask these questions. In the case of sex work, we believe that these questions could provide important and fruitful reflections to end violence against sex workers and all women. Moreover, the criminalization of sex work has always been based on racist assumptions and an effort to control the migration of racialized women.

When faced with cases of violence, many will choose to report to the police and to resort to the criminal justice system because it is the only way to ensure their safety. We do not pass judgment over these individual cases. We do not believe that the use of the criminal justice system is ever an individual failure. However, we do believe that it is a collective failure when imprisonment and punishment constitute the only answer to violence.

The theories surrounding the abolition of prison, and more broadly, of the penal system as a whole, can be used to think about the decriminalization of our work in a way that takes into account the plural needs and realities that run through our stories as SWers, both at work and elsewhere.

A Brief Political History of Abolitionisms

Penal abolitionism brings together different theoretical analyses inspired by a vast activist praxis. Gwenola Ricordeau, a researcher of contemporary feminist critiques of the penal system, breaks down abolition into three fields: crime, punishment, and prison.¹ She presents crime as a social reality, constructed by the State and defined by the Criminal Code whose historical and political evolution reflects the mentalities of the time. Punishment consists of all the means taken by the State to punish and sanction a person judged to be criminal, ranging from ticketing to imprisonment. In her work, Ricordeau proposes to question the penal categories as they are imposed by the State, which, according to her, divert our attention from the worst harms perpetrated by the most powerful and the most linked to the relations of domination and structural inequalities; let's think about white supremacy, environmental destruction, and state crimes.

Many activists and writers analyze the continuum between slavery and the contemporary prison. Robyn Maynard, a Black feminist and Canadian activist for the abolition of the penal system reminds us of the important role of slaves in the official abolition of the institution of slavery, and today, of the role of activists in the struggle against mass incarceration and surveillance of Black people.² After the abolition of the slave trade in the United States in 1865, the passage of the 13th Amendment to the Constitution prohibits slavery, but explicitly authorizes the forced labor of convicted persons. The “prison-industrial complex³” then became a means of socially organizing racial segregation, and “mass incarceration is, metaphorically, the new Jim Crow⁴”, as Michelle Alexander states⁵. The term “abolitionist” is thus carried on in the struggle to abolish the prison system by African American activists as an echo to the struggle of abolishing slavery.

The use of the term “abolitionism” is also claimed by some feminist currents to designate their position towards prostitution. Since the 1980s, campaigns and organizations against women trafficking have grown in number and have been massively

1 To learn more about penal abolitionism and the analyses surrounding it:
Gwenola Ricordeau. (2019). “L’abolitionnisme pénal”, in *Pour elles toutes. Femmes contre la prison*, Lux éditeur.

2 Robyn Maynard. (2015). *#Blacksexworkerslivesmatter: White-Washed ‘Anti-Slavery’ and the Appropriation of Black Suffering*, accessed from <https://thefeministwire.com/2015/09/blacksexworkerslivesmatter-white-washed-anti-slavery-and-the-appropriation-of-black-suffering/>

3 The concept of “prison-industrial complex” was developed in the late 90s. It highlights the development of the prison and the punitive system in the post-Cold War context, at a time when the military-industrial complex was looking for a new market. This concept was promoted by Angela Davis and the organization Critical Resistance, which she was an important co-creator of. Founded in 1998, Critical Resistance is one of the main abolitionist movements active in the United States.
Gwenola Ricordeau. (2019). “L’abolitionnisme pénal”, in *Pour elles toutes. Femmes contre la prison*, Lux éditeur, p. 47-48.

4 Term designating the set of laws promulgated from 1876 onwards by the Southern states which served to organize racial segregation in public places and services. These laws were not completely abolished up until 1964 following the civil rights movement.
Wikipedia. (n.d.). *Jim Crow laws*, Retrieved from https://fr.wikipedia.org/wiki/Lois_Jim_Crow

5 Michelle Alexander in Gwenola Ricordeau. (2019). “L’abolitionnisme pénal”, in *Pour elles toutes. Femmes contre la prison*, Lux éditeur, p. 38.

funded. Jo Doezema has been interested in exploring the historical precedents of today's abolitionist movements in the campaigns against the “ white slavery ” that occurred in the late 19th century.⁶ She analyzes the mythical construction at that time of the paradigm of the innocent, pure, white victim, and of the evil, foreign trafficker. It would be with the beginning of massive immigration and the movement of women that the panic around the European woman recruited and exploited for sexual purposes in the colonies was born. However, the existence of this phenomenon has never been proven. This panic, combined with moral and public health crusades to end prostitution, provided the impetus for international conventions and proposed laws in the early 20th century to address the problem of “ white women’s slavery ”. The protocols that were then put in place internationally were based on paternalistic, sexist and racist conceptions; the mobility of women was considered dangerous and destructive to the social order.



May 1st 2021 rally on the occasion of the International Workers' Day

6 Jo Doezema. (1999). “ Loose Women or Lost Women ? The Re-Emergence of the Myth of “ White Slavery ” in Contemporary Discourses of “ Trafficking in Women ”, International Studies Convention, Washington, Commercial Sex Information Service, retrieved from <http://www.scarletalliance.org.au/library/doezema1>

A recent research report supported by the HIV Legal Network and Butterfly, an organization that works with Asian migrant sex workers, found that Canadian immigration policies have historically closed the borders to sex workers by introducing several categories of prohibited persons into the *Immigration Act*.⁷ For example, the category of “ *women and girls coming to Canada for 'immoral reasons'* ”⁸ was introduced in 1910. This category was retained and expanded in 1976 to include “ *prostitutes, homosexuals or persons living on the avails of prostitution or homosexuality, pimps or persons coming to Canada for these or any other immoral purpose* ”⁹. While the criteria of rejection that currently regulate migration are no longer as explicitly based on criteria of sexual normativities and moral desirability, they are mostly couched in the language of public safety.¹⁰ Nevertheless, the racialized figures of the pimp and of the white trafficked woman remain in the white collective imagination and continue to influence sex work policies.

Today, ambassadors against human exploitation use the racist narrative of transatlantic slavery in their call for greater criminalization of clients and pimps. As Maynard argues, these groups

co-opt the horrors of slavery to justify racist state practices and create conditions that keep Black women in general and Black sex workers, in particular, vulnerable to harassment, profiling, arrest, and violence. ¹¹

Hidden behind the anti-trafficking rhetoric is also the racist myth of the Black male rapist and trafficker. Denounced by Angela Davis in her book *Women, Race & Class*¹², this myth remains alive today. This is evidenced by the abusive conviction rate and the overrepresentation of Black men that are judicialized. In Canada, Black people make up only 3% of the population, but account for over 9% of those incarcerated in federal institutions.¹³ Although provincial prisons do not disclose their racial statistics, the available data shows similar rates as the federal level, and often

7 Judy Fudge, Elene Lam, Sandra Ka Hon Chu et Vincent Wong. (2021). *Caught in the Carceral Web : Anti-Trafficking Laws and Policies and thier Impact on Migrant Sex Workers*, retrieved from www.hivlegalnetwork.ca/site/caught-in-the-carceral-web-anti-trafficking-laws-and-policies-and-their-impact-on-migrant-sex-workers/?lang=en

8 Immigration Act, 1910, p. 5. Sections of the act are available here: Canadian Museum of Immigration at Pier 21. The Immigration Act, 1910. Retrieved from <https://quai21.ca/recherche/histoire-d-immigration/l-acte-d-immigration-1910> .

9 Immigration Act, 1952, p. 250. Sections of the Act are available here: Canadian Museum of Immigration at Pier 21. The Immigration Act, 1952, retrieved from <https://quai21.ca/recherche/histoire-d-immigration/loi-sur-l-immigration-1952>

10 Rachelle Daley. (2017) *Canada's Relationship with Women Migrant Sex Workers : Producing 'Vulnerable Migrant Workers' through "Protecting Workers from Abuse and Exploitation "*, retrieved from <https://scholars.wlu.ca/cgi/viewcontent.cgi?article=3045&context=etd>

11 Robyn Maynard. (2018) “ Do Black Sex Workers’ Lives Matter? ” in *Red Light Labour : Sex Work Regulation, Agency and rResistance*, UBC Press, p.288.

12 Angela Davis. (1981). *Women, Race & Class*, Random House Inc.

13 Translation from Robyn Maynard. (2018). “ Dénî de justice : De la rue à la prison ” in *NoirEs sous surveillance : Esclavage, répression et violence d'État au Canada*, Éditions Mémoire d'encrier, p.149.

worse.¹⁴ This stereotype is also reflected in the racialized figure of the pimp. By rehashing dishonest comparisons to slavery, anti-prostitution advocates hijack the discussion of working conditions to voice their moral concerns about sexuality, race and migration. It is millions of dollars that are invested in these organizations¹⁵ who are then invited to the table when the criminalization of our work is discussed.

Criminalizing us to protect us

The conflation of sex trafficking and sex work puts sex workers at risk. In Canada, this has resulted in a patchwork of federal, provincial and municipal laws that aim to target and eliminate sexual exploitation. The supposed goals of this criminal and repressive approach are to protect vulnerable women by prohibiting them from working in the sex industry and by reducing demand through criminalization. In practice, there is very little evidence that these laws protect victims of trafficking. On the contrary, several studies show that criminalization has significant negative impacts on the quality of life of the people that its defenders pretend to “save”.¹⁶

In Canada, the criminal code specifically includes a criminal category and some offenses that prohibit human trafficking. According to a Statistics Canada report, between 2009 and 2018, out of 1708 incidents of human trafficking, 97% of the victims are women and girls with a high prevalence of sexual exploitation cases.¹⁷ Such statistics are the result of a very limited definition of trafficking and very little response to abuse in other non-sexual labor sectors such as domestic work or agriculture.

In addition, the criminal code includes specific offenses related to prostitution. Under the *Protection of Communities and Exploited Persons Act*, it is prohibited to communicate in certain public places¹⁸ to offer sexual services, to obtain sexual services, to profit materially from sex work and to promote such services. From the same report, we learn that 63% of police reports of trafficking involved secondary offenses involving a sexual service related offense. This statistic demonstrates how these laws are deeply connected to narratives that entrench sex work as naturally abusive and how very often the criminalization of human trafficking is primarily used to target SWers.

■ ■ ■ ■
14 IDEM

15 Mike Dottridge. (2014). *Editorial: How is the money to combat human trafficking spent?* Retrieved from <https://www.antitraffickingreview.org/index.php/atjournal/article/view/62/60>

16 Canadian Alliance for Sex Work Law Reform. (n.d.). *Infosheets : Impacts of Sex Work Laws (PCEPA/C-36)*, retrieved from <https://sexworklawreform.com/infosheets-impacts-of-c-36/>

17 Adam Cotter. (2018). *Trafficking in person in Canada, 2018*. Retrieved from <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00006-eng.htm>

18 Under the law, no person shall communicate “for the purpose of selling sexual services in a public place or in public view that is a day care centre, school ground or playground or that is located adjacent to a day care centre or any of those places.” Government of Canada. (2014). *Protection of Communities and Exploited Persons Act*. Retrieved from https://laws-lois.justice.gc.ca/fra/LoisAnnuelles/2014_25/page-1.html

The sex industry is also monitored and criminalized by provincial law enforcement's "victim rescue" projects and action plans. In Ontario, *Operation Northern Spotlight* coordinated by the Royal Canadian Mounted Police and the Ontario Provincial Police has been strongly criticized by sex worker groups.¹⁹ Under the pretext of fighting exploitation, police officers, posing as clients, entered massage parlours and hotels to trap, intimidate, search and arbitrarily detain sex workers. Not only do these operations traumatize and make sex workers more suspicious of the police, but they also do nothing to help the alleged victims of exploitation. *Project Crediton*, an initiative led by the Ontario Provincial Police Anti-Human Trafficking Investigation Coordination Team, in 2020, did not result in a single charge of human trafficking, yet 7 people were arrested and prosecuted for 32 sex work-related offences.²⁰

In addition to federal laws and provincial policies, municipalities are increasingly using zoning and licensing bylaws to target and close massage parlours. In Toronto, many workers have denounced the abuse of municipal bylaws by police forces. For



Banner drop on May 1st 2021 on the occasion of International Workers' Day

19 Judy Fudge, Elene Lam, Sandra Ka Hon Chu et Vincent Wong. (2021). *Caught in the Carceral Web : Anti-Trafficking Laws and Policies and thier Impact on Migrant Sex Workers*, p.21, retrieved from www.hivlegalnetwork.ca/site/caught-in-the-carceral-web-anti-trafficking-laws-and-policies-and-their-impact-on-migrant-sex-workers/?lang=en

20 Lake Superior News. (2020). "Seven persons charged with running commercial sex trade organization", *Lake superior News*, Retrieved from <https://lakesuperiornews.com/News/Canadian-Elections/seven-persons-charged-with-running-commercial-sex-trade-organization>

example, some workers have testified that they have been ticketed for locking their workroom door, as many city bylaws prohibit locking any door in massage parlours.²¹ For people who receive clients in their apartments or massage parlours, locking the door is an important way to ensure their safety and to screen clients who come to their door. Some massage parlours in Toronto have also been subject to the most stringent zoning requirements, allowing them to locate only in “ industrial employment zones ”, which are usually reserved for manufacturing, warehousing and shipping businesses. Similar tactics were used in Laval in 2018 to shut down strip clubs, sex shops and massage parlours on major thoroughfares and relegate them to industrial zones.²² These areas are extremely isolated, sparsely populated and poorly lit, leaving workers particularly vulnerable to theft and violence.

Those who work on the street are also targeted by police officers, as one person testifies: “ *They came out of nowhere and stopped me because they said I was crossing on a red light. It was winter, and nobody was on the street, but they gave me a ticket as well. They were very rough, very - very insistent to get rid of us from the street back then* ”²³.

Law enforcement officers use a variety of tools to target criminalized, racialized and marginalized communities, which can prevent them from accessing the justice system:

*if they sell drugs or live with people who do, they may fear the risk of trafficking charges; if they have been abused in sex work and are HIV-positive; they may fear the risk of aggravated sexual assault charges for not disclosing their HIV status; if they have precarious immigration status, they may fear losing their status and being deported.*²⁴

And so, homeless sex workers, who use and sell drugs or who are HIV-positive are all more likely to have bad experiences with the police - whether directly related to sex work or not - and thus, less likely to press charges when assaulted. This is also the case for our migrant colleagues who are exposed to police repression who act under the guise of saviorism.

21 Bylaw C 545-343 of the *Toronto Municipal Code*, retrieved from https://www.toronto.ca/legdocs/municode/1184_545.pdf

22 CTV Montreal. (2018). “ City of Laval to rein in strip clubs, sex shops, massage parlours ”, *CTV News*, retrieved from <https://montreal.ctvnews.ca/city-of-laval-to-rein-in-strip-clubs-sex-shops-massage-parlours-1.3762910>

23 Judy Fudge, Elene Lam, Sandra Ka Hon Chu et Vincent Wong. (2021). *Caught in the Carceral Web : Anti-Trafficking Laws and Policies and thier Impact on Migrant Sex Workers*, p. 55, retrieved from www.hivlegalnetwork.ca/site/caught-in-the-carceral-web-anti-trafficking-laws-and-policies-and-their-impact-on-migrant-sex-workers/?lang=en

24 Stella, l'amie de Maimie. (2021). “ Intersecting Forms of Criminalization ” in *Read Between the Lines*, p. 14, retrieved from <https://chezstella.org/lire-entre-les-lignes/>

By all means possible, law enforcement is scrambling to judicialize sex workers. Through the constellation of laws, the criminalization of migrant women workers can result in significant penalties: under section 36 of the *Immigration and Refugee Protection Act*, anyone, including those with permanent residency, convicted of an offense punishable under federal laws can be imprisoned for up to 10 years and deported. In 2012, the Conservative government reformed immigration law to prohibit migrants who are issued work permits from working in the sex industry, even in legal sectors such as licensed massage parlours and strip clubs, and even if they are non-sexual jobs (cook, janitor, bartender, etc.). The Canada Border Services Agency also plays an important role in controlling the immigration of SWers. Indeed, it has been widely documented that border officials use their discretionary power to deny entry to individuals deemed to be involved in the sex industry, particularly women migrating from Eastern Europe or East Asia, who are often profiled as vulnerable and passive.²⁶

If the anti-prostitution discourse is rooted in xenophobia and racism around white slavery, it is not surprising that the laws surrounding sex work, even today, serve to repress migrant sex workers.²⁷ In 2001, the Canadian government introduced specific penalties for trafficking in the *Immigration and Refugee Protection Act*. Contrary to their claim to protect victims of exploitation, these laws rather serve to protect Canadian citizens from migrants seen as undesirable.

In 2000, as international concern over human trafficking grew, the United Nations General Assembly adopted the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*.²⁸ While this protocol provides a framework for signatory states to implement their own system of laws in terms of human exploitation, it remains unclear as to the definition of sex work. In 2012, the federal government announced a *National Action Plan to Combat Human Trafficking*. The most recent formula, the *National Anti-Trafficking Strategy*, allocates \$75 million for the period of 2019 to 2024.²⁹ Despite all the resources and money invested in the fight against human trafficking, it is reported that between January 1st, 2006 and July 13th, 2020, the Canada Border Services Agency recorded a total of 8 charges

25 Subtitle inspired by the lyrics of the song *Borders* from M.I.A (2015)

26 Judy Fudge, Elene Lam, Sandra Ka Hon Chu and Vincent Wong. (2021). *Caught in the Carceral Web : Anti-Trafficking Laws and Policies and thier Impact on Migrant Sex Workers*, p. 49, retrieved from www.hivlegalnetwork.ca/site/caught-in-the-carceral-web-anti-trafficking-laws-and-policies-and-their-impact-on-migrant-sex-workers/?lang=en

27 See Jesse Dekel's " A Very Brief Overview of American Anti-Sex Trafficking Laws' Racist History " at page 3 of this issue of the *SWAC Attacks* zine!

28 Rachelle Daley. (2017) *Canada's Relationship with Women Migrant Sex Workers : Producing 'Vulnerable Migrant Workers' through " Protecting Workers from Abuse and Exploitation "*, retrieved from <https://scholars.wlu.ca/cgi/viewcontent.cgi?article=3045&context=etd>

29 Public Safety Canada, *National Strategy to Combat Human Trafficking 2019-2024* (n.d.), retrieved from <https://www.securitepublique.gc.ca/cnt/rsrcs/pblctns/2019-ntnl-strtg-hmnn-trffc/index-fr.aspx>

laid for human trafficking and no convictions.³⁰ Human trafficking investigations, profiling and raids rarely, if ever, uncover “traffickers”. There is no doubt that these repressive practices and policies are primarily used to maintain a climate of fear among people in a migration context.

We too: victims of criminalization

The Canadian legal model of prostitution is generally justified under the guise of helping victims of sexual exploitation and eradicating the sex industry, which is presented as a perfect example of patriarchy and the exploitation of women. Supported by carceral feminist groups, the preamble to these laws portrays sex workers as victims who must be rescued at all costs from the pimps and clients who encourage this exploitation.

It is impossible to deny that sex workers experience violence in their work. Moreover, it must be recognized that this violence is gendered, racialized, and class-based: poor, racialized, migrant, indigenous, trans, and street-based sex workers are more likely to experience this violence and to experience more severe forms of it.^{31 32} However, rarely do we question the real capability of the prison and penal model to protect sex workers.



Jesse Dekel's collage

30 Judy Fudge, Elene Lam, Sandra Ka Hon Chu et Vincent Wong. (2021). *Caught in the Carceral Web : Anti-Trafficking Laws and Policies and thier Impact on Migrant Sex Workers*, p. 18, retrieved from www.hivlegalnetwork.ca/site/caught-in-the-carceral-web-anti-trafficking-laws-and-policies-and-their-impact-on-migrant-sex-workers/?lang=en

31 Nora Butler Burke. “ Double Punishment. Immigration Penalty and Migrant Trans Women Who Sell Sex. ” in *Red Light Labor. Sex Work Regulation, Agency and Resistance*, 2018, UBC Press, p. 203

32 Naomie Gelper. (2021). “ Criminaliser les clients ne protège pas la travailleuses du sexe, selon une étude récente ”, *Métro*, retrieved from <https://journalmetro.com/actualites/national/2606790/criminaliser-les-clients-ne-protege-pas-les-travailleuses-du-sexe-selon-une-etude-recente/>

It is a truism that the justice system is ineffective in dealing with gendered violence: in Canada, an estimated 3 out of every 1000 sexual assaults result in a conviction. With a 5% rate of reporting to the police, it is the least reported crime. It is also the only violent crime whose proportion has not decreased since 1999.³³

Such statistics are obviously shocking. Faced with these numbers, various trends in the feminist movement are demanding more justice, new laws, recognition of feminicide as a legal category, a special court, harsher sentences, etc. But the ability of the justice system to deal with this violence is rarely questioned.

In her work, Gwenola Ricordeau shows that not only are victims often revictimized³⁴ in court, but that the nature of the trial in itself is contrary to the needs of the victims. Indeed, by submitting to the justice system, victims undergo a sort of “ *theft of their harm* ”³⁵. They will be questioned about the veracity of the alleged acts, and the accused will have every advantage in not acknowledging the harm caused in order to avoid being found guilty. This is often contrary to the victims' need for recognition of their suffering. Moreover, they are expected to fulfill the role of the perfect victim. For example, poorer women, racialized women, sex workers and women who use drugs are less likely to see their abusers punished.³⁶

Even when a conviction is handed down, it does not mean that SWers are protected. In 2020, in Quebec City, Marylène Lévèsque, a sex worker, was murdered by her client. He was on parole after serving a prison sentence for the murder of his wife. His parole officer was aware that he was involved with sex workers and felt it was normal and healthy for him to obtain sex in this way, despite his extremely violent past and the high rates of victimization among SWers. This intervention was defended by the parole officers' union.³⁷ The coroner's report, released in November 2021, recommends the use of the electronic bracelet, but does not in any way interrogate the working conditions of SWers and the impact of criminalization on them.³⁸ Thus, the context of criminalization does not prevent dangerous and violent men from accessing the services of the SWers - this is even what was encouraged in this case, and defended

33 Mathilde Roy. (2017). “ 3 agressions sexuelles déclarées sur 1 000 se soldent par une condamnation. Pourquoi ? ”, *L'actualité*, retrieved from <https://lactualite.com/societe/3-agressions-sexuelles-declarees-sur-1-000-se-soldent-par-une-condamnation-pourquoi/>

34 Secondary victimization refers to the negative effects that a victim and those around them may experience in dealing with the criminal justice system. For example, while in court, victims must prove the harm they have experienced, detailing very personal contextual elements in front of an audience they did not choose, while risking that their word will not be recognized and validated. Inspired by Gwenola Ricordeau. (2019). “ La victimisation des femmes et son traitement pénal ”, in *Pour elles toutes. Femmes contre la prison*, Lux éditeur, p.83

35 IDEM

36 IDEM, p. 65

37 Kathyne Lamontagne. (2020). “ Meurtre à Sainte-Foy: ils défendent la “ stratégie ” qui lui permettait d'assouvir ses besoins sexuels ”, *Journal de Québec*, retrieved from <https://www.journaldequebec.com/2020/01/30/meurtre-a-sainte-foy-un-syndicat-et-la-maison-defendent-la-strategie>

38 Isabelle Ducas. (2021). “ Les travailleuses du sexe auraient voulu qu'on parle de leur sécurité ”, *La Presse*, retrieved from <https://www.lapresse.ca/actualites/justice-et-faits-divers/2021-11-10/meurtre-de-marylène-levesque/les-travailleuses-du-sexe-auraient-voulu-qu-on-parle-de-leur-securite.php>

by the prison institution! The reason is that sex workers are perceived as collateral victims, supposed to protect other women from violent men by serving as their outlet.

Women's self-defense is also criminalized when they fight back against acts of violence. Because surely, women do not remain passive. A 2005 U.S. study estimated that 67% of women incarcerated for the homicide of a loved one were first victimized by them.³⁹ For SWers, self-defense is often a reason for criminalization and imprisonment. The case of Cynthoia Brown is particularly telling in this regard. A minor at the time of the crime and forced to sell sex by an abusive partner, she was sentenced to 52 years for shooting a client who had threatened and assaulted her.⁴⁰ After spending 15 years behind bars, Cynthoia was released, after her case was brought to the media with the hard work of Black Lives Matters activists and was then shared by Kim Kardashian and Rihanna. While the accused was successful in obtaining clemency, the majority of SWers who use self-defense do not receive this media coverage, in part because they are adults or are in the industry of their own volition. In July 2021, Nichole Hover, an Ottawa sex worker, pleaded guilty to one count of manslaughter after being charged with second degree murder.⁴¹ She was with a client who refused to pay her, claiming that he was unable to reach orgasm. A dispute broke out and Hover's client became violent. She was sentenced to seven years in prison. While it is unclear why Hover chose not to go to trial and whether she had access to legal representation, the outcome of this case should not surprise us: in Canada, an estimated 90% of accused persons enter guilty pleas.⁴² Those held in pre-trial detention are also more likely to plead guilty than those released on bail. Pre-trial detention has been described as a “ *strategy to extract guilty plea* ”⁴³ in some research. Indeed, “ *vulnerable people experiencing mental health or addictions issues, cognitive impairments, poverty, or homelessness may face added pressure to plead guilty.* ”⁴⁴

In addition, violence against SWers is often used to push laws that criminalize them even more. The latest massage parlour killings in Toronto in 2020 and Atlanta in 2021 are a few examples. In the first case, the alleged killer of Ashley Noelle-Arzaga was charged with terrorism after police discovered the misogynistic and

39 Gwenola Ricordeau. (2019). “ La victimisation des femmes et son traitement pénal ”, in *Pour elles toutes. Femmes contre la prison*, Lux éditeur, p. 76

40 Molly Smith et Juno Mac. (2018). “ Prison nation: The United States, South Africa and Kenya ”, *Revolting Prostitutes. The Fight For Sex Workers Rights*, Verso, p.264-265

41 Gary Dimmock. (2021). “ Ottawa sex-trade worker who fought off and killed bad John sentenced to four more years ”, *Ottawa Citizen*, retrieved from <https://ottawacitizen.com/news/local-news/ottawa-sex-trade-worker-who-fought-off-and-killed-bad-john-sentenced-to-four-years>

42 Department of Justice. (2018). *Guilty pleas among Indigenous people in Canada*, retrieved from <https://www.justice.gc.ca/fra/pr-rp/jr-pc-gp/p3.html>

43 IDEM

44 IDEM

violent motives associated with “ incels⁴⁵ ”.⁴⁶ These charges may look progressive on the surface; it's not every day that a white man is charged with terrorism. However, that is not how they were perceived by the community targeted by the outrage. According to Elene Lam, the founder of Butterfly, “ *law enforcement is the biggest terrorist [for sex workers]* ”.⁴⁷ According to a survey produced by the organization, half of the respondents reported that a law enforcement officer had been abusive, oppressive or humiliating towards them.⁴⁸ Rather than charges of terrorism, sex workers would prefer decriminalization of their work and access to labour rights.⁴⁹ Red Canary Song, a New York-based organization working with Asian and migrant sex workers, echoed this sentiment following the shooting at an Atlanta massage parlour that led to the death of eight women:

*We reject the call for increased policing in response to this tragedy. The impulse to call for increased policing is even greater in the midst of rising anti-Asian violence calling for carceral punishment. [...] Policing has never been an effective response to violence because the police are agents of white supremacy. Policing has never kept sex workers or massage workers or immigrants safe. The criminalization and demonization of sex work has hurt and killed countless people-many at the hands of the police both directly and indirectly. Due to sexist racialized perceptions of Asian women, especially those engaged in vulnerable, low-wage work, Asian massage workers are harmed by the criminalization of sex work, regardless of whether they engage in it themselves. Decriminalization of sex work is the only way that sex workers, massage workers, sex trafficking survivors, and anyone criminalized for their survival and/or livelihood will ever be safe.*⁵⁰

Since it is the same apparatus that criminalizes them, appealing to the police or the entire prison system therefore makes no sense for these women, especially migrant women who live under the constant threat of deportation if their occupation is ever discovered.

One argument often used to defend the decriminalization of sex work is that abusive clients and pimps could be more easily reported to the police. When you think about how the police and the entire criminal justice system treat victims of gendered violence, you might second-guess the use of this argument. So if not enabling them to go to the police, what would decriminalization do for SWers?

45 Contraction of involuntary celibate. See Lux Alpatraum. (2018). “ Sex workers cannot solve the problem of angry, misogynistic men ”, *Vox*, retrieved from <https://www.vox.com/first-person/2018/5/31/17412786/sex-workers-incels>

46 Radheyen Simonpillai. (2020). “ Charging incels with terrorism won't protect sex workers ”, *Now Toronto*, retrieved from <https://nowtoronto.com/news/incels-terrorism-sex-workers-decriminalization>

47 IDEM

48 IDEM

49 IDEM

50 Red Canary Song. (2021). *Red Canary Song Response to Shootings at Gold Massage Spa, Young's Asian Massage, & Aroma Therapy Spa*, retrieved from <https://www.redcanarysong.net/atlanta>

Outlaw poverty, not prostitutes!

In 2020, following the murder of African-American man George Floyd at the hands of the police officer Derek Chauvin, activists across North America began calling for the defunding - or even the abolition - of the police.⁵¹ At the same time, these activists are demanding that the budget of the police, and more broadly the entire criminal justice system, be reinvested in social and community resources. We think this is a promising proposal to reflect on the decriminalization of sex work. Because what sex workers really need is not more criminalization, but rights and resources.

The decriminalization of sex work would, among other things, allow SWers to have access to labor rights. We believe that access to these regulations would lead to many improvements in our working conditions. These include the ability to demand that employers provide a safe work environment, ban problematic clients, provide the ability to report harassment and violence in the workplace, to obtain compensation in these cases, and the ability to report racial discrimination in hiring. Situations of violence could also be more prevented if clients were no longer afraid of criminalization, as this would facilitate the use of screening methods.



May 1st 2021 rally on the occasion of the International Workers' Day

51 Scottie Andrews. (2020). "There's a growing call to defund the police. Here's what it means ", CNN, retrieved from <https://www.cnn.com/2020/06/06/us/what-is-defund-police-trnd/index.html>

As laws to regulate sex work are rooted in migration control, we believe it is also essential to pay particular attention to the conditions of migrant sex workers in our demands for decriminalization. Even in New Zealand, a country often held up as an example of decriminalization of sex work, migrant sex workers still do not have the right to work legally nearly 20 years after the laws were changed. The fight against sex trafficking is directly linked to Western countries' efforts to limit migration. We believe that the only solution to the abuse of migrants in the sex industry is to abolish detention and deportation, open borders and grant status to all. This would allow migrants working in the sex industry, or any other industry that circumvents labor rights, to access social protections.

However, legal reforms alone cannot address the different forms of structural violence that sex workers are often at the intersection of. Women, migrants, racialized people, trans people and people with disabilities are all overrepresented in sex work and among the victimized ones. Barriers to traditional jobs, difficulties in accessing decent priced and adequately sized housing, increasing difficulties in accessing free and universal health care, childcare, and more broadly, structural poverty and growing inequalities, are all factors in the increase of violence. These structural barriers mean that a person may be forced to remain in an abusive situation, whether it be violence from a spouse, pimp, or employer. Prison, criminalization, stigmatization and repression are all factors that exacerbate these inequalities and not solutions! If we want to fight violence against sex workers, women and gender-oppressed people, we need to demand more resources, money in our pockets and a roof over everyone's head. We will take that money out of the same budget that is criminalizing us!

SEX WORKER

By Maxime

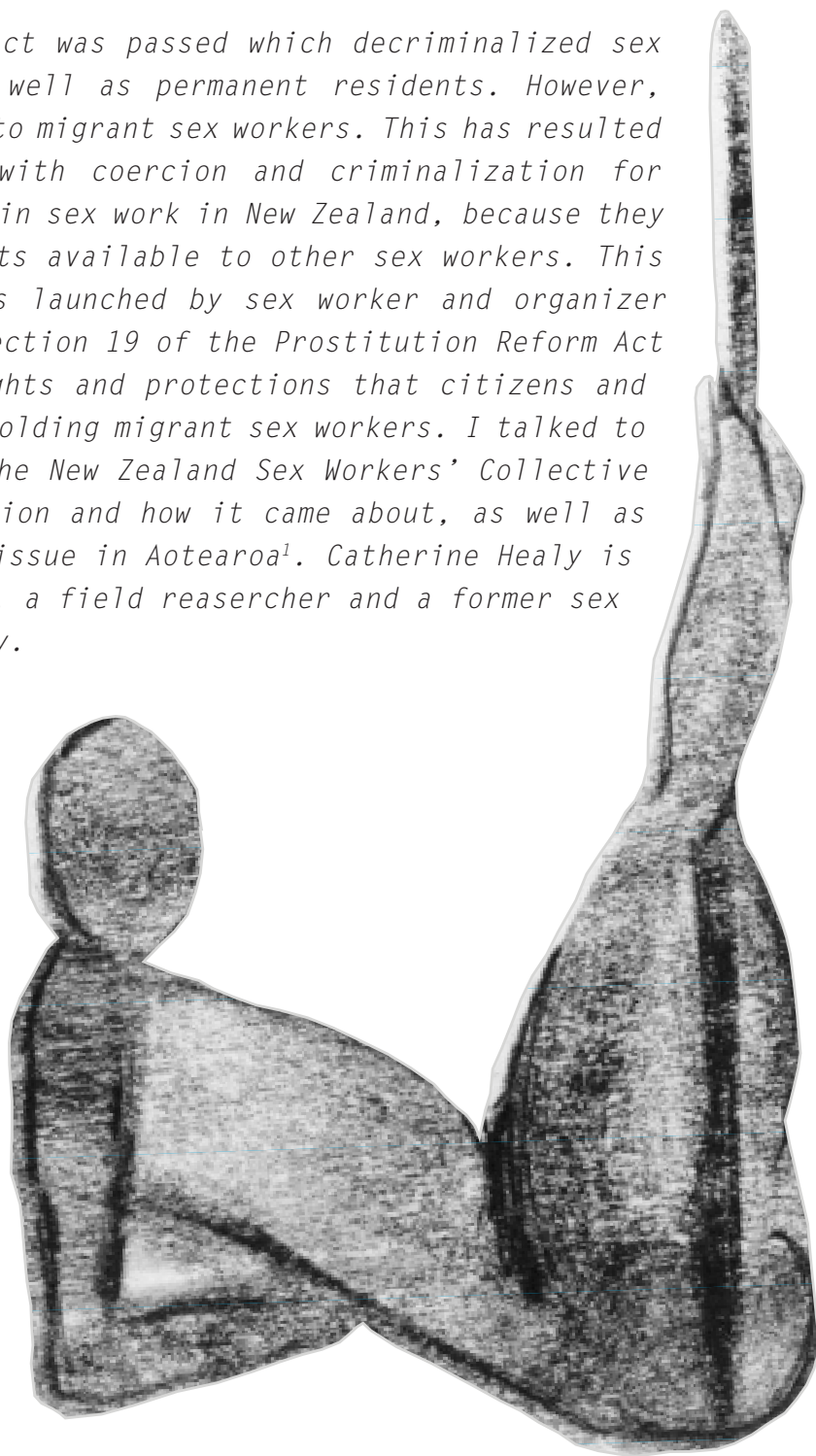
Deep within myself, I have no doubt
That feminism brought me to sex work.
That I'm a sex worker who consents to what she's doing.
That the hardest part of my job isn't even related to the work itself:
The stigma, the shame, the contempt & the rejection. The ignorance & the judgment
From my own mother.
People don't understand, or simply refuse to believe
That women's genitals are not weak.
That women's genitals belong to women.
I use my body as I see fit
With men who benefit from the services I choose to offer
Whenever and however I want.
I am a sex worker
Feminist, honest & proud.

No One Left Behind: The Fight to decriminalize Migrant Sex Work in New Zealand

Interview with Dame Catherine Healy from the New Zealand Prostitutes Collective

By Jesse Dekel

In 2003, the Prostitution Reform act was passed which decriminalized sex work for New Zealand citizens as well as permanent residents. However, decriminalization was not extended to migrant sex workers. This has resulted in two decades of exploitation, with coercion and criminalization for migrants who choose to participate in sex work in New Zealand, because they can't access the same working rights available to other sex workers. This year, a parliamentary petition was launched by sex worker and organizer Pandora Black in order to repeal Section 19 of the Prostitution Reform Act 2003 and apply the same labour rights and protections that citizens and permanent residents enjoy to Visa-holding migrant sex workers. I talked to Dame Catherine Healy, founder of the New Zealand Sex Workers' Collective (NZPC), about the current legislation and how it came about, as well as sex worker organizing around this issue in Aotearoa¹. Catherine Healy is also a sex worker's right activist, a field researcher and a former sex worker. This is what she had to say.



■ ■ ■ ■
¹ Aotearoa - The Te Reo Maori name for New Zealand, translated to 'land of the long white cloud'.

Jesse: In 2003, the Prostitution Reform Act decriminalized sex work for citizens and permanent residents, but not for migrants sex workers. How are migrants treated under the current Prostitution Reform Act?

Dame Catherine Healy: I want to say that we were absolutely devastated when that was a condition for decrim which was put in at the 11th hour by then minister of immigration Lianne Dalziel who had been lobbied by anti-trafficking activists. She made her support conditional on the fact that migrants wouldn't be able to come to this country with the intention of becoming sex workers, and it made no sense to us. And as a consequence, everything you can imagine that would happen in terms of sex work criminalization has happened and continues to happen. Migrant sex workers are sometimes targeted because it's common knowledge that they're working in breach of our sex work legislation in terms of immigration and are therefore forced to work in a criminalized way.

Also, authorities look for them with the pretext that they're trying to see if migrant sex workers are victims of trafficking, and this is really terrifying. Immigration authorities will go out several at a time, and in one scenario that I heard described about 20 officers surrounded a particular brothel to look to see if there were trafficked sex workers in there. Its extremely scary for people in this situation who have elected to be sex workers, and who have the right to work in any other way in this country, bar sex work. So, it is of grave concern. And of course, if you are deported you are served a “ *deportation liability notice* ” which can document the fact that you've been a sex worker in this country and linked in breach of that legislation, which is incredibly stigmatising for people who have been deported back to their own countries where frequently and often enough, sex work is not supported.

So, the law is if you come to this country with the intention of being a sex worker and require a work visa, you are not allowed to be a sex worker. It causes a lot of harm. And we've had sex workers who have been assaulted and who have been afraid to report these assaults to the police. We've had staff in hospitals contact us and say “ *Look we're dealing with someone and they need your support* ” and then we find out that the person is a migrant sex worker who has been beaten up or robbed or worse. And these are direct consequences of a law that continues to criminalize them as they're directly exposed to harms that they shouldn't be exposed to as a consequence of this legislation.

Jesse: How has working as a migrant sex worker in New Zealand changed since the advent of the Prostitution Reform Act?

Dame Catherine Healy: Prior to the Prostitution Reform Act in 2003, the sex workers who were arrested predominantly weren't migrant sex workers, they were New Zealand citizens. So, we had that experience throughout our different communities of being

arrested and taken to court. The law didn't impact previously on migrant sex workers as much as it does now. They are the population who are exposed to being tipped to immigration on searches for victims of so-called trafficking.

Jesse: Yeah, anti-sex trafficking legislations are steeped in these racist reforms and it's the same all over the world. I was thinking about that earlier this year when, in the UK, the parliament was considering passing the Sexual Exploitation Bill and all these liberal NGOs who are of course funded by billionaires and complicit in the military industrial complex and actually do participate in egregious acts are fronting against so-called "sex-trafficking" while they themselves are involved with these atrocities. It's quite hypocritical and disgusting.

Dame Catherine Healy: It is. I think that's the thing. You have a groundswell of people who are earnest about labor rights, and they are attracted to talking about reform in this respect. The terminology "modern day slavery" has come up on the back of anti-trafficking discourse. There's quite the eclectic group of people with an interest in unions and with an interest in improving labor conditions that have been attracted into these discussions but we've got to be so careful in developing legislation in which sloppy words like "exploitation" are really defined carefully so that we're not adding and causing harm.

This is our lot in this country as people concerned about the rights, and safety, and health, and well-being of sex workers, that there not be legislation that's going to contribute even more harm. We need to get political action to repeal the legislation that is causing harm against migrants in this country. We've been waiting since 2003 for a balance in the parliament where we think we could garner enough support to see the repeal of this legislation, but even so we feel that the political support is going to be very hard to build so it's a real struggle to get understanding in relation to how things could improve so dramatically with good labour rights and with good immigration rights for sex workers who are migrants.

Jesse: What is the government's narrative for decriminalizing sex work for New Zealand citizens and permanent residents but still not allowing it for migrant sex workers? How do you answer to that?

Dame Catherine Healy: At the time in 2003, when the vote went through, 120 politicians were allowed to vote and one politician abstained. He felt so conflicted that he was unable to vote for or against and so it passed into legislation by one vote but it was a very contested piece of legislation. It wasn't promoted by the government of the day as it was just one member of the parliament who took it through as a private member bill and then prime minister Helen Clark supported it. There were people in her own government and party who opposed the bill and there were people in the opposition parties who supported it (the Green Party for example supported

it entirely) and we do believe they would support the repeal of the migrant legislation entirely today as well. The government also thought to couch the legislation with a moral code: they said that while they supported the decriminalization of prostitution, they didn't morally endorse it. So there was an attitude that the legislation wasn't a quite comfortable fit with the government and I think a part of that rationale for the particular wording used had to do with government not wanting to be in the position of ever being accused of coercing people into sex work. For example, some people ask why can't Work and Income (which is our big government welfare agency and a part of the Ministry of Social Development) promote the fact that brothels have spaces for sex workers to work in? And the government would claim they don't allow that because they could be accused of saying " *Get off your job seekers benefit and go work in a brothel* " and that would morally compromise the government.

So I think the fact that the legislation places sex workers at its heart proves that the aims of the Act are to protect the human rights of sex workers, et cetera and that is a good thing, but we had a lot to do with the writing of the legislation that we couldn't control as it went into the political environment and was pulled in so many different directions by the debates that occurred in that context. Including the debate that the politicians had to vote on inside the full committee of the parliament, and that's where a lot of the changes occurred. We couldn't control the fact that the anti-migrant clause was put in there; we could say that we didn't agree with it, but we ultimately couldn't control it once it was in that context. So yes, I think while fighting for the law in respect



to sex workers there's always going to be something on the horizon. It's a long, long process and we can make choices, but it's always going to be hard to get exactly what you want. Some people will hold out until they get exactly what they want, but we chose not to. We chose to go with what we could get and push as many people onto the bus as we could.

I can't speak for the government as a whole, but I know that there are still people inside our government who really believe that part of the legislation that is anti-migrant has actually curbed the potential for people to be trafficked. I don't understand how they believe that knowing that the evidence doesn't show that at all, and that the evidence in fact shows the reverse to be true. It shows that the existing legislation which is anti-migrant creates an environment where migrants can be exploited, and are indeed targeted and are victims of horrible crimes because of that vulnerability. Because they are not able to work here with the legal support available to all other sex workers. It's really hard, people dig in and they form these opinions, and I think sometimes they just cannot see the wood for the trees with issues that impact sex workers. There's this perception that migrants are not fully fledged in some way, that they're not particularly able to make their minds up. I think there's a racist undercurrent which happens in relation to our biggest migrant population who are coming in from Southeast Asian countries where the perception may well be that they are victims of gangs or being trafficked around the world against their will. The notion that these are actually people making their own minds up to move here, and are also making certain decisions in relation to their circumstances about the way in which they navigate different systems and how they move around the world, is a foreign concept to a lot of the lobbyists who are determined to conceive of these migrants as trafficked and vulnerable.

Jesse: NZPC has existed since the 80s. How did sex work organizing address issues relating to migrant sex workers? How do you create alliances with the broader movement for the rights of migrant people?

Dame Catherine Healy: Going back to our history, I think in 1987 we started, but in 1988 we contracted with government and also coincidentally that's when noticeably a lot of sex workers were coming to work in New Zealand from Southeast Asian countries. Airfares had become cheaper and there were a lot of patterns of migration. Auckland for example has become a big city where I think a fifth of the population are people who would identify as coming from that cluster of Southeast Asian countries and inevitably building alliances there similar to what's happening in wider societies. So it's not acceptable to think there is just a certain response that's going to be one size fits all, you're going to have to build alliances and work out.

For us back then we were setting up clinics in our community bases, and we were working closely with the sexual health team as they established an outreach service with us so we could provide outreach that was culturally appropriate and was led by people with sex work experience from Thailand, and similarly there were clinics set up specifically for sex workers from Thailand and this was also the case later on with sex workers who were coming in from China and different countries in that region.

And yes, I think that you have to build alliances and of course we have a migrant education information project with a worker who is involved with that and who is from those communities and can reach out and provide support. I think there are definitely other issues that affect migrants, for example contract work to be an independent contractor if you're a student and you're coming to study in this country. You're an international student so it's not possible to be an independent contractor, which sex workers are and are regarded to be and so there's a push to allow for people to be independent contractors. As a student you can work for 20 hours a week here if you're a migrant or an international student but some people would say " *Okay that's very difficult to work just as an employee* " And they prefer to be independent contractors so I think it's important to support movements that affect other populations.

We've worked on different issues. For example the process we went through with other organizations around the non-governmental CEDAW² report, we worked with *Shakti* who represent migrants in the broader context. When we got to do the presentation at the UN, *Shakti* carried our message through about sex workers and supported us on this. So there's all sorts of ways you can connect to other organizations, you look for the themes and concerns in common and you support each other. There's some broad umbrellas like the *National Council of Women of New Zealand* for example who provide a broad umbrella of support and there's rainbow organizations and lots of ways in which we can collectivize with like-minded organizations who are able to support, or for whom we could provide some support.

Jesse: How have these issues changed since the Prostitution Reform Act 2003?

Dame Catherine Healy: I think we've become more conscious about the vulnerabilities there and now people are more intolerant and more impatient for migrant communities to have better rights and better conditions. Oddly enough, I think that some of the anti-trafficking discourse has really exposed a lot of the appalling labor conditions that happen in these contexts. And that's been a good thing.

2 The CEDAW Committee (Convention on the Elimination of All Forms of Discrimination Against Women) shadow report can be found at nswp.org/resource/member-publications/new-zealand-cedaw-shadow-report

Jesse: In Canada, sex workers are currently suing the government to repeal the Protection of Communities and Exploited Persons Act, the law that criminalized sex work in Canada in 2015. Though if this Constitutional challenge is won, migrant sex workers still won't be able to work legally in Canada. Before the Prostitution Reform Act 2003 was the issue of sex work and migration talked about? Are there things you wished you did differently looking back?

Dame Catherine Healy: I think, yes. For us the parliamentary process and seeing a bill go into parliament and come out with 3 intense debates and then being voted into law with flipping support was a new environment and it's hard in retrospect to say if we should have been acting differently. We were quite noisy at the time, but we were so jolly grateful to get any change whatsoever as well and as I said it wasn't the migrant community in those times that was being affected as harshly as the Maori population and street based sex workers in particular. So yes, maybe we would have said " *No we can't go through with this* ", but I think we were damned if we did and damned if we didn't. It was a very difficult call that we didn't feel was ours to make as we felt it was beyond our control as well, it was in the parliamentary environment.

I think in regards to the issues related to migrant sex workers, some of the discourse that was around at the time and still is was to do with trafficking and " *sex slaves* " and that offensive way of describing a population of sex workers who migrate for a variety of different reasons to work in other countries. Fortunately, I think, at least in this country, that it is quite rare to hear sex workers described in that way because there is a sensitivity in some of the anti-trafficking circles here not to do that and to be a bit more respectful.

Yes, it's ongoing. We made a recommendation to the CEDAW Committee who picked it up and made a recommendation back to our government so we're hanging onto that as a lever to really get some action. We've been building support to have this piece of legislation amended on that recommendation. And we've been really heartened to see the number of different organizations who have just in a few weeks signed on to support us in this call. We are hoping that a member of parliament who has approached us and had discussions about sponsoring a bill through will be mad enough and really angry or passionate enough to do this because it is a rough injustice that sits there like a scab, not only on the laws that govern sex work but on the laws of our country as a whole. I mean it's not a piece of legislation that should be endorsed here, it's hostile, it feels racist, and really it should be utterly repealed.

I'm not sure, we were fighting hard all the way through and there were so many issues to fight for and in that context things moved quite quickly in the final analysis and I don't know what we could have done differently really. Some say we

should have withdrawn our support, but I don't think that actually occurred to us. We wanted to fight to achieve what we could achieve so if we were back in those times with the knowledge that we have today then maybe we would have had lots of evidence (which we do today, we have lots of research that shows and speaks to the harm that's caused to the migrant sex worker communities if they're exposed to criminalization) but we didn't have that, we just knew that sex work should be decriminalized, that sex workers' rights as a whole should be upheld, and people should have access to speak up if they're in positions where they're being harmed. And yes it's an ongoing battle, there's stigma, there's discrimination. We knew about that, we knew that we wanted to address that as well, but we couldn't in the context of the private members bill at that time because it would have involved another piece of legislation in the Human Rights Act, and we didn't really know how to tease that out. So there was quite a lot of stuff that we now know that we could have done but we didn't know at the time.

Jesse: Is there anything you would like to add or say?

Dame Catherine Healy: I think the international raising of the profile for migrant sex workers is really important. Sex workers travel everywhere and work everywhere just like people from all other occupations so it's great to work on this fundamental right, the freedom to travel.

TIGER

By Maxime

In dark rooms
Where all criticisms emerge
The not enoughts and the too-much-this-too-much that
Hidden in the bra of a girl high on coke
The roaring tigress
The very one responsible for your insomnia
The tigress of doubt
Chewing on my bones
Stunts my growth
I wish us all the opposite of a tiger



Metamorphosis through a trail of universes

My body, my words, my attitude, although tinted by me, must closely mimic an empty canvas. Empty, but painted and structured in a charming young creature. A suppression of myself, of my being, to then metamorphose myself into what I must be depending on their universe. I use one of my specially crafted voices and engage in an exchange of looks, caresses, words, and energies.

This moment marks the beginning of multiple possibilities between us. A rift in time opens up and I have access to a person, most of the time, in an authentic way. A mix of being brutally myself and everything the person desires at the same time, or one at a time, or even one after the other. Over time, these interactions teach me, bring me elsewhere or bore me.

While navigating through these different worlds, I end up face to face with myself. Naked, in front of a mirror, searching for everything that hides in the depths of my gaze. Makeup, lingerie, heels, facades and encounters follow each other endlessly. Through dance, I become more and more in touch with myself.

Because that is what is desired, when we do this kind of labor. We want a being comfortable enough with themselves to be charming on demand. Someone connected - or disconnected - enough with their body to make all the heads turn.

*With love,
Céleste*

Crusade Against Pornography, From Yesterday to Now

*By Adore Goldman et Céleste
Translated by Mélina May*

On August 17th, a bomb was dropped on sex workers (SWers): OnlyFans is banning pornography! For many, it's an income to make ends meet that has just disappeared. The whole thing is even more shocking considering that the platform enormously benefited from the shift to online sex work during the COVID-19 pandemic, with the number of subscribers increasing from 7.9 million to 85 million in one year of the pandemic.¹ A few days after the announcement, the site eventually announced its suspension. Through the grapevine, we hear that the credit companies were behind the censorship of SWers on Onlyfans. In fact, changes to Mastercard's adult sites conditions coincided with the date of OnlyFans' terms of service.²

Behind closed doors, capital is buddy-buddy with the guardians of morality. Those who crusade against pornography would apparently be motivated by the fight against sex trafficking, “ revenge porn ”³ and child exploitation. You can't be against virtue after all. The Traffickinghub campaign's spokesperson, Laila Micklewait, even proclaims herself a feminist! Along with the National Center On Sexual Exploitation, these groups are leaders of this holy war on porn and have great credibility: they are invited to testify in parliament, or even in the New York Times, without anyone ever questioning their motives as they are so virtuous. Yet, hell is indeed paved with good intentions! Good intentions that could turn out to be particularly destructive for the working conditions of SWers!

It is sometimes difficult to understand why, as SWers, we always get kicked around from one website to another, even though we are an important source of income for these platforms and credit companies. We propose in this article to explain the genesis, certainly incomplete, of these anti-pornography groups, their struggles, victories and defeats, in order to understand the forces at work. Because after all, you need to understand your enemies in order to fight them!

1 Axel Tardieu. (2020). “ Elles posent nues sur Internet pour payer leurs études ”, *ICI Alberta*, retrieved from <https://ici.radio-canada.ca/nouvelle/1762202/etudiants-onlyfans-internet-pornographie-chomage?fbclid=IwAR1rDnz1EP5kVJ8s57jkyzS2XGsIutnbBi2xQX0WR21o4nTi2kBHwxgF0V4>

2 Brian Fung. (2021). “ Why did OnlyFans ban sexually explicit content? It says it's the credit card companies ”. *CTV News*, retrieved from <https://www.ctvnews.ca/sci-tech/why-did-onlyfans-ban-sexually-explicit-content-it-says-it-s-the-credit-card-companies-1.5556935>

3 Sexually explicit content shared without consent.



Anti pornography protest in New York, US, 1977.
(Keystone/Getty Images)

80's - 90's: Sleeping With the Enemy The Rise of the Anti-Pornography Movement

The anti-pornography movement was born in the late 70s and crystallized in the 80s. At the time, a certain fringe of the feminist movement fought - rather ironically - alongside the Christian conservative right to ban sexually explicit content. While seemingly sharing similar goals, both movements fought through separate organizations, although they did collaborate on a few occasions. However, they oppose each other on other issues - think abortion - and fight pornography for different reasons. Nancy Witthier and Kelsey Burke, both experts on the relationship between religious and feminist anti-pornography movements, call them “strange bedfellows” or “friennemies”.⁴

Like radical feminists, but for different reasons, groups organized around the American religious right seek to eradicate the sex industry. They see pornography as a threat to the traditional family. The group Morality in the Media, still active as the National Center on Sexual Exploitation (NCOSE), campaigns not only against pornography, but also against a variety of visual material it considers as obscene,

4 Nancy Witthier, Kelsey Burke. (2021). “Conservative Christians and anti-porn feminists want to shut down online pornography. That doesn’t make them allies.” *Washington Post*, retrieved from <https://www.washingtonpost.com/politics/2021/10/04/conservative-christians-anti-porn-feminists-want-shut-down-online-porn-that-doesnt-make-them-allies/>

ranging from erotic novels to Walt Disney⁵, alleging a crisis of values. Even in 2018, NCOSE was campaigning to have Cosmopolitan magazine removed from Walmart shelves.⁶ According to the organization's website, the group was formed following an incident in which an unidentified individual placed pornographic material just a few meters from a school playground. Parents, distraught at the thought of their children being exposed to this material, turned to their local priests, and the organization was born.⁷ One of their first campaign was to put up stickers everywhere that said “SAVEOURCHILDREN” and a local phone number.⁸ Their concern is therefore more about exposure to pornography - by a very broad definition - and the supposed moral decay that follows than it is about sexual exploitation.

While Christian conservatives attempted legal battles at that time, radical feminists were relatively more successful in this domain. For them, pornography was seen not only as encouraging violence, but as a form of violence in itself that was against women's rights. Several feminist groups dedicated to its abolition were formed in the late 70s and were active in the 80s in several American cities, such as Women Against Pornography, Women Against Violence in Pornography and Media, Women Against Violence Against Women and, Feminists Fighting Pornography. Andrea Dworkin and Catharine MacKinnon are prominent figures of this movement. Together they signed the *Anti-Pornography Ordinance*, a legal proposal to make pornography a violation of women's rights. This proposal was adopted in the cities of Minneapolis and Indianapolis, and then considered as being contrary to the right to freedom of expression by the federal Court.⁹

Within the feminist movement, pornography, as well as sex work and sado-masochistic relationships, are breaking points between radical feminists and the so-called pro-sex feminists. This clash of values is often referred to as the feminist sex-war or the porn-war. Among those who defend the right of women to watch and make pornography are lesbian authors and activists Gayle Rubin and Pat Califa.¹⁰

Thus, in the 80s and 90s, radical feminists succeeded where the Christian right failed: censoring pornography at the legal level, although these victories were short-lived. In

5 Sandra Wesley. (2021). “War on porn”, in *Canadaland*, min. 26, retrieved from <https://open.spotify.com/episode/1TkJfBspio1MqMg17yImIu?si=d4eb4a36c4c244e7>

6 Nouvelles Intimes. (2021). “Pornhub, après: Ceux qui clament «aider» ne sont pas qui vous croyez”, *Nouvelles Intimes*, retrieved from <https://nouvellesintimes.substack.com/p/pornhub-apres-ceux-qui-clament-aider>

7 National Center on Sexual Exploitation. (n.d.) *History*, retrieved from <https://endsexualexploitation.org/about/history/>

8 IDEM

9 Nancy Witthier, Kelsey Burke. (2021). “Conservative Christians and anti-porn feminists want to shut down online pornography. That doesn't make them allies”, *Washington Post*, retrieved from <https://www.washingtonpost.com/politics/2021/10/04/conservative-christians-anti-porn-feminists-want-shut-down-online-porn-that-doesnt-make-them-allies/>

10 Mariaviththoria Salucci. (2021). “The History of The Sex Wars”, *G-Club*, retrieved from <https://www.nssgclub.com/en/pills/24941/sex-wars-feminism-porn>

Canada, the Supreme Court, in *R. v. Butler*, used MacKinnon's legal analysis in its definition of obscenity.¹¹ The latter allows pornography to be included in this legal category on the grounds that it would undermine gender equality and, thus, should be censored. Ironically, although it has had little impact on heterosexual pornography, this law led to the seizure of a significant number of gay and lesbian authors' books at Canadian customs. The *Little Sisters* bookstore in Vancouver, which specializes in gay and lesbian literature, sued the Government of Canada following the seizure of several books on the ground of obscenity, and the Supreme Court recognized in 2000 that this was a breach of freedom of expression.¹²

11 Pat Califa. (1994). « II. Among Us, Against Us: Right-Wing Feminism », in *Public Sex. The Culture of Radical Sex*, Cleis Press, p. 107

12 Supreme Court of Canada. (2000). *Little Sisters Book and Art Emporium v. Canada*, retrieved from <https://scc-csc.lexum.com/scc-csc/scc-csc/fr/item/1835/index.do>



The Years 2000-2010: Right-Wing Feminists The Rebranding of Right-Wing Groups and their Political Influence

Jesse Dekel's collage

In the early 2000s, the anti-pornography feminist movement lost traction. Ironically, according to Nancy Witthier and Kelsey Burke, this decline enabled the revival of right-wing Christian groups who were, at this point, "rebranding".¹³ For example, the group Morality in the Media became the National Center On Sexual Exploitation (NCOSE) in 2015. Sex trafficking then became the focus of these groups' campaigns, alongside the fight against LGBTQ+ rights and against abortion rights.¹⁴ Consequently, the decline of the anti-pornography movement allowed religious right groups to appropriate the discourse and strategies of the 1980s feminist movement.

Driven by Benjamin Nolot, the group Exodus Cry was formed in 2007 as a Christian prayer group affiliated with the International House of Prayer

13 Nancy Witthier, Kelsey Burke. (2021). "Conservative Christians and anti-porn feminists want to shut down online pornography. That doesn't make them allies", *Washington Post*, retrieved from <https://www.washingtonpost.com/politics/2021/10/04/conservative-christians-anti-porn-feminists-want-shut-down-online-porn-that-doesnt-make-them-allies/>

14 Mélissa Gira Grant. (2020). "Nick Kristof and the Holy War on Pornhub", *The News Republic*, Retrieved from <https://newrepublic.com/article/160488/nick-kristof-holy-war-pornhub>

Kansas City (IHOPKC).¹⁵ It is now a major player in the fight against pornography. This group prayed for an end to sex trafficking and human trafficking. These Dominionist Christians are known for their homophobic and anti-abortion views, among other things.¹⁶ Behind these vain wishes, the real intentions of Exodus Cry are to abolish the commercial sex industry completely, including full service sex work and pornography, as written verbatim as their mission in their tax declaration¹⁷. In their mind, helping human trafficking victims means saving all the allegedly exploited SWers. To achieve their aims, their methods are diverse and include: lobbying governments throughout North America to push legislations in line with their ideologies, rehabilitating SWers, establishing media campaigns - which are supposedly against human trafficking, producing seemingly progressive films that are actually tainted with religious propaganda and right-wing conservative ideologies, etc.¹⁸ Melissa Gira Grant, American journalist and author of *Playing the Whore* explains that the actions of these not-entirely-transparent religious groups are detrimental to the lives of the SWers they claim to save:

*As a result of their years spent building influence, “ fighting trafficking ” as defined by these groups has also led to policies to defund AIDS programs that worked with sex workers and instead support programs mandating abstinence over condoms. Catholic groups used fighting trafficking to block funding to anti-trafficking programs that offered referrals for birth control and abortion.*¹⁹

To achieve their goals, these groups have gained notorious political influence over time and rally both conservative and liberal fringes of American politics. In order to build their credibility, Exodus Cry denies any affiliation with IHOPKC. However, as Gira-Grant reports, these two groups were still organizing partnered events as recently as March 2020.²⁰

15 Laurence Niosi. (2021). “ Une croisade chrétienne pour fermer Pornhub ”, *Radio-Canada*, Retrieved from <https://ici.radio-canada.ca/nouvelle/1794490/chretien-pornhub-mindgeek>

16 Mélissa Gira Grant. (2020). “ Nick Kristof and the Holy War on Pornhub ”, *The News Republic*, Retrieved from <https://newrepublic.com/article/160488/nick-kristof-holy-war-pornhub>

17 Tarpley Hitt. (2020). “ Inside Exodus Cry: The Shady Evangelical Group With Trump Ties Waging War on Pornhub ”. *Daily Beast*. Retrieved from <https://www.thedailybeast.com/inside-exodus-cry-the-shady-evangelical-group-with-trump-ties-waging-war-on-pornhub>

18 Mélissa Gira Grant. (2020). “ Nick Kristof and the Holy War on Pornhub ”, *The News Republic*, Retrieved from <https://newrepublic.com/article/160488/nick-kristof-holy-war-pornhub>

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2018: Internet, a New Battleground

SESTA-FOSTA, Backpage and its Consequences

It must be said that the rise of Internet has changed the face of the sex industry, from pornography to escort services, giving way to new moral panics. In 2018, Backpage, a site that published classified ads and famously hosted sexual service advertisements, was seized by federal authorities on the pretext of facilitating sex trafficking and exploitation of minors on its platform. The site's founders now face charges of facilitating prostitution and money laundering, but there is no question of sex trafficking. In September 2021, the judge declared a mistrial because prosecutors alluded too much to the exploitation of minors on the platform, while the defendants were not facing such charges.²¹



Nevertheless, Backpage's lawsuit is a first: the *Communications Decency Act*, passed in 1996, provides for platforms that primarily publish content created by third parties not to be responsible for what the latter publish.²² In other words, Backpage was not considered responsible for the content published by its users. A few days after Backpage was seized in 2018, the *Stop Enabling Sex Traffickers Act* (SESTA) and *Allow States and Victims to Fight Online Sex Trafficking Act* (FOSTA) were passed by the U.S. Senate to correct this legal loophole. From now on, platforms that knowingly host content that facilitates prostitution will be held responsible.²³ These laws, which are supposed to tackle sex trafficking, cast a much wider net: they criminalize any site hosting content associated with prostitution. It is therefore no surprise that several social media platforms, such as Tumblr and Instagram, have decided to change their standards to no longer accept SWer content on their platform.^{24 25}

21 Jacques Billeaud. (2021). " Judge declares mistrial at trial of Backpage.com founders ", *ABC news*, retrieved from <https://abcnews.go.com/US/wireStory/judge-declares-mistrial-trial-backpage-founders-80013257>

22 Kendra Albert, Emily Armbruster, Elizabeth Brundige, Elizabeth Denning, Kimberly Kim, Lorelei Lee, Lindsey Ruff, Korica Simon, and Yueyu Yang. (s.d.). *FOSTA in a Legal Context*, retrieved from <https://hackinghustling.org/fosta-in-a-legal-context/>

23 Hacking Hustling. (n.d.). *What is “SESTA/FOSTA”*, retrieved from <https://hackinghustling.org/what-is-sesta-fosta/>

24 Thomson Reuters Foundation. (2018). “ Sex Workers Say Tumblr’s explicit Image Ban Makes Their Job More Dangerous ”, *The World*, retrieved from <https://theworld.org/stories/2018-12-17/sex-workers-say-tumblrs-explicit-image-ban-makes-their-jobs-more-dangerous>

25 Brit Dawson. (2020). "Instagram's Problem With Sex Workers Is Nothing ", *Dazed*, retrieved from <https://www.dazeddigital.com/science-tech/article/51515/1/instagram-problem-with-sex-workers-is-nothing-new-censorship>

Since then, SESTA-FOSTA has had devastating effects on SWers. A survey conducted by the Hacking/Hustling Collective following the passage of the law shows that 72.45% of respondents attributed their economic instability to the closure of many ad sites and 33.8% of respondents observed an increase in violence from clients.²⁶ This is because economic insecurity makes SWers more vulnerable to violence and, ironically, to sex trafficking. As pointed out by Caty Simon of *Whose Corner is it Anyway*, a group of low-income sex workers who experience residential instability, work on the street and/or use opiates and stimulants:

I think one of the many myths [...] is this idea that there is a straight binary between trafficking and consensual sex work. It's just like saying that because labor exploitation exists, all labor is somewhat coercitive, which it is [...] under capitalism. There is a spectrum of choice and coercion in every single employment decision that everybody makes. But the problem is that you create an environment that rife trafficking whenever criminalization intensifies. [...] [When] Backpage went down, what happened [...] is that consensual sex worker became vulnerable of being trafficked. Cause if you don't have those tools in order to be an independant sex worker [...] you have people that had to find their parties.²⁷



Thus, the closure of Backpage and SESTA-FOSTA acted as a catalyst for violence against sex workers. Yet for groups like NCOSE and Exodus Cry, these events paved the way for a new campaign to abolish pornography...

26 Danielle Blunt, Arielle Wolfe. (n.d.). *Erased. The Impact of SESTA-FOSTA and the Removal of Backpage*. retrieved from <https://hackinghustling.org/research-2/#:~:text=on%20marginalized%20communities,-,READ%20STUDY,-POSTING%20INTO%20THE>

27 Caty Simon. (2021). “ Episode 62: Policing Pleasure: The intersection of Sex Work and Drug use with Tamika Spellman and Caty Simon ”, *Narcotica Podcast*, retrieved from <https://open.spotify.com/episode/6lDod12u0R0iuexrX8xh3w?si=f7d8235c359e440a>

2020-2021: Campaigns and Propaganda Against “ Big Porn ” Traffickinghub, Dirty Dozen and Mindgeek

Would you sign a progressive, modern, and inclusive-sounding petition that presents several true stories of sex trafficking, human trafficking, and exploitation of minors that wants to hold Pornhub accountable for facilitating these criminal activities? I would, but it's too good to be true.

The campaign against Pornhub, called *Traffickinghub*, was released in February 2020.²⁸ Its spokesperson is none other than Laila Mickelwait, who was herself an employee of IHOPKC from 2011 to 2014.²⁹ The words "Powered by Exodus Cry", which were written at the bottom of *Traffickinghub*'s website until mid-November 2021, tarnish this fine image of a supposed social justice advocate. The fact that this phrase is no longer displayed on the *Traffickinghub* website demonstrates, once again, the meticulous efforts implemented to seemingly distance themselves from these religious groups. However, It should not be forgotten that they are intertwined nonetheless.

Under its noble and authentic image, Exodus Cry is pushing for more than just reprisals against MindGeek, which owns several pornography sites like Pornhub, YouPorn and Redtube.³⁰ Moreover, this kind of campaign is just a continuity of the war against sex work started by the same american conservative groups in the early 80s. Still, they have added a very effective weapon to their already powerful arsenal: mimicking their secularism and feminist concerns to rally as many people as possible to their noble struggle to save the sex trafficking victims. They know that by copying progressive rhetoric, they can rally more people to their cause and pursue their hidden agenda.

For its part, NCOSE runs a similar campaign, the *Dirty Dozen*, publishing on their platform each year twelve sites accused of promoting and profiting from sexual exploitation.³¹ The 2020 edition included sites used by SWers to advertise their services online or in person, such as Twitter, OnlyFans, Massage Envy, Reddit, and Seeking Arrangement but also sites accused of publishing representations of sexual acts like Netflix, or ones that are known for collaborating with Mindgeek like Wish and Visa.

28 Laurence Niosi. (2021). “ Une croisade chrétienne pour fermer Pornhub ”, *Radio-Canada*, Retrieved from <https://ici.radio-canada.ca/nouvelle/1794490/chretien-pornhub-mindgeek>

29 Mélissa Gira Grant. (2020). “ Nick Kristof and the Holy War on Pornhub ”, *The News Republic*, Retrieved from <https://newrepublic.com/article/160488/nick-kristof-holy-war-pornhub>

30 Laurence Niosi. (2021). “ Une croisade chrétienne pour fermer Pornhub ”, *Radio-Canada*, Retrieved from <https://ici.radio-canada.ca/nouvelle/1794490/chretien-pornhub-mindgeek>

31 NCOSE. (2020). *Dirty Dozen*. Retrieved from <https://endsexualexploitation.org/dirtydozen-2020/>

Their popularization techniques are working quite well since the *Traffickinghub* campaign went viral; it has collected just over 2 million signatures and has caused quite a stir.³² Indeed, the article *The Children of Pornhub* by Nicholas Kristof, a columnist for the New York Times, shook many as it presented detailed stories of young victims of trafficking and sexual exploitation.³³ This article mentioned the *Traffickinghub* petition, giving it more traction. This is just one of many examples where violence experienced by children, women and SWers is used against them. These so-called saviors end up establishing conditions and measures that further disadvantage the victims and/or workers. Samantha Cole, in her article on this subject, summarizes the phenomenon quite well: “ *TraffickingHub's arrival tapped into something sex workers have been talking about for some time, but has only recently reached mainstream conversations.* ”³⁴

Indeed, it is important to hold the porn industry giant accountable for its faults: SWers have been complaining about Pornhub’s moderation problems for several years, which allows stolen and non-consensual content to end up there. However, this is not a problem that belongs only to adult sites: it is also the case with all sites that allow third parties to import content. According to data from the National Center for Missing and Exploited Children (NCMEC), 95% of child sexual abuse content is found on Facebook, with 21,7 million incidents reported.³⁵ By comparison, Mindgeek reported 13,229, which is less than Twitter, Google, Snapchat and TikTok and more than a 1,000 times less than Facebook.³⁶

Undeniably, the concrete consequences of these campaigns fall on the workers of the porn industry and not on big companies. This kind of viral campaign caused Visa and Mastercard to stop supporting payments on Pornhub a few days after the New York Times article was published.³⁷ This measure had no impact on the company, which makes the most of its revenues from advertising. On the

32 Samantha Cole. (2020). “ How a Petition to Shut Down Pornhub Got Two Million Signatures ”. *Vice*. Retrieved from <https://www.vice.com/en/article/wxqy4z/petition-shut-down-pornhub-trafficking-hub-earn-it>

33 Mélissa Gira Grant. (2020). “ Nick Kristof and the Holy War on Pornhub ”, *The News Republic*, Retrieved from <https://newrepublic.com/article/160488/nick-kristof-holy-war-pornhub>

34 Samantha Cole. (2020). “ How a Petition to Shut Down Pornhub Got Two Million Signatures ”. *Vice*. Retrieved from <https://www.vice.com/en/article/wxqy4z/petition-shut-down-pornhub-trafficking-hub-earn-it>

35 Tarpley Hitt. (2021). “ Facebook a Hotbed of ‘Child Sexual Abuse Material’ With 20.3 Million Reports, Far More Than Pornhub ”, *Daily Beast*, retrieved from <https://www.thedailybeast.com/facebook-a-hotbed-of-child-sexual-abuse-material-with-203-million-reports-far-more-than-pornhub>

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37 Brian Fung. (2021). “ Why did OnlyFans ban sexually explicit content? It says it's the credit card companies ”. *CTV News*. retrieved from <https://www.ctvnews.ca/sci-tech/why-did-onlyfans-ban-sexually-explicit-content-it-says-it-s-the-credit-card-companies-1.5556935>

other hand, verified creators suffered, as all programs allowing to monetize content on the platform have been abolished. It was also after these events that Mastercard decided to put more restrictions on adult websites, which was behind the OnlyFans fiasco.

These campaigns have also driven the Canadian government to take actions. The House of Commons' Standing Committee on Access to Information, Privacy and Ethics launched a commission of inquiry into MindGeek in the winter of 2021.³⁸ Sandra Wesley, executive director of Stella, denounced the committee's refusal to hear testimonies from SWers, saying that they were only interested in non-consensual videos. The committee did, however, allow Laila Mickelwait to speak, despite her ties to the religious right.

The recommendations that may follow this parliamentary commission are likely to impact SWers, who may be asked for more and more information by sites that host their content. Such measures could be particularly disadvantageous for those who use adult content creation as a means of survival. After all, pornography is part of platform economy and the vast majority of porn production now consists of individuals or couples with a camera or smartphone. By asking them for more and more paperwork, they will force them to no longer be able to meet the ever-more-complicated terms of service. On the other hand, such policies would favor the return of the big studios in the industry who have the money to pay for lawyers.

Although still a speculation, the Conservatives are seizing the opportunity to achieve their goals: Senator Julie Miville Dechênes and Conservative MP Arnold Vierssen have both introduced Bills S-203³⁹ and C-302⁴⁰ in the House of Commons. These laws would make Internet providers and producers of pornography legally liable if minors are able to access sexually explicit content or even advertisement of such content. It should be noted that once again, the Conservatives are hiding behind progressive concerns: the purpose of Bill S-203 is to “*protect Canadians – in particular, young persons and women – from the harmful effects of the exposure of young persons to sexually explicit material, including demeaning material and material depicting sexual violence*”.⁴¹ The preamble to this bill states that “*the consumption of sexually explicit material by young persons is associated with*

38 Radio-Canada. (2021). “ Les travailleuses du sexe craignent les conclusions de l'enquête sur Pornhub ”, *Radio-Canada*, retrieved from <https://ici.radio-canada.ca/nouvelle/1777218/travailleuses-sexe-enquete-comite-communes-pornhub>

39 Julie Miville Dechênes. (2020). *Bill S-203: An Act to restrict young persons' online access to sexually explicit material*, retrieved from <https://parl.ca/DocumentViewer/en/43-2/bill/S-203/first-reading>

40 Arnold Vierssen. (2021). *Bill C-302: An Act to Amend the Criminal Code (pornographic material)*. Retrieved from <https://parl.ca/DocumentViewer/en/43-2/bill/C-302/first-reading>

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a range of serious harms, including the development of pornography addiction, the reinforcement of gender stereotypes and the development of attitudes favourable to harassment and violence – including sexual harassment and sexual violence – particularly against women ”⁴², although these claims are contested by many researchers. While these proposals died before they could be passed into laws when the last federal election was called, there is no reason that they could not be brought back to the table.

This kind of legislation has precedent: in France, the *Avia Law* and the *Law on Domestic Violence* in 2020 both made porn sites responsible for verifying the age of users.⁴³ The simple fact of checking that one is of age is not enough; it is now necessary to import files of proof of identity. The law authorizes the *Conseil Supérieur de l'Audiovisuel* to block sites in France that do not comply with it. These laws have been strongly denounced by the *Syndicat du Travail Sexuel* (STRASS), which argues that this law greatly penalizes SWers working on the Internet who do not have the resources necessary to implement these kinds of verifications. Once again, these laws are passed in the name of women's rights! However, they betray the right-wing vision of sexuality: instead of investing in the sexual education of young people, they decide to blame the porn industry and repress SWers at the same time!

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43 Syndicat du travail sexuel. (2020). *PPL violence conjugale: la porno a bon dos*, retrieved from <https://strass-syndicat.org/actualite/ppl-violences-conjugales-porno-a-bon-dos/>

And Now?

Disciplining Bodies and Sexualities: Capital's Wishful Thinking

Far from achieving the utopia imagined by radical feminists in the 80s, they have instead encouraged the censorship of pornography that continues to unfairly target the working conditions of thousands of individuals, especially women and trans/queer people. The #AcceptanceMatters campaign, launched by adult content creators in response to the announcement of Mastercard's intended changes, reminds, quite rightfully, that LGBTQ+ people are overrepresented in the porn industry because of the barriers to traditional employment, and that these changes will only make their living conditions worse.⁴⁴ By making our lives more precarious, these campaigns are exposing us to more violence, not the other way around. Let's remember that this repressive shift taken by credit companies like Mastercard is directly linked to the right-wing religious lobby. It is therefore not surprising that the attacks on pornography crack down on those whose sexuality is the most taboo, the ones that we try to hide behind the bedroom's doors.

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44 Acceptance Matters. (2021). *Sex Work Banking #AcceptanceMatters*, retrieved from <http://www.acceptancematters.org/>

It may seem unusual that credit companies would allow the moral standards of the new religious right to disturb their profits. After all, they are not themselves known for their love of morality and the common good when it comes to making money. The analysis of intellectuals Silvia Federici and George Caffentzis on this subject is interesting:

Today, the institutionalization of repression and self-discipline along the line of the Moral Majority and the New Christian Right is required for both ends of the working-class spectrum: for those who are destined to temporary, part-time subsistence level of wages (accompanied by long hours of work or a perennial quest for jobs), as well as for those who are elected to a “meaningful wage,” working with the most sophisticated equipment capital’s technologists are now able to produce. [...] From Wall Street to the Army, all of capital’s utopias are predicated on an infinitesimal micropolitics at the level of the body, curbing our animal spirits, and redefining the meaning of that famous Pursuit of Happiness that (so far at least) has been the biggest of all constitutional lies.⁴⁵

Understood in this way, the morality of the radical Christian right-wing fits perfectly with capitalist ideology, which always seeks to further discipline and rationalize bodies, especially in regard to sexuality. This is why “The dangers of sexuality are emblematic of the obstacles that capital encounters in the attempt to create a totally self-controlled being”⁴⁶. The repression of pornography is therefore necessary to create docile and disciplined workers and make sure that sexuality does not go beyond the restricted framework we assign to it in our lives: between four walls, preferably those of the bedroom, between two people, out of sight. To achieve this ideal of advanced capitalism, it is essential to make sex disappear from all public spaces, whether on the Internet or in our streets. Understood in this sense, fighting pornography cannot be a feminist or leftist project! On the contrary, it is well and truly a capitalist project, and SWers are “deviant bodies” that capital cannot allow. We are only the first victims, and our struggle goes hand in hand with those who, like us, fight against it.



45 George Caffentzis, Silvia Federici. (2013). “Mormons In Space” in *In Letter of Blood and Fire, Work, Machines and the Crisis of Capitalism*, PM Press, p. 61

46 IDEM, p. 63

The Dark Side of the Looking Glass

Kiko

Conversations with Céleste

*Pictures by Orion
Artistic direction by
Céleste et Orion*

With love

Céleste: Which pronouns do you use?

Kiko: Honestly, I'm thinking about this. I feel like if I say she/they people will always use she instead of they. I'm gender neutral but call me whatever you want. I would prefer they.



Céleste: So, what is your job? Well, in this case what are your jobs?

Kiko: I'm a stripper. I also work for my university, but I'm quitting that job soon. I'm gonna start an internship with an artist center in January, I'm super excited. And, the residency at the Museum of Fine Arts. I have the feeling that all the efforts I put into my work are paying off.

Céleste: I'm so happy for you! Next question.

Kiko: Oh wait, I'm not done! I'm also a musician, I do contracts for movies or small videos, audiovisual projects. I do concerts here and there.

Céleste: There you go, that's what was missing! I felt like there was a big part missing. What's your educational background?

Kiko: I immigrated here when I was 10 years old, and learned French in an integration program. Then, I was in an all-girls private secondary school, and it was very strict. I continued in college, also in a private school, so basically all my life I've been in private schools. Even in China, in elementary school, I went to a private school and there the educational system is very broken. Even in a private school that was supposed to be ethical, they would still physically punish kids that didn't do their homework; something that is very illegal here. When I was in college, I was in art, literature and communication and jazz music. Now, I'm in University and I'm studying electro acoustic. I'm studying cinema also, but I don't think I'll pursue it because I want to focus on music. Do you want some tea?

Céleste: Yes, for sure.



Céleste: What are your hobbies?

Kiko: I really enjoy chilling with friends, watching movies, listening to music obviously, thrifting. I have so many hobbies but with work I have less time to put into them. I also like to spend time alone, with myself, it's different from being at work.

Céleste: What are your passions?

Kiko: Music and art, sound art, visual art, all types of art!



Céleste: What would the decriminalization of sex work change in your life?

Kiko: Honestly, I think it would change a lot of lives. I was thinking a lot about this recently and why are strip club managers so shitty? Well since there aren't rules, it's not really regulated, the people that make the rules, well it's the managers. Generally, they aren't the most empathetic people, and the rules change often. It's an environment that can become hard to work in, because we have no protection or security towards our employment. What do you think?

Céleste: I agree with you and the decriminalization in general of sex work would make our work safer and we could be less scared of the police, pimps, clients, managers, big industries, etc. Ideally, we would have access to more resources to do our jobs without so much danger. Is there something you would like to say to people outside of the sex industry?

Kiko: I'm sure that it's not the same perception for all types of sex work, but when it's related to stripping, often people will think it's easy money, and people who don't do this kind of work will expect you to pay their meal, for example. I'm very generous in life and I like to share with my friends, but it's not easy money; everything has a price. And if I want to treat myself, that's my business, but they have no



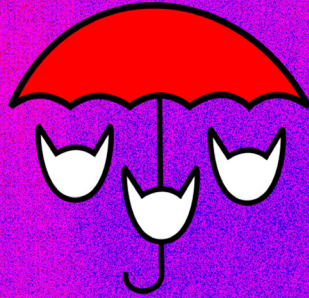
rights to my money. More and more, I find friends that are strippers and/or sex workers and I feel better understood. I believe that the exterior world should learn more about how it works. There is so much stigma attached to this kind of work that I don't tell everyone where I work, but it is literally a job.

Céleste: Last question I have, why were you interested in doing this photoshoot?

Kiko: It interested me because I feel that not many people are informed about this world, and I think it's important to demystify it to get a little more empathy from people who aren't familiar with it. Also, I think that my thoughts can help, or not, and bring connections with people who are in the industry.

Celeste: Thanks Kiko!





RALLY FOR SEX WORK DECRIMINALIZATION

**SEX WORK
AUTONOMOUS
COMMITTEE**

MARCH 3RD AT 5PM

**PLACE DE LA PAIX AT THE CORNER OF
SAINT LAURENT AND PLACE DU MARCHE**

