

SELLING SEX

THE BUSINESS OF PLEASURE

Craig Silverman



Annik answers the door, her braided blonde pigtailed bouncing around her shoulders. Inside is a comfortable basement apartment with two couches, a fully stocked home entertainment system and computer screen glowing in the corner near the kitchen. It is a comfortable space—clean, homey and bright, considering it is just below street level.

Seated at a table wearing a form-fitting black shirt with a cardigan, Annik says she is from a typical middle-class family outside of Montreal. The buxom 29-year-old is in the process of finishing her master's degree. Until then, she will continue to work several nights a week as a \$200-an-hour escort for a stable of clients she has built up over the last six years.

"I've always made the distinction that it is okay for me to have sex without love," she says. "It is very different not knowing and not choosing or being attracted to the person. But the more I got to know my customers and their needs, I realized that what I'm giving is a service for people who are touch-deprived, affection-deprived. In that sense, it has made me quite happy to be helping people."

Annik's first experience in prostitution (or "sex work" as most in the industry prefer to call it) came when she was working in broadcasting in Toronto. "When you work in such a big place, you only do little contracts at the beginning," she says. "So I needed something to help me live in between. There are not a lot of jobs you can take and leave, and that's why I thought of sex work." She opened the paper, answered an ad and was hired her first day by an escort agency.

In 1997, she returned to Montreal for school and continued working for an agency. A year later, she decided to become an independent escort. Since then she has acted as both manager and agent for herself, screening her own clients, making her own bookings and keeping 100 per cent of her earnings, as opposed to the 50/50 split she had when working with an agency.

In the world of sex work, Annik is an exception. She has other skills that she can earn an income from, has always made a budget so she never has to lower her standards in order to earn quick cash and will be retiring on her own terms next year. "The sex work was just a step toward something else," she says. "If it controlled my whole life, then maybe I would be out of focus for where I really want to go."

There are no official statistics kept on prostitution in Canada, but police and experts say it is an industry with well over 10,000 people generating hundreds of millions of dollars each year. Montreal police estimate that in that city alone there are more than 3,000 escorts working independently or in agencies. This so-called "indoor" prostitution market—which includes massage parlours, brothels and outcall escorts—is reported to make up at least 80 per cent of prostitution activity, while the remaining 20 per cent are street workers.

Depending on whom you talk to, their experiences are either very different or surprisingly similar. Canada's leading expert on prostitution is John Lowman, a criminology professor at Simon Fraser University in British Columbia. Lowman makes a distinction between "survival sex" and prostitution.

"Survival sex is a situation where a woman makes a choice to prostitute when she has no other choices. This could be a 14-year-old runaway, a drug addict or a person in extreme poverty," he explains. "The solution to their problems is a solution to drug addiction, a solution to 200 years of colonization of Aboriginal women, a solution to poverty. It has nothing to do with prostitution, which is where a person makes a choice [to sell sex] when they do have other choices."

Others, like Melissa Farley, a San Francisco-based researcher and author on prostitution issues, do not make the

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distinction. "I see prostitution as a human rights violation," she says. "Whether it occurs in the backseat of a car, an alleyway, an expensive hotel or massage parlour, the experience for the person is pretty much the same—it feels like paid rape. Some studies find there is a little more physical violence on the street, while others have not found that. There's a mix."

The "survival sex" distinction, which is also used by other academics and sex worker organizations, reveals the larger issues that frame the debate on prostitution. The reality is that when talking to experts about prostitution—be they academics, sex workers, prohibitionists, police or lawyers—you rarely talk about sex or the act of selling it. Instead, the discussion focuses on poverty, drug addiction, women's rights and public safety.

The issue of prostitution is less about sex than it is about power: Those who have no power or opportunities often end up relying on "survival sex" to feed themselves or their drug addiction, which in turn leaves them vulnerable to those who wish to exercise power over their perilous situation.

"The root causes are many," says Farley, who has conducted research around the world. "In addition to gender inequality, in Canada you have racism and colonialism." Farley points to a 2000 study that found Aboriginal people comprised up to 90 per cent of the "visible" sex trade in some regions of Canada.

As the cliché goes, it is the world's oldest profession. Aside from the human desire for sex, the reasons for prostitution's longevity are the persistent social issues that it is linked to, such as poverty. This, in turn, makes prostitution as difficult an issue to tackle as the social ills it is inextricably linked to.

Although it may come as a surprise to many, the act of prostitution is legal in Canada. What our criminal code prohibits is soliciting or communicating for the purpose of prostitution, and procuring or living off the avails of prostitution (pimping). It is also illegal to operate a "bawdy house," which is a specific location being kept for the purposes of prostitution. The nature of our laws, which say the act itself is legal but everything around it is not, have turned the immediate focus on the issue from that of principle into one of application. This is one of the few places where those on all sides of the issue agree: Our existing laws aren't working.

Worse, they're killing people.

COFFIN ADVOCACY

Ten years ago, a group of Vancouver sex workers gathered in a one-bedroom apartment to discuss their situation. They were brought together by the realization that there were no services specifically geared toward sex workers, nor did they have a col-

lective voice. Out of that meeting came the Prostitution Alternatives Counselling and Education (PACE) Society.

Today, PACE is one of the many sex workers organizations across Canada who advocate for their members' rights, help reduce reliance on survival sex and seek to educate the community about sex worker issues. The trend of sex workers organizing dates back to the early days of brothels, but the modern incarnations have emerged over the past 20 years in Canada.

"Part of the work we do is to make sure sex workers are networked and advocating on their own behalf," says Raven Bowen, PACE's coordinator. "We are engaging sex workers in the larger systemic issues and they have been effective self-advocators."

In Vancouver, however, the most effective message isn't coming from current sex workers. "Women are self-advocating through coffins," says Bowen.

Bowen is, of course, referring to the current court case related to the disappearance of prostitutes from Vancouver's impoverished downtown eastside. Robert William Pickton, a B.C. farmer, is currently facing 22 counts of murder in relation to missing women. A police task force says 61 in total are unaccounted for, although some groups claim the number is 65. Pickton's trial is scheduled to begin late this year or in early 2005.

Bowen says that as long as our legal framework forces sex workers to operate on the fringes of society, women will continue to be murdered and disappear. "Our social policies create the breeding ground for violence," she says. "If we don't change now, more women will be involved in survival sex work and more will be murdered. We need to make it a priority for the entire community."

Lowman, who has interviewed hundreds of Canadian prostitutes and authored several seminal studies and papers, says the criminalization of prostitution and enforcement techniques of police have forced it into dangerous corners of the black market. "By 1993, I was already in possession of 50 homicide files in B.C.," he says. "I am looking at the hundreds of women who have died because we leave prostitution in a netherworld where it is neither legal or illegal. If it is legal, then we need to establish where it should occur. The legislators must answer this in the name of stopping people from dying."

One RCMP officer with experience policing prostitution says police do recognize the larger issues around prostitution. "We generally attempt to reduce the social impact and fallout of the prostitution industry," says Earl Moulton, an assistant RCMP commissioner who spent 15 years going after escort agencies and also worked with the missing women's task force in B.C. "We are trying to focus on youth in the industry as well as enabling sex trade workers to get help and get out."

Just as we have indicators to determine the economic health of our nation—housing starts, the dollar, jobs—many experts argue that prostitution is an excellent social indicator. "You can always measure a community by the health and welfare of its sex workers," says Bowen. She then tells the story of one sex worker in Vancouver who made sure to pull out a strand of her hair and place it in a customer's car "to make sure there is piece of DNA in case she gets murdered."

When more women (and men) are on the streets, when they are there because they have no other options or are driven there by drug addiction, it is because our social systems are failing. When poor women are being murdered by the dozens, it is because we are in a crisis. The reality is that in today's Canada, people are falling through the cracks and ending up on street corners, in the backseats of cars—or dead.

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Though the plight of women in Vancouver's eastside has become national news, it has not sparked a national outcry aimed at addressing how prostitution is enforced, practised and regulated in Canada. As Bowen says, "there would be more concern if 100 puppies were murdered."

SOMETHING BETTER THAN BODIES IN FIELDS

Libby Davies, the NDP Member of Parliament for Vancouver's eastside, has attempted to bring the issue to the attention of Parliament. Last fall, she introduced a private members' bill to create an all-party committee to look at the issue.

The last time the House of Commons focused on the issue of prostitution was with the Fraser Commission in 1985. Although its final report pointed to the failings of what Lowman calls our "schizophrenic" laws toward prostitution and recommended the creation of small, legalized zones for prostitution, the government of the time took almost no action. It did, however, introduce a new law aimed at eliminating the ability to communicate for the purpose of prostitution.

Davies says this law has in fact contributed to the deaths of prostitutes. "Because of the pressure of enforcement, women make rapid decisions about getting into a car," she says. "If any other group in society had over 60 women missing and presumed murdered, there would be a massive public outcry. But because prostitution is 'illegal,' it is easy to turn a blind eye."

Davies' bill was passed with support from all political parties, largely due to her tireless lobbying and the plight of the missing women in her riding. She hopes the work of her committee, which has been disbanded until she can reintroduce her bill in the fall, will cause the new government at that time to create a new legal framework for prostitution in Canada. "Criminalizing the workers is not the answer," she says. "Women I know who are involved in the survival sex trade are in deep poverty, have addictions or other traumas. We should be emphasizing support to help them exit the sex trade, not further entrenching them."

Achieving change, admits Davies, will not be easy. The pervasive attitude toward prostitution is that of prohibition, of pursuing a criminalized agenda. "I'm very interested in pursuing a law reform agenda, but it is a controversial debate," says Davies. "The law itself is the failure. It is supposed to protect women and communities, and it fails on both counts."

The options for law reform are many. Canada could follow the path of the Netherlands and Australia and pursue a legalized approach to brothels, or it could look to the Swedish model, which is focused on prohibition. Sweden is the only country that outlaws the buying and not the selling of sex. It enforces harsh penalties on those who pay, or offer to pay, for

sex. It has also instituted programs aimed at giving prostitutes resources to help the transition off the street.

Annik says that people will never stop needing to pay for sex, and any new laws should be geared toward letting sex workers not involved in survival sex better protect and manage themselves. "I would like to have the pimping law taken out so we could have agencies working for the girls, as opposed to the girls working for the agencies," she says. "Just like you would choose a sports agent or art agent, we could find someone with our best interest at heart."

Lowman is quick to point out that cities all over Canada are in fact already involved in sanctioning escort agencies. Anyone who wishes to start an escort agency must first go down to city hall and pay a fee to start an agency. Lowman says this equates to pimping since our municipalities are accepting the proceeds of prostitution. "That's why whenever anyone asks me what a pimp looks like, I say he wears a suit and tie, and sits on City Council," he says. "After 27 years of work and talking to hundreds of sex workers, I believe what we've got to do is create a society where, if prostitution is going to occur, it really is a choice for the person," he says. "I've come to believe that a lot of what we see as the negative impacts of prostitution are not intrinsic to commercial sex. They are a reflection of prohibition and the problems caused by it."

Farley, on the other hand, strongly advocates for the Swedish prohibitionist model, saying it is the only way to protect women. "I don't care if there is a panic button in a room in the legal brothel," she says, "because, by the time the bouncer gets there, she has already had an arm broken or been punched in the face... this is a very dangerous activity, and the people who purchase prostitutes apparently feel that they are dealing with someone whose life and feelings don't matter."

Whether Canada pursues a law reform agenda toward legalization or prohibition, what matters is that we develop a coherent policy, according to Lowman. "Anything," he says, "is better than dead bodies in fields."