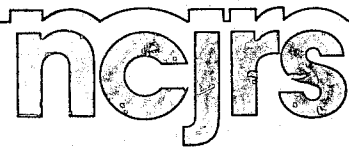
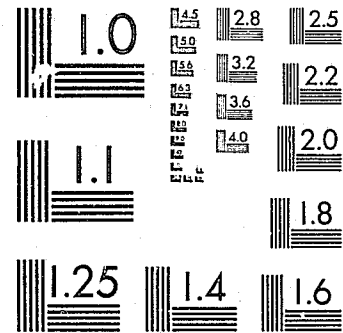


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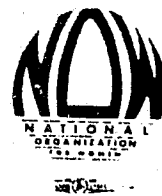
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CALIFORNIA NOW, INC.

National Organization for Women

WORKING ON PROSTITUTION

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 Chair, Economic Justice Committee
 July 1983

TABLE OF CONTENTS

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Page

Prostitution: A Difficult Issue for Feminists	1
Prevalence of Prostitution	2
Why Prostitution?	3
Basic Systems of Prostitution	3
De Facto Legalization of Third-Party Controlled Prostitution in the United States	4
Pornography	5
Hotel Involvement in Prostitution	5
The Law	6
Discriminatory Enforcement of the Law	6
Pimps, Violence, Drugs and VD	8
Juvenile Prostitution	8
The Need for Alternatives	10
Who Benefits from the System?	11
Options for Change	12
Where Feminists Come In	13
NOW Policy	14
Appendix 1: Resolutions Passed by NOW Conferences	16
Appendix 2: 1949 United Nations Convention	20
Appendix 3: What Can a Prostitutes' Rights Task Force Do?	21
Appendix 4: Action Council Committee Chairs	23
Suggestions for Further Reading	24

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ACQUISITIONS

PROSTITUTION: A DIFFICULT ISSUE FOR FEMINISTS

Prostitution has been a difficult issue for feminists both in the current wave of the feminist movement, which began in the late 1960s, and in the earlier wave which began in the 1860s. On the one hand, as feminists we abhor the exploitation of women's sexuality by profiteers, and on another, some of us feel, instinctively, that prostitution, in some way, supports an objectification of women's sexuality, and of women, that is related to the violence against us that is so hard to stop. In addition, we are defined, by ourselves and others, by our place in the age-old whore/madonna dichotomy.

There is hardly a woman alive who has reached puberty without being aware, on some level, of prostitution. Many women have prostitution fantasies, of one kind or another, in which sexual pleasure is equated with depravity, with badness. The prostitution question also comes up for many women in their sexual encounters with men, particularly when the men are interested in quick, rather anonymous, casual sexual encounters, and the women are interested in more long-term, caring, sexual relationships. The result of such conflicting demands is that many women, at least some of the time, feel sexually used.

At the same time, the message beamed at young girls, by parents, advice columnists, teachers, clergy, and others, is that they should protect their virginity, save their sexuality for marriage, or if the speaker is more accepting of sexuality, for a significant relationship. While there may be good medical reasons for the delay of sexual intercourse (e.g., the greater risk of cervical cancer in women who become sexually active before the age of 18 or 20), such messages are generally "moral" in tone rather than "medical." Although the percentage of adolescent girls who are sexually active increases every year, so that being sexual has become the norm rather than the exception, their behavior is still condemned. For example, while court decisions have ended the practice of routinely expelling any girl who becomes pregnant from school, now they are routinely channeled into special, inferior programs, outside of the regular school curriculum. As a result, many of them drop out, which effectively ends their education and sentences them to a lifetime of low-level, low-paying jobs, or dependence on welfare, not to mention motherhood before they are ready for it. The boys who are the biological fathers-to-be are not, of course, channeled to the side, there being no obvious indication of their sexual activity.

Another factor that interferes with a dispassionate view of prostitution is that approximately 25 percent of women report that they were sexually "abused" by an adult male before they reached the age of 18. In addition, as adults women face a one in four risk of being raped—by acquaintances, as well as by strangers. If marital rape were to be included in those statistics, the percentage would be far higher. Compounding this abuse is the persistent blaming of the victim with which we are all familiar. An incestuously assaulted five year old is described by a judge as "sexually precocious." When a high school girl, wearing dungarees, a turtle-neck and a loose shirt is raped, her rapist is described by the judge as responding "normally" to provocation. A standard defense to rape is that the woman was a prostitute. These assumptions are carried, as well, into the home, particularly in the case of domestic violence: many battering husbands call their wives "whore" before they hit them, the label being justification for the act.

Although the laws against adultery and fornication have been repealed in many states, the stigma still remains. Women who are sexually active outside of traditional marriage are vulnerable to custody fights, and judges are still, in 1982, granting custody to fathers on those grounds. This is particularly true for lesbians and prostitutes, who are seen as being far outside of the norm, but it is also a problem for women who are in long-term, monogamous relationships with men to whom they are not married.

In addition to the many restrictions and negative experiences that make it difficult for women to view prostitution with any kind of objectivity, prostitution itself is shrouded in layer after layer of mystique. A male-controlled media, which includes classic literature as well as modern television, movies, novels, and magazines, has largely created an image of the prostitute that does not have much to do with reality. On the one hand, the media has presented the "whore with the heart of gold" and the "sex goddess," on the other it has presented the depraved, degraded prisoner, the sexual slave. Modern pornography has further confused the issue, by setting up unreal images of women's sexuality, including a misrepresentation of what takes place in prostitution. Only recently have prostitutes, themselves, begun to write about their experiences, or to tell their experiences to other writers (Millett, 1973; Jaget, 1980). In addition, some feminists have begun to write about prostitution, looking at the patriarchal structures that surround prostitution, and have through history, and the role that prostitution plays in contemporary society. (Macmillan, 1977; Perry, 1978; Barry, 1979; Walkowitz, 1980; Goldman, 1981; Rosen, 1982; Wells, 1982.)

This paper is an attempt to demystify prostitution, and to make it easier for feminists, particularly NOW members, to work on this issue. It is, of necessity, rather brief, and I would recommend that anyone interested in learning more about this issue refer to some of the books listed in the bibliography, and to keep a look out for new, feminist books on prostitution as they appear.

PREVALENCE OF PROSTITUTION

Prostitution has existed in every society for which there are written records (Bullough, 1978; Tannahill, 1980). For a long period in history, women had only three options for economic survival: getting married, becoming a nun (earlier a priestess), or becoming a prostitute (related to being a priestess during certain periods). The invention of the spinning wheel, around the 13th Century, enabled a woman working alone to produce enough thread to support herself, for the first time, as a spinster.

Prostitution has tended to increase in times of social change, particularly during times in which the role of women was changing. Thus, the industrial revolution in the 19th century was accompanied by a marked increase in prostitution. This was due, in part, to the simple dislocation of large numbers of women who moved from rural, agricultural communities to urban, industrial cities. When they could not obtain jobs in the new factories, significant numbers of them were forced to turn to prostitution for survival. A second factor, however, was that women who left their families to work in factories were considered to be immoral, and they were subject to a good deal of sexual harassment on the job. Once they were stigmatized for leaving home, the barriers to their becoming involved in prostitution were reduced (Rosen, 1977). A similar pattern can be seen in the newly industrializing nations today, especially countries in Africa, Latin America, and Southeast Asia.

For most of history, prostitution has been a stigmatized profession, although it has rarely been prohibited outright. The status of prostitutes seems to have been tied directly to the general status of women: the more women, as a class, have been confined and treated as chattel, the freer prostitute women have been to work without official harassment. As non-prostitute women have achieved increasing independence, on the other hand, the prostitutes have been more restricted and condemned, often confined to segregated districts, or required to wear special clothing, for example.

At the present time, prostitution exists all over the world, in every country. Although the forms vary somewhat from country to country—in part due to cultural differences, in part due to differences in the law—the institution, itself, is strikingly similar. A few countries, including Cuba, the USSR, and China, have undertaken enormous

projects to "rehabilitate" prostitutes, and thereby to eliminate prostitution. However, women in all of those countries continue to work as prostitutes, especially in the large urban centers, and especially since there has been an increase in tourism from other countries.

WHY PROSTITUTION?

Prostitution exists because of the subordination of women in most societies. This subordination is reflected in the double standard of sexual behavior for men and women, and is carried out in the discrepancy between women's and men's earning power, which results in women in the United States earning 59 cents for every dollar men earn (even less in most other countries). This economic discrepancy has not changed much from the days of the Old Testament, at which time women earned about 60 shekels for every 100 shekels earned by men.

The specific reasons that prostitutes, themselves, have given for choosing to work as prostitutes, as revealed in the studies of Dr. Jennifer James, in Seattle, have included money, excitement, independence, and flexibility, in roughly that order. Studies by Dr. James, and others, have also revealed a high incidence of child sexual abuse in the life histories of prostitutes (sexual abuse in general: 50 percent for adult prostitutes, 75-80 percent for juvenile prostitutes; incest: 25 percent for adult prostitutes, 50-75 percent for juvenile prostitutes). The traditional psychoanalytic explanation for the relationship between the childhood sexual abuse and later involvement in prostitution is that the child has come to view sex as a commodity, and that she is masochistic. The connection prostitutes report, however, is that the involvement in prostitution is a way of taking back control of a situation in which, as children, they had no control. Specifically, many have reported that the first time they ever felt powerful was the first time they "turned a trick." (For more information on the relationship between child sexual abuse and prostitution, see Rush, 1980; Sanford, 1980. For more information on the way prostitutes feel about their involvement in prostitution, see Jaget, 1980; Millett, 1973.)

A number of authors have also looked at the fact that men and women do not appear to view sex in the same way and, in fact, that men as a class seem to view sex as power, while women as a class tend to see it as a nurturing phenomenon—a generalization subject to great individual differences—with rape being the most extreme form of the use of sex as power. Prostitution can also involve an equation of sex with power: for the man/customer, the power consists of his ability to "buy" access to any number of women; for the woman/prostitute, the power consists of her ability to set the terms of her sexuality, and to demand substantial payment for her time and skills. Thus, prostitution is one area in which women have, traditionally, openly viewed sex as power.

Although prostitution is considered to be a uniquely human profession, there is some evidence, from both field and laboratory studies of non-human primates, that it is not. Chimpanzees have been observed in the wild engaging in sexual activity in exchange for food, and in a laboratory study in which tokens were given to chimps for specific behaviors, observers suddenly noticed that a few female chimps had all the tokens. Further observation revealed a form of prostitution (Bullough, 1978).

BASIC SYSTEMS OF PROSTITUTION

As noted above, prostitution exists in every country, and the institutions that surround prostitution are strikingly similar, from one country to the next.

Street Prostitution. The most familiar form of prostitution, and the one that draws the most attention, is street prostitution. In the United States, about 10-15 percent of prostitution involves street solicitation. The traditional pimp/prostitute relationship is most likely to occur in this setting, although about 40 percent of street prostitutes work independently.

Massage Parlors. The next level of prostitution takes place off the street, but is still obvious to the general public. This includes massage parlors, encounter studios, and other euphemistic businesses, as well as bar or cafe prostitution, in which women meet clients in the bar and take them to rooms above the bar (more common in Europe). These businesses are generally clearly identifiable from the street. The owners and managers of these businesses are legally defined as pimps and panders. Men are as likely to manage massage parlors as women, and are also likely to demand that the prostitutes engage in sexual activity with them, without pay (sexual harassment on the job). In many U.S. cities, massage parlors and their employees are required to obtain licenses from the police department (see section on de facto legalization, below).

Brothel. The next level is the brothel or bordello, which is an enclosed building, not open to the general public, in which prostitution takes place. In countries with "legalized" brothel systems, the brothel district is often completely separated from the rest of the city, sometimes surrounded by a wall or fence. Illegal brothels are generally well hidden from public view, not the least to avoid police action against them. Whether the brothel is owned by a man or a woman, in most cases it is managed by a woman, who is known as a "madam."

The women who work in legal brothels are generally restricted in their movements outside of the brothel district. The well-known "eros centres" in West Germany, and the streets lined with rooms with picture windows, which can be found in the Netherlands, fall into this category, as do legal brothel districts, whether walled off, as in pre-Ayatollah Iran, or simply separated by custom, as in Bombay or Morocco. In Nevada, the rural counties that have either legal or tolerated brothel systems have imposed a large number of restrictions on the movements of the women who work in the brothels. For example, they are not allowed to be in a gambling casino or a bar at all, or to be in the company of a man on the street or in a restaurant. They are also not allowed to reside in the same community in which they work (they generally work a three-week shift in the brothel, after which they are "off" for a week or more). Since the women are required to register with the sheriff as prostitutes, these restrictions are easy to enforce. (See Mary Ellen Mark, Falkland Road, 1981, for an incredible look at one of the brothel districts in Bombay.)

Outcall. A large number of prostitutes, perhaps the majority, work outside of "houses." The traditional "call girl" worked independently, with a "book" of clients. In the last few years, a system of "escort services" has developed (originally as an "outcall" service offered by massage parlors), which work like a dating service in that they connect clients and prostitutes, who meet elsewhere. Whether they work through an escort service, or completely on their own, the prostitutes who work in this way are the most independent, and the most in control of their lives on and off the job. The owner of an escort service is legally a pimp, but the relationship is strictly a business relationship, with little or no personal contact between the prostitute and her agent.

DE FACTO LEGALIZATION OF THIRD-PARTY CONTROLLED PROSTITUTION IN THE U.S.

Although prostitution is illegal in the United States, except for Nevada, a quasi-legalized brothel system has developed in many cities, under the auspices of the Police Department. San Francisco is a good example. In the early '70s, the San Francisco Board of Supervisors passed legislation regulating massage parlors, and requiring that both the owners of the massage parlors and the massage workers they employed obtain licenses from the Police Department's Permit Bureau. A conviction on a prostitution-related offense, in the previous three years, is grounds for denial of the license. Similarly, a conviction subsequent to the issuing of the license is grounds for revocation. In 1981, the Board of Supervisors passed similar legislation regulating escort services.

Although, on the face of it, it would seem that the legislation is designed to prevent prostitution from taking place, according to police testimony at the time the escort service bill was introduced, it is really designed only to regulate and control prostitution, not prevent it. In effect, however, what it does is guarantee a turnover of new employees because the Police Department mounts periodic raids on the parlors, and revokes the permits of all of the women who have been arrested.

PORNOGRAPHY

Another version of third-party controlled prostitution has developed as a result of the de facto legalization of pornography by the courts. The proliferation of magazines, books, films, videotapes, and "adult" bookstores, has been matched by the growth of the live pornography show, in which the line between pornography and prostitution is extremely thin, if it exists at all.

The legal definition of prostitution, in California, is "a lewd act in exchange for money or other consideration." The courts have seen fit to find that sex acts for which all participants are being paid by a third party (viewer, pornographic film-maker, etc.), and in which there is no direct physical contact between payer and payee, are legitimate, while continuing to uphold the laws which prohibit the same actions if one participant is paying the other directly. In live pornography shows (including peep shows—in which women perform in booths or on a stage separated from their customers by plexiglas windows or coin-operated shutters—as well as more conventional theatrical presentations) the line has all but disappeared. The main consumers of live pornography shows are tourists, and tour buses leave regularly from the major hotels in every city, taking visitors to pornography districts.

New case law is being developed as police charge that the live shows are, in fact, prostitution, while the pornographers contend that they are not, and that the sexual activity involved is covered by the First Amendment. There is a strong possibility that it will be a case involving live pornography that will result in the prostitution laws being struck down as unconstitutional. The reason for this is that the producers of live pornography, who are almost exclusively male, would like very much to be able to become legally involved in prostitution. As profitable as pornography is, prostitution is seen as potentially even more profitable. The problem is that the particular form of prostitution they would like to see legalized is the brothel system, which would put all of the control into the hands of the owners/managers. Therefore, they are willing to spend a great deal of money fighting the prostitution laws in the courts.

HOTEL INVOLVEMENT IN PROSTITUTION

Although hotels are often prime movers in efforts to get police to "crack down" on prostitution, they are also dependent on the availability of large numbers of prostitutes for their business clients. This is especially true in large urban areas which, because of a decline in blue-collar industry, have become dependent on tourism as a major source of tax revenues. The convention industry has become a major industry in this country and, because of the discrimination against women in employment, particularly at the management level, convention attendees are overwhelmingly men who are traveling without their families. A significant number of those men feel that a visit to a strange city is not complete without a visit to a prostitute. It is in response to this that the large massage parlor and escort service industry has developed in this country, and the "sex tour" industry has developed internationally.

Hotels use their security staff to screen prostitutes, and keep out those deemed unacceptable. The way it works is that prostitutes who plan to visit a client in a first-class hotel are expected to check in at the main desk to announce their intention (saying they

are there to give the client a massage, or to provide some other service). If the woman has a massage license, she is expected to show it to the desk clerk. Once she is on an upper floor, she is likely to be stopped by hotel security, who calls down to the main desk to see if she has checked in. If she has not, she will be taken to a room in the hotel, often in the basement, where she will be photographed, warned not to come back to the hotel, and told that her photograph will be circulated to other hotels in the area. If she is Black, or if she is garishly dressed, or if she is seen as being too noisy, or drunk, she is more likely to be stopped than if she is elegantly dressed, etc. Recently, the San Francisco Hilton Hotel was sued by a Black woman who had been harassed in this way while attending a feminist conference in the city. The Hilton settled out of court.

A man checking into a hotel, who wishes to find a prostitute, has only to ask the bell captain for references. He can also ask most taxi drivers. Should he be diffident about stating his objective so openly, he can check the Yellow Pages of the phone book for massage parlors or escort services, or the classified ads in the daily newspaper under the heading of massage, escorts, introductions, dating services, and/or personals. New headings appear from time to time. In some cities, the free hand-out magazines found in hotels include ads for escort services and massage parlors.

Like the producers of pornography, hotel owners could derive great financial benefit from a tightly controlled brothel system.

THE LAW

Historically, prostitution has been dealt with in a number of ways by governmental bodies, whether civil or religious. As I pointed out above, during periods of history in which "good" women were severely restricted (e.g., veiled, accompanied at all times by a chaperone, confined to special quarters), prostitutes have been tolerated and allowed to work with few restrictions. In contrast, times in which women have been fighting for and achieving greater independence have also been times in which greater restrictions, and even prohibitions, have been imposed on prostitutes. For example, during the renaissance, which was a period in which women achieved some measure of independence, prostitutes were often required to wear special clothing, and/or were confined to special districts. Again, the 19th century, when women were demanding the right to vote, was the period in which England passed the Contagious Diseases Acts which resulted in any woman suspected of being a prostitute being arrested and taken to a "lock ward" in a hospital for examination and treatment for VD (Walkowitz, 1980). The United States laws prohibiting prostitution were enacted in the second decade of this century, at a time when the movement for women's suffrage was gaining momentum, prior to ratification of the suffrage amendment in 1920 (Connelly, 1980).

In 1949, the United Nations passed a convention paper that called for the decriminalization of prostitution, and the enforcement of laws against those who exploit women and children in prostitution. The convention, which was read to the United Nations General Assembly by Eleanor Roosevelt, has been ratified by more than 50 countries, not including the United States. Most of the countries of Europe have "decriminalized" the act of prostitution (that means that no law remains on the book prohibiting the engaging in an act of prostitution), although most have retained the laws against "soliciting," "pimping," "pandering," "running a disorderly house," and "transporting a woman across national boundaries for the purposes of prostitution." The United States, on the other hand, has retained the laws prohibiting the act of prostitution, as well (the exception is the state of Nevada, where counties with populations of less than 250,000 have the option of allowing legal, regulated brothels). Prostitution is also prohibited, outright, in Japan, and in many Asian countries. It is decriminalized in the Soviet Union, but women who work as prostitutes are arrested for violating the law against being a parasite, i.e., not having a legally-recognized job.

In addition to the laws prohibiting the soliciting or engaging in an act of prostitution, and the related issues of pimping, pandering, etc., the United States has laws that bar anyone who has ever been a prostitute from entering this country, becoming a citizen, or remaining in this country as a resident. Deportation proceedings were instituted recently against a French woman who was managing a brothel in Nevada, on those grounds, even though the business was perfectly legal.

West Germany, in addition to decriminalizing the act itself, has developed a variety of approaches, ranging from a tightly controlled, single-zone brothel system in Hamburg, to a laissez-faire, open-zone system in West Berlin. Denmark and Sweden have both repealed most of the laws restricting the right of prostitutes to work, and passed laws designed to help women who want to get out of prostitution.

The countries with the most restrictive legal systems, including the United States, have the most problems with prostitution, in terms of violence against prostitutes and women perceived to be like prostitutes, ancillary crimes (i.e., thefts and violent crimes) associated with prostitution, pimping (especially brutal pimping), involvement of juveniles, etc. Conversely, the countries with the least restrictive measures, including the Netherlands, West Germany, and Sweden and Denmark, have the least problems.

DISCRIMINATORY ENFORCEMENT OF THE LAW

Nearly 89,500 people were arrested for prostitution in the United States in 1979 (U.S. Department of Justice, 1981). In 1973, the year that the prostitutes rights movement began in this country with the founding of COYOTE, 35,000 people were arrested. Although the law makes no distinction between men and women and, in most states, prohibits both sides of the transaction, the percentage of women arrested generally hovers around 70 percent (in 1979 it had dropped to 67 percent, probably as a result of feminist pressure on police departments to arrest customers if prostitutes were going to be arrested). About 20 percent of those arrested are male prostitutes (mainly transvestites and transsexuals), so the ratio of customers to prostitutes is still extremely low.

Enforcement practices similarly discriminate against people of color, and against people from the lower-economic strata of our society. Eighty-five to 90 percent of the prostitutes who are arrested work the streets, although only 10 to 15 percent of all prostitutes are street workers. While approximately 40 percent of street prostitutes are women of color, 55 percent of those arrested are. The racism becomes even more apparent when you look at the figures on who gets jailed: 85 percent of prostitutes who are sentenced to do jail time are women of color. One study of street prostitution in New York City (Cohen, 1980) formed a hypothesis that the reason for the disproportionate number of minority women being arrested was that there was more police activity in the neighborhood of ethnic minorities, where they were more likely to work. In testing the hypothesis, however, he found that there was, in fact, more police activity in white districts, where most of the prostitutes were also white. His hypothesis then changed to one in which the racial bias of the mostly white police officers was to blame. Another possibility, however, is that the women of color are mostly likely to be arrested when they drift towards and/or into the white districts.

A look at the enforcement practices in Las Vegas, Nevada, where all prostitution is illegal, tends to support this latter hypothesis. In recent years, the casinos have increasingly relied on sex, or the implication of sex, in their stage shows to draw customers. Elegant prostitutes, who look like the proverbial Las Vegas showgirl, have always been allowed to work with impunity, so long as they did not draw customers away from the gambling tables. Black prostitutes however, have not been allowed to work in the casinos and hotels (Blacks have been admitted as customers only since 1962). Therefore, the percentage of street prostitutes who are Black is high, due to their exclusion from the

hotels. The enforcement of the law against prostitution is rigidly enforced against street prostitutes in Las Vegas, with the result that large numbers of Black women are arrested each night. Recently, Las Vegas has instituted a mandatory counseling program for prostitutes, which operates from 8:00 p.m. to midnight. The poor, Black prostitutes are in the counseling program, while the middle- and upper-class white prostitutes are allowed to make money working the casinos.

Enforcement practices vary from city to city, and from time to time. According to a report from the California Attorney General's Office, in 1980, the San Francisco Police Department arrests more prostitutes annually than does the police department in Los Angeles, a city more than 10 times the size of San Francisco. One reason is that San Francisco is a convention city, and one with a long-standing reputation for sexual license (the Barbary Coast preceded Castro Street by more than a century).

In all cities, there are periods of intense enforcement, followed by periods of relative calm, often seemingly without any clear logic to the pattern. Traditional analysts claim that pre-election politics always demands raids, but in my experience the raids are rarely so closely tied to elections. Since a majority of the population supports a change in the law, it is also difficult to see how the crackdowns would help incumbents.

If the enforcement of the law is designed to reduce the amount of prostitution, it has failed miserably. Moreover, crackdowns are generally initiated with a fanfare about how the police are going to rid the streets of violent crime but, in fact, crackdowns are often followed by an increase in robberies, many of which involve some form of violence, as well as burglaries and other real property crime, as the people who have been dependent on the now-jailed prostitutes seek to replace the lost income.

Crackdowns, and arrests in general, tend to reinforce the dependence of prostitutes on pimps, who are often the only friend outside of the jail who can arrange for bail, an attorney, child care, etc. Many women who have worked independently before their first arrest are, moreover, recruited into stables by other prostitutes in the jail, who convince them of the need to have someone outside to take care of business.

Another effect of crackdowns is that it pressures many of the women to move on to other cities, cutting off their connections with local friends and networks of support, including agencies that could help them leave prostitution if they wanted to. Their isolation in new cities further increases their dependence on pimps, and effectively entraps them in "the life."

PIMPS, VIOLENCE, DRUGS AND VD

Pimps. The legal definition of pimping is "living off the earnings of a prostitute." By that definition, those who pimp off of prostitution include not only the stereotyped pimp with a stable of women who he beats with coat hangers if they fail to bring in enough money, but lovers who shop for groceries and do the laundry, taxi drivers, bell captains, the business-like owners and managers of massage parlors and escort services, madams, and others who personally and directly receive money from prostitutes and/or provide connections between prostitutes and customers. Also included would have to be the publishers of the Yellow Pages, newspapers, and some magazines, the banks that offer credit cards, travel agents that book sex tours, and a host of corporate entities that are never charged with violating the prostitution laws.

When most people think of pimping, of course, they think of the bad pimps who lure unsuspecting women into prostitution, and physically abuse them when they resist or don't bring in enough money. What most people do not think about is the relationship of such violent relationships to relational violence in other contexts, such as marriage. If you consider that about 50 percent of adult prostitutes were either physically or sexually

abused in childhood, often by their fathers, it is not surprising that many would find themselves in violent relationships as adults. This is not to condone such relationships, merely to put them into context.

The battered women's movement has had a profound effect on the consciousness of prostitutes who are in battering relationships, and increasing numbers of them are turning to battered women's programs for help. They are often even more frightened to pursue the matter in court than battered wives, but they are beginning to realize that they can, perhaps, have help getting out of the situation. At least some of the time, that is, because some battered women's programs routinely refuse to admit prostitutes.

Violence Against Prostitutes. The danger to prostitutes does not come only from pimps, but from customers and police, as well. A recent study of street prostitutes and sexual assault, that was completed by the Delancey Street Foundation under a grant from the NIMH, found that 70 percent of the women interviewed had been raped on the job, and that those who had been raped had been so victimized an average of 8-10 times a year. Only seven percent had sought any kind of help, and only four percent had reported any of the rapes to the police (Silbert, 1981). Murder is also a serious problem for prostitutes, with more than 200 being killed a year, at a risk rate of about four times that of women in general.

The police, who are sworn to protect people from violence, are largely negligent in that duty when it comes to people who are seen to be powerless, and that includes prostitutes. Even worse, because prostitutes are seen to have few supporters in the outside world, police (particularly undercover vice officers) feel free to insult and roughly handle the prostitutes they arrest, with the physical abuse ranging from tightly handcuffed hands being pulled roughly up in the back, to outright beatings and kickings. The verbal abuse ranges from specific insults about the individual prostitute's body, to taunting about the potential for the police officer to get a free blow job with no one the wiser, to suggestions that the prostitute give the sheriff a blow job to get out of jail. Most prostitutes accept this abuse as part of the job, and so the few accounts that surface must be seen to be symptoms of a much larger problem.

Drugs. Prostitution is hard work, both in physical and the emotional terms. Therefore, it is not surprising that a significant number of prostitutes use drugs of one kind or another to make the work easier. These drugs can include heroin and other downers, but also include such generally popular drugs as marijuana and cocaine (the favorite of attorneys and legislators, these days, according to newspaper accounts). One study of prostitutes and drugs found that 40 percent were addicted to heroin, but that 60 percent of those were addicted before becoming involved in prostitution. It is important to be aware that most studies of prostitutes are studies of street prostitutes who have been arrested, and they are therefore studies of skewed samples.

VD and other Sexually Transmitted Diseases. One excuse that is often given for keeping prostitution a crime is the supposed responsibility of prostitutes for the epidemic of VD in this country. Countries that have legalized and regulated prostitution have often included health requirements that prostitutes have regular check-ups for venereal and other sexually transmitted diseases. Such programs would have had minimal effect on the rate of VD in this country, however, because prostitutes are generally implicated in only a small proportion of the VD that is reported. The U.S. Department of Public Health consistently reports that about five percent of the VD in this country is related to prostitution. Studies of prostitutes, on the other hand (and it is important to remember that these studies are probably of street prostitutes who have been arrested) generally find that about 20-25 percent of the women have some venereal disease. For comparison, it is interesting to note that about 30-35 percent of the VD in this country is found among high school age individuals.

Prostitutes are usually quite concerned about venereal disease. They know, for example, that gonorrhea is asymptomatic among women 80 percent of the time, and that if untreated, it can lead to a life-threatening condition known as pelvic inflammatory disease (PID, which also is a serious risk for women with IUDs). Therefore, prostitutes tend to be quite responsible about being checked for disease, to protect themselves as well as others. They also make use of any prophylactic measures that are available, including barrier methods of birth control, such as condoms and diaphragms, and spermicidal jellies and foams. They also learn to recognize the symptoms of sexually transmitted diseases in men and refuse to have sexual contact with men they believe to be infected.

The prostitutes who are least likely to protect themselves from VD are those who are seriously addicted to heroin, and are too desperate for the income necessary to pay the inflated prices of illegal drugs to take such precautions. The prohibition of prostitution has not served in any way to solve this problem.

JUVENILE PROSTITUTION

The primary focus of this paper is adult prostitution. However, there are an estimated 500,000 to one million juveniles involved in prostitution and pornography in this country. The overwhelming majority are runaways who turn to prostitution to survive in an economy that denies jobs to adolescents. Because most are runaways, they are also unlikely to have any marketable skills other than prostitution.

About 164,400 juveniles were arrested in 1979 for status offenses, such as running away from home, avoiding school, etc. Seventy-seven percent of them were girls (boys tending to be arrested for real crimes). Another 3,000 or so were arrested for prostitution, per se.

Various studies of juveniles who are runaways, drug and alcohol abusers, and/or prostitutes has revealed that a high percentage (the studies range from 35 to 85 percent) are survivors of incest. The stereotypical account of how these young people become involved in prostitution is that they arrive in a big city bus station, and are picked up by a sweet-talking pimp, treated well for a while, and then coerced into working as a prostitute to "repay the debt." This pattern is well delineated in Alix Kates Shulman's recent novel, On the Stroll, which is about a teen-age girl who gets pulled into prostitution, and an aged bag woman who once was the belle of the army during World War II.

There have been a number of newspaper accounts, however, of a different phenomenon, in which young girls deliberately go to big cities to find pimps to turn them out. These young women are also likely to leave pimps they don't like, either for another one, or to be independent.

On the other hand, the workers in shelters for runaways and other programs for juvenile prostitutes find that many of the juvenile prostitutes they meet are independent of pimps. They are more likely to live together as a group, pooling their money, and to go out and work as prostitutes only when the money runs out.

Whatever the path of recruitment into prostitution, once there most juveniles find the work to be devastating. They find that it is dangerous, as well as emotionally draining, and they are ill equipped physically or experientially to protect themselves. There are shelters in most major cities, but since each shelter can house only a few clients at a time, the vast majority must fend for themselves. In San Francisco, it has been estimated that there are about 5,000 juvenile prostitutes over the course of a year, but the shelters have only enough bed space for a few hundred.

The police use loitering and prostitution laws, as well as the laws against being a runaway, to pick up these young people. Typically, they will take the arrested juvenile to a facility for offenders who are under the age of 18. The facility is then required, by

law, to inform the parents of the juvenile that she or he is in custody. If the juvenile has been arrested for a status offense, she or he is usually sent back to the parents. Since most of them have run from incest and/or other child abuse and neglect, they are likely to run again, this time to a different city. The voluntary shelters are similarly required to notify the parents, which keeps many runaways from going to shelters in the first place.

The current laws treat the juvenile prostitute as the criminal. They could easily focus, instead, on the pimps and customers of juvenile prostitutes, who are clearly guilty of child abuse. The customers of juvenile prostitutes are, like the customers of adult prostitutes, middle-aged, middle-class, white businessmen who are married. In one study of juvenile prostitution in Minneapolis, the authors found that some customers look specifically for prostitutes the age of their children (Baizerman, 1979).

Juvenile prostitutes see an average of 300 customers a year (less than the number that the average adult sees). Given an estimate that there are about 500,000 adolescents working as prostitutes in this country, juvenile prostitution accounts for about 150 million cases of sexual abuse of juveniles that is both undetected and uncared about in this society. Even those who write about sexual abuse of children, and try to give a sense of the prevalence of such abuse, often leave out the numbers of violations by customers of prostitutes, although it would seem that the figures on sexual abuse involved in juvenile prostitution would only strengthen the case that sexual abuse of children is a national dilemma of monumental proportions.

As serious as the problem of juvenile prostitution is, however, a police crackdown on their customers would not do much to solve the problem. If their customers were rounded up, they would have no source of income, and with the increasing rate of unemployment they would be in a worse economic position than they are already.

THE NEED FOR ALTERNATIVES

This country spends an incredible amount of money to arrest, prosecute, and incarcerate women and men involved in prostitution. In 1977, the cost of arresting one prostitute, and keeping her in jail for two weeks, was \$3,000 in New York. In that same year, San Francisco spent an average of \$2,000 to arrest and prosecute one prostitute. At the same time, almost no money is spent on programs that would help prostitutes change their occupation if they wanted to.

Even within the criminal justice system, little is spent on programs in women's jails, even relative to what is spent on rehabilitative programs for men. There are a few programs for adult prostitutes being developed outside of the criminal justice system around this country, but not nearly enough. There are also a growing number of programs for juvenile prostitutes, particularly in Minneapolis, Seattle, San Francisco, and New York, but again, not nearly enough.

Any programs that are set up to help people involved in prostitution will have to acknowledge and deal with the positive draws that prostitution provides. First and foremost is the economic incentive: the average prostitute in this country earns from about \$85 to \$200 a day, with a great deal of flexibility about hours and days of work. Obviously, most women earn far less, with most of the jobs that women hold paying closer to \$40 a day, for dull, repetitive, unrelenting work. Programs that have tried to help prostitutes make a transition into low-paid, boring jobs have tended to fail.

Transition programs should be staffed by ex-prostitutes as much as possible. In addition to the standard vocational counseling and job development that is needed for transition programs for ex-offenders, programs for prostitutes will have to work with the problems that come with sexual stigmatization, as well as with the amount of sexual and physical abuse that is common in prohibited prostitution.

Shelters for battered women are inconsistent in their dealings with prostitutes. A few take them in without question, but many would rather not for a variety of reasons. One is that due to limited funds, there are not enough well-trained staff to deal effectively with the problem of pimps finding the shelter and demanding to take "their" women back. A second concern that shelter workers have expressed is that prostitutes tend to be "acting out" clients, who also would need specially-trained staff to work with them. As more information comes out about the desperate plight some prostitutes are in, more shelters will take them in, but at the present time there is almost no refuge for women who are trying to leave abusive prostitution situations.

WHO BENEFITS FROM THE SYSTEM

It is difficult to see how anyone benefits from the present system. At the time the U.S. prohibition was enacted, it was at least partly in response to feminist concerns about the abuse of women and children involved in prostitution. After an extensive muckraking campaign in the press, exposing the "horrors" of brothel prostitution (romanticized in the film *Pretty Baby* a few years ago), there was much pressure to close the brothels. There was also a presumption that white women were being kidnapped and sold into slavery in foreign lands (not Europe, of course), so that there was pressure to do something to stop "traffic" across national borders. In fact, Chinese women had been imported, wholesale, and sold into brothels on the west coast, while there was little or no traffic in the other direction. Prostitution was also a job filled by immigrant women from all countries because, since it required little command of English, it was an easy job to get. A significant number of the prostitutes who worked in Virginia City, during the days of the Comstock Lode, were from Europe (Goldman, 1981).

The enactment of laws prohibiting prostitution, pimping, running brothels, transporting women across state lines for "immoral" purposes, etc., did nothing to reduce prostitution. It did have other effects, however. Before prohibition, most brothels were owned and managed by women, most of whom had been prostitutes, themselves. After the legal brothels were closed, the brothel business became criminal, with a male, criminal hierarchy that continues to the present time, when most massage parlors and escort services are owned by men. Closing the brothels also forced many women to work on the streets, subjecting them to greater risks of violence. The basic conditions of women's lives, which caused some of them to choose to work as prostitutes, did not change.

The fact of the matter is that for most of recorded history, prostitution has been set up for the benefit of the customer, no matter what system was in place. The stigma that is enforced by prohibition is also enforced by systems of regulation that require prostitutes to dress differently or to live and work in special districts, or that deny them the right to relationships. The health schemes, that require prostitutes to have weekly checks for venereal disease, are similarly designed to benefit the customer, since there is no equivalent requirement that customers be checked to protect the prostitute.

The current system of de facto legalization, in which the workers in massage parlors and other prostitution businesses are licensed by the police, does not reduce the numbers of women working as prostitutes, it merely registers them with the police, as prostitutes. The same license is required, whether the work is "legitimate" or sexual massage. When a woman applies for the licenses, the police assume she is a prostitute, and treat her accordingly. Periodically, the police raid massage parlors and escort services, and arrest all the women working that night. They may not even bother to set them up on prostitution charges, arresting them, instead, for minor infractions of the massage parlor licensing code, such as failing to wear their ID badge on the outside of their clothes. Such cases are generally dismissed, by the next morning, by a judge who thinks such arrests are a waste of the taxpayers' money and the court's time. Even though there have been no convictions, however, the women who have been arrested generally lose

their licenses, and as a consequence, lose their jobs. This benefits the parlor, or the escort service, because they then can hire an all-new staff, and promise new faces in their ads in the daily paper. The women who have been arrested do not stop working as prostitutes, however. Perhaps they work in their own apartment, advertising in the local sex paper, exposing themselves to risk of dangerous clients and repeated arrests. Perhaps they go out on the street, exposing themselves to even greater risks. Perhaps they move to another city, where they do not have an arrest record, to apply for another massage license, so the cycle begins again.

The number of prostitution arrests has increased almost every year since the prohibition was enacted, which presumably means the number of women working as prostitutes has increased. At the same time, the average age of prostitutes has been dropping in this country. In Europe, which has less oppressive systems, the average age is 25, while here it is 18. Again, in our youth oriented culture, the system seems to benefit (if you can call it that) the customer.

OPTIONS FOR CHANGE

In 1949, the United Nations called for the decriminalizing of the specific transaction between prostitute and customer that is prostitution, while it recommended keeping all related activities a crime. In those countries that have adopted most of the provisions of the convention (most of the Northern European countries), the problems that so plague the prohibited system in this country are less severe. However, the continued prohibition of related activities, such as pimping (living off the earnings of a prostitute), pandering and procuring (bringing prostitutes and customers together, recruiting prostitutes), renting a premises for the purpose of prostitution, keeping a disorderly house, advertising, and soliciting, makes it almost impossible to find a place to work legally, or to engage in the kind of activity that is necessary to contact prospective clients. This leaves the prostitute subject to the exploitation of criminal third parties, landlords, bar owners, bell captains, etc. It also makes it a crime for two women to work together in an apartment.

The criminalizing of pimping, particularly when no distinction is made between a lover relationship in which one person supports another by working as a prostitute, and an employer-employee relationship in which several prostitutes turn over some or all of their earnings to a third party, makes it difficult for prostitutes to lead normal lives outside of their work, and does little to protect them from exploitation by abusive pimps. Prostitutes in countries that have decriminalized prostitution, but left pimping a crime, are working to repeal those laws for that reason. They feel, in addition, that the prohibition tends to reinforce their dependence on abusive men. A further problem is that when prostitutes who have been beaten and/or raped by their pimps report the abuse to the police, they find that the police and district attorneys fail to prosecute the real abuse, and instead press charges of pimping or pandering, to which the prostitutes have no objection.

There are two main alternatives to prohibition, generally termed decriminalization and legalization. In Europe, decriminalization is referred to as abolition, and refers to the repeal of the prostitution laws.

Decriminalization. Ideally, decriminalization would repeal all existing criminal codes regarding voluntary prostitution, per se, between consenting adults, including mutually voluntary pimp/prostitute relationships, and non-coercive pandering. It would involve no new legislation to deal specifically with prostitution, but would leave the businesses which surround prostitution subject to general civil, business, and professional codes that exist to cover all businesses. Such problems as fraud, force, theft, negligence, collusion, etc., would be covered by existing penal code provisions. Decriminalization offers the best chance for women who are involved in prostitution to gain some measure

of control over their work. It would also make it easier to prosecute those who abuse prostitutes, either physically or economically, because the voluntary, non-abusive situations would be left alone.

Legalization, on the other hand, is a system whereby the state regulates, taxes, and licenses whatever form of prostitution is legalized, generally leaving all other forms illegal, and often involves the establishment of special government agencies to deal with prostitution.

The brothels in Nevada, for example, are licensed and regulated by the government, and the women who work in them are registered as prostitutes with the sheriff. As discussed above, they are severely restricted in their movements outside of the brothel. Independent prostitution is illegal, as is prostitution in massage parlors, for escort services, and of course, street prostitution. The women generally work 14-hour shifts, on three-week (seven days a week) tours of duty, during which they may see 10 or 15 customers a day, or more. They have little or no right to refuse a customer (although the management tries to keep out potentially dangerous customers), and they are not allowed to protect themselves from VD by using a condom. Because of the grueling aspects of the long work shifts, many of the women use drugs supplied by the same doctor who performs weekly VD checks, drugs to help them stay awake and alert, and drugs to help them sleep.

In general, decriminalization of prostitution offers much more possibility that the lives of women involved in prostitution can become less dangerous. For one thing, under a comprehensive decriminalization scheme, it would be possible for unions to organize prostitutes to help them improve their working conditions. It would also be possible for prostitutes to form professional associations, and to develop codes of ethics and behavior designed to reduce the problems involved in prostitution as it now exists. Finally, it would be possible for experienced prostitutes to train new prostitutes, so that their first experiences would be less dangerous.

Before much can really be done to help prostitutes, the laws must be changed. The transaction between prostitute and client must be removed from the purview of the law, and the other laws dealing with prostitution must be re-evaluated, and repealed or changed as necessary. Since street prostitution is singled out as "the problem," it is important for residents, business people, and prostitutes to get together to iron out compromises that take into consideration the right of prostitutes to work without harassment, and the right of other residents and businesses to go about their existences without harassment, as well.

In the meantime, until prostitution has been decriminalized, the non-coercive managers regulated, and those who use fraud and force prosecuted, pressure must be put on police and sheriff's departments, district attorneys, public defenders, bail bondspeople, judges, and pretrial diversion and probation programs to improve the treatment of persons arrested under these archaic and oppressive laws.

The onus for the abuses that co-exist with illegal prostitution must be put on the system that perpetuates those abuses, and not any longer on the prostitutes who are abused.

WHERE FEMINISTS COME IN

The various legalization systems that have been developed in other countries, thus far, have been for the benefit of the customer and the state, and have done little to improve the conditions under which prostitutes work, or to help them change their occupation should they want to. Should the laws in this country be changed as a result of pressure from men, including well-intentioned civil liberties attorneys as well as pornographers with ulterior motives, there is a good chance that a brothel system will be

imposed. Unless there is a strong voice pointing out that the brothel system is oppressive to women, both to the women who are required to work in such a system and to their sisters on the outside, most people in this country will assume that such a system works to the benefit of all concerned. After all, the assumption goes, the customers will be guaranteed a professional encounter, with little or no risk of disease. In a brothel system, prostitution will be kept off the street, and out of the sight of children, the assumption continues. All in all, it would just be better, safer, cleaner, etc. The problem is that none of those assumptions are correct, and in exchange for a false sense of security, we would get a punitive system.

Whatever one thinks of prostitution, women have the right to make up their own minds about whether or not to work as prostitutes, and under what terms. They have the right to work as free-lance workers, just as do nurses, typists, writers, doctors, and so on. They also have the right to work for an employer, a third party who can take care of administration and management problems. They have the right to relationships outside of their work, including relationships in which they are the sole support of the other person, so long as the arrangement is acceptable to both parties. They have the right to raise children. They have the right to a full, human existence. As women, we have to make that clear, we have to end the separation of women into whores and madonnas that hurts all of us.

Our experience with the Equal Rights Amendment and with abortion--not to mention sexual assault, domestic violence, sexual harassment, comparable worth, and the rest of the issues on our agenda--should tell us that if we leave the issues up to male legislators and pressure groups, the resulting legislation will not be in our interests. The same is true with prostitution.

Finally, if we ensure that prostitution, under the law, remains in the hands of the prostitutes--and not the hands of pimps, customers, and police--then we will have given the prostitutes the power, and the support, to change that institution. We will all benefit.

NOW POLICY

In 1973, the National NOW Conference passed a resolution calling for the decriminalization of prostitution. The resolution also opposed licensing, and was critical of police practices towards prostitutes, including the discriminatory enforcement of the laws against them, and the failure to enforce the laws against those who prey on prostitute.

Not much was done, however, with that resolution. In 1979, California NOW formed a Prostitution Task Force, and since that time task forces have been formed in a number of chapters, including San Francisco and Pomona Valley, in California, as well as Baltimore, Maryland, and Detroit, Michigan.

In 1980, the National NOW Conference passed a resolution calling for the formation of a National Prostitution Committee to implement the policies in the 1973 resolution. The committee was finally formed in the summer of 1982.

The 1973 resolution, which reflected the consensus of prostitutes and feminists working on the prostitution issue at that time, both in the United States and in other countries, did not specifically support the right of women to choose to work as prostitutes, when it is of their own choice, California NOW passed a resolution at its 1982 Conference to define that right, and to affirm that NOW would support the decriminalization of the voluntary aspects of prostitution.

The full text of those resolutions is attached.

Appendix 1: RESOLUTIONS PASSED BY NOW CONFERENCES

Resolution Passed at the 1973 National Conference

WHEREAS, the existence of prostitution in this society is a reflection that women in the society are considered not to be the equals of men, and are valued, almost without exception, for their sexuality first, and their humanness second, and

WHEREAS, said society maintains a double standard with regard to the sexual activities of women and men, and, under this standard, women are harshly categorized, to wit, the woman who is loved and cherished is protected from any sexual deviation, but any kind of sexual deviation is permissible with a woman who prostitutes herself, and

WHEREAS, research has shown that a woman becomes a prostitute for several reasons, among these being a breakdown in positive reinforcement for her early creative and constructive efforts, an overemphasis on her sexuality as a vehicle for male attraction, and finally her economic distress, which in instances where she has defied the racial or sexual mores of one society is combined with social recrimination and is particularly overt, and

WHEREAS, coercion has been reported, first in the reports of some welfare social workers, encouraging women to supplement welfare checks by prostitution, and secondly, in reports in some cities of women being kidnapped and, through torture and drugs, being made dependent on earnings from the fast life, and

WHEREAS, the prostitute is often the victim of customer brutality but under prohibitive laws and discriminatory enforcement practices found throughout the United States cannot seek police protection, and

WHEREAS, a practicing prostitute must ally herself with a pimp in order to achieve status in the sub-culture, but also for protection and to supply legal support when she is arrested, and then surrenders her earnings in exchange for his economic and psychological support, and

WHEREAS, prostitutes enter into an agreement, contractual in nature, with a consenting adult, to perform a service in private, and

WHEREAS, while the act of prostituting is almost always illegal in this society, consorting with a prostitute and using coercion to influence a woman to prostitute are often also illegal, and

WHEREAS, statistics in the areas where all acts involved in prostitution (being a prostitute, consorting with a prostitute, or coercing a woman to prostitute herself) show that only the prostitute is arrested and convicted, and that customers are almost never arrested let alone charged or convicted, and

WHEREAS, a prostitute, having been imprisoned for an act she considers essentially a service, can be exposed to persons who may have committed heinous crimes, with the possible result of this internment being her perpetration of genuine crime, such as theft, against future clients, and

WHEREAS, enforcement of existing laws serve to make prostitution a crime only in the lower echelon of society (for example, the streetwalker), and at the same time virtually ignores prostitution in the middle and upper classes, and

WHEREAS, the entrapment of prostitutes requires an exorbitant outlay of police time, effort and expense, and thus contributes to a situation in which public morality is regulated at the expense of the public safety, and

WHEREAS, policemen who volunteer for such activities as entrapping and arresting prostitutes often manifest verbal and physical abuse against these women and may as well suffer, because of these activities, a deterioration in their personal and professional self-images, and

WHEREAS, in the instance of crimes such as prostitution, which have no complainant, the police become the complaining party, a practice which lends itself to payoff and other corruption and, in turn, prompts a broad disrespect for the law, and

WHEREAS, there is no evidence to indicate that liberalization of such prohibitive laws will encourage women to become prostitutes, and

WHEREAS, the continued legal prohibition of verbal or physical threat in persuading a woman to prostitute herself would permit legal access to women who are coerced to prostitute themselves, either by private individuals or public agencies,

THEREFORE BE IT RESOLVED:

1) that NOW condemns first the social and economic structure which limits women's alternatives and thus contributes directly to the decision of many women to seek prostitution in hopes that it will at least provide adequate earnings and remove them from the mindlessness of low-skill, low-paying jobs, and secondly condemns the legal structure which persecutes women prostitutes while ignoring the participation of men,

2) that said organization opposes continued prohibitive laws regarding prostitution, believing them to be punitive, especially where women are concerned, and unenforceable, and furthermore, believing that they do not deter women who must become prostitutes but rather that the laws encourage the prostitute to become involved in serious crime,

3) that said organization strongly opposes the licensing of prostitutes, believing that (a) such licensing will result in ongoing persecution of women who will not register because they do not wish publicly to proclaim themselves prostitutes, perhaps in the belief that they will one day seek an alternative life, (b) such licensing would serve to place governmental bodies in the business of making money off the sale of women's sexual services and further place government in the role of regulating public morality, when in fact we believe that an ill-advised role for government, and (c) finally, it presents a false promise to clients who believe such licensing protects them from venereal disease, to wit, that prostitutes are regularly examined by a doctor, when in fact such medical checkups cannot provide such protection because of the relative infrequency of the checkups when compared to the numbers of clients seen daily by licensed prostitutes,

4) that said organization supports full prosecution of any acts of coercion by any person, public agency or group to influence women to become prostitutes,

5) that said organization seeks only to remove the inequities against prostitutes who are, on the one hand, brutalized without having legal recourse, and on the other, are, by their singular arrests, the subjects of flagrantly selective law enforcement, realizing that to repeal the laws prohibiting prostitution is not to make a judgment that prostitution is morally good, but rather that it is instead a judgment about the appropriate use of the criminal justice system,

6) that said organization therefore favors removal of all laws relating to the act of prostitution per se and, as an interim measure, favors the decriminalization of prostitution.

--Submitted by Women and the Law-Prostitution Workshop

Resolution Passed at the 1980 National Conference

WHEREAS, the National Organization for Women passed a resolution at the 1973 National Conference calling for the decriminalization of prostitution, and

WHEREAS, prostitution is still a crime in 49 states, legal only in brothels in two rural counties in Nevada, the 50th state, and

WHEREAS, more than 75,000 people are arrested on prostitution charges each year, 75 percent of whom are women, 55 percent of whom are Black, Latina, Asian, or Native American, and 85 to 90 percent of whom are street prostitutes, even though only about 10 to 15 percent of prostitutes work on the street, and

WHEREAS, many cities have set up de facto legalization of prostitution by requiring the workers in massage parlors to obtain licenses, often from the police department, and by issuing business licenses to the owners of massage parlors, while maintaining a polite fiction that the businesses are not involved in prostitution, and

WHEREAS, the polite fiction is maintained through the periodic raids of massage parlors in which women are arrested and jailed, and through periodic closing of the parlors which forces the women to work on the street, subjecting them to increased risk of rape, other bodily harm and arrest, and

WHEREAS, the continued prohibition of prostitution has contributed to the incredible increase over the past year in the amount of sexual, physical and emotional abuse that prostitute women, and by extension all women, face in this country, and

WHEREAS, there is an urgent need for shelters and other transition programs for women and juveniles who want help getting away from abusive prostitution situations or finding other ways to earn a living, and battered women's shelters are inconsistent in their policies regarding prostitutes, and

WHEREAS, the current prohibition does nothing to help the 500,000 or more juvenile victims of the sexual abuse that is juvenile prostitution and pornography, and only compounds their victimization by punishing them instead of those who abuse them, and

WHEREAS, Prostitution Task Forces are being formed in local NOW chapters around the country, including Baltimore, San Francisco, Tampa, Atlantic County, and Detroit, with at least one State level task force, in California, while some task forces that focus on rape and other violence against women are beginning to focus on prostitution,

THEREFORE BE IT RESOLVED that the National Organization for Women form a National Prostitution Committee, or a sub-committee of the National Violence Against Women Committee, to coordinate the efforts of NOW Prostitution Task Forces around the country, with appropriate funding.

Resolution Passed at the 1982 California NOW Conference

WHEREAS, the right to control one's own body is fundamental to women's autonomy,
THEREFORE BE IT RESOLVED THAT:

California NOW reaffirms its support of the right of women not to be forced into prostitution, as well as affirms the right of women to choose to work as prostitutes when it is their own choice, and

California NOW shall support legislation to decriminalize the voluntary aspects of adult prostitution, as well as legislation to prohibit the coercion of women into prostitution through the use of such means as fraud, deceit, and/or force, and

California NOW shall be on record as supporting the development of adequately funded shelters, counseling programs and other programs designed to help people leave prostitution.

Appendix 2: 1949 United Nations Convention

1949 United Nations Convention

Excerpt from the United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. Approved by the General Assembly December 2, 1949

Preamble

Whereas prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community.

Now therefore, the Contracting Parties Hereto agree as hereinafter provided:

Article 1:

The Parties to the present Convention agree to punish any person who, to gratify the passions of another:
1. Procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person,
2. Exploits the prostitution of another person, even with the consent of that person.

Article 2:

The Parties to the present Convention further agree to punish any person who
1. Keeps or manages, or knowingly finances or takes part in the financing of a brothel,
2. Knowingly lets or rents a building or other place or any part thereof for the purpose of the prostitution of others

Article 6

Each Party to the present Convention agrees to take all the necessary measures to repeal or abolish any existing law, regulation or administrative provision by virtue of which persons who engage in or are suspected of engaging in prostitution are subject either to special registration or to the possession of a special document or to any exceptional requirements for supervision or notification

Article 7

Previous convictions pronounced in foreign States for offences referred to in the present Convention shall, to the extent permitted by domestic law, be taken into account for the purpose of
1. Establishing recidivism,
2. Disqualifying the offender from the exercise of civil rights

Article 14:

Each party to the present Convention shall establish or maintain a service charged with the co-ordination and centralization of the results of the investigation of offences referred to in the present convention
Such services should compile all information calculated to facilitate the prevention and punishment of the offences referred to in the present Convention and should be in close contact with the corresponding services in other States

Article 15:

To the extent permitted by domestic law and to the extent to which the authorities responsible for the services referred to in article 14 may judge desirable, they shall furnish to the authorities responsible for the corresponding services in other States the following information
1. Particulars of any offence referred to in the present Convention or any attempt to commit such offence
2. Particulars of any search for and any prosecution, arrest, conviction, refusal of admission or expulsion of persons guilty

of any of the offences referred to in the present Convention, the movements of such persons and any other useful information with regard to them

The information so furnished shall include descriptions of the offenders, their fingerprints, photographs, methods of operation, police records and records of conviction.

Article 16:

The Parties to the present Convention agree to take or to encourage, through their public and private educational, health, social, economic and other related services, measures for the prevention of prostitution and for the rehabilitation and social adjustment of the victims of prostitution and of the offences referred to in the present Convention.

Article 17:

The parties to the present Convention undertake, in connection with emigration, to adopt or maintain such measures as are required, in terms of their obligations under the present Convention, to check the traffic in persons of either sex for the purpose of prostitution

In particular, they undertake:

1. To make such regulations as are necessary for the protection of immigrants or emigrants, and in particular, women and children, both at the place of arrival and departure while en route.
2. To arrange for appropriate publicity warning the public of the dangers of the aforesaid traffic.
3. To take appropriate measures to ensure supervision of railway stations, airports, seaports and en route, and of other public places, in order to prevent international traffic in persons for the purpose of prostitution.
4. To take appropriate measures in order that the appropriate authorities be informed of the arrival of persons who appear, prima facie, to be the principals and accomplices in or victims of such traffic

Article 18:

The Parties to the present Convention undertake, in accordance with the conditions laid down by domestic law, to have declarations taken from aliens who are prostitutes, in order to establish their identity and civil status and to discover who has caused them to leave their State. The information obtained shall be communicated to the authorities of the State of origin of the said persons with a view to their eventual repatriation

Article 20:

The Parties to the present Convention shall, if they have not already done so, take the necessary measures for the supervision of employment agencies in order to prevent persons seeking employment, in particular women and children, from being exposed to the danger of prostitution

The remainder of the articles of the Convention, are concerned primarily with legal process and practices that will facilitate the enforcement of the provisions of the Convention

By May 31, 1976, the following countries had ratified the Convention: Albania, Algeria, Argentina, Belgium, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, Finland, France, German Democratic Republic, Guinea, Haiti, Honduras, India, Iran, Iraq, Israel, Japan, Jordan, Kuwait, Laos, Liberia, Libya, Luxemburg, Malawi, Mali, Mexico, Morocco, Nigeria, Norway, Pakistan, Philippines, Poland, Republic of Korea, Roumania, Singapore, Spain, South Africa, Sri Lanka, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Upper Volta, Venezuela, Yugoslavia.

Appendix 3: WHAT CAN A PROSTITUTES' RIGHTS TASK FORCE DO?

Find Out how Prostitutes are Dealt with in Your Community

Contact the local Police Department, Vice Squad, to find out arrest statistics. Ask for counts to be broken down into women and men, with each sex further broken down by racial groups and by adult and juvenile.

Contact the Sheriff's Department to find out how prostitutes are processed in the county jail. Are they allowed to get out of jail, post-arrest, on their own recognizance (O.R.)? Do bail bondspersons post bail for prostitutes? How about pimps? How about customers? Are prostitutes ever given a citation instead of being charged with prostitution? Are prostitutes eligible for work furlough/work release programs?

Contact judges to find out how prostitutes are dealt with in the courts. Are first offenders granted diversion? Why, or why not?

Contact the District Attorney and the Public Defender to find out the policy regarding prosecuting people arrested for prostitution. Are customers and prostitutes dealt with in the same way? Are either or both urged to plead guilty to a lesser charge, such as disturbing the peace? Are they urged to plead not guilty? How does the District Attorney handle complaints of rape, or other abuse, filed by prostitutes?

Contact the Pretrial Diversion Project, if any, to find out if they accept prostitutes as clients. What kind of diversion do they set up for prostitutes? If they grant community service, see if they will place prostitutes to work with your NOW chapter.

Contact your local battered women's shelter to find out if they accept prostitutes who are trying to get away from violent pimps? If not, are they willing to consider changing that policy?

Contact your local rape crisis program to find out if they get calls from prostitutes and, if so, are they able to help them? Ask the Police Department about prostitutes' rape cases, as well.

Contact your local women's health center, public health unit, mental health program, and other medical agencies that offer services to women, to ask about their services for prostitutes.

Ask both the battered women's shelter and the rape crisis program, as well as any other programs designed to deal with women in crisis, if there are any ex-prostitutes on their staff.

Contact the local chapter of the ACLU (American Civil Liberties Union) to find out if they have been handling any prostitution cases, or if they can refer you to ethical attorneys who do. Also ask them what, if anything, they have been doing regarding prostitution.

Watch your local television news programs, and your local newspaper, to see how they deal with prostitutes. If you find their coverage objectionable, see if you can get them to change their attitudes.

Possible Projects

Put out a resource guide for prostitutes, on their legal rights in your community. Include lists of agencies that are willing to work with prostitutes, including health clinics, shelters, mental health programs, lawyers, vocational counseling programs, displaced homemakers programs, and other women's programs.

Hold community forums on prostitution. Possible speakers might include representatives of the ACLU, the National Lawyers' Guild, the Public Defender's and District Attorney's Office, and the Department of Public Health, as well as a feminist attorney, a staff person from your local pretrial diversion program, rape crisis counselors, counselors for battered women, and, of course, prostitutes. If there is a feminist group working on pornography, in your area, they might be able to provide a speaker as well.

Contact other feminist and women's organizations, gay and lesbian organizations, civil rights organizations, minority/people of color organizations, criminal justice reform organizations, etc., in your area, to see if they have a formal position on prostitution. If so, try to obtain a copy of any resolutions they have adopted on the issue. If not, ask if they would be interested in having a speaker come to a meeting and/or if they would be willing to endorse a resolution calling for the decriminalization of prostitution.

Develop resolutions on specific police and criminal justice practices regarding prostitution in your area, and invite other organizations to endorse/co-sign the resolutions.

Investigate the possibility of developing a project inside the women's jail. Such projects can include providing tutoring or other services, bringing concerts and other entertainment into the jail, doing volunteer counseling, etc.

ACTION COMMITTEE CHAIRS

Economic Justice:

Priscilla Alexander
745 Haight Street, # 8
San Francisco, CA 94117

415/552-1849 (ans. machine)

Education:

Phyllis Cheng
c/o Commission on Sex
Equity
Los Angeles Unified School District
450 N. Grand Avenue, H-256
Los Angeles, CA 90012

213/625-4004 (h)
213/665-3021 (w)

Employment Rights:

Rosemarie Pegueros-Lev
7938 Hillrose Street
Sunland, CA 91040

213/352-7145

Equal Rights Amendment:

Mary Lou Maneff
14955 Hartland Street
Van Nuys, CA 91405

213/787-2152

Multi-Cultural Outreach and Education:

Annie Otero
19621 Andrada Drive
Rowland Heights, CA 91748

714/594-5492

Media Reform:

Jane Guthrie
417 23rd Place
Manhattan Beach, CA 90266

213/545-7756

Reproductive Rights:

Lenore Lowe
2347 Granview Street
San Diego, CA 92110

714/276-2580

Legislation Chair:

Celia Higley
3028 A Colby
Berkeley, CA 94705

415/540-7148 (h)
415/845-3800 (w)

SUGGESTIONS FOR FURTHER READING

Books that are particularly interesting, easy to read and/or easy to find are highlighted in bold fact type.

The Voice of the Prostitute

Carroll, Jane, "A New Breed of Hooker: The Feminist Prostitute," California Living, San Francisco Sunday Examiner & Chronicle, September 19, 1982.

Hollander, Xaviera, et al, The Happy Hooker, New York: Dell Publishing Co., Inc., 1972. Although promoted as glamorizing prostitution, the book also discusses problems with violent tricks, corrupt and violent police, etc.

Jaget, Claude, ed., Prostitutes—Our Life, Bristol, England: Falling Wall Press, 1980. A series of interviews with six of the prostitutes who occupied the cathedrals in Lyons, France, in 1975, to protest the treatment of prostitutes by police, and to call attention to a series of murders of prostitutes. Includes an introduction by the English Collective of Prostitutes, and an afterword by Margo St. James, founder of COYOTE.

Lederer, Laura, "An Interview with a Former Pornography Model," in Take Back the Night: Women on Pornography, Laura Lederer, ed. New York: William Morrow & Co., Inc., 1980.

Lovelace, Linda and Mike McGrady, Ordeal. Seacucus, NJ: Citadel Press, 1980. The reality behind the facade of Linda Lovelace, and the making of Deep Throat.

Miller, Larry, "Semipros: Girls (sic) who 'Do It' on the Side," Cosmopolitan, January 1982.

Millett, Kate, The Prostitution Papers, NY: Ballantine Books, 1973.

Weene, Seph, "Venus," Heresies: Sex Issue, # 12, 1981.

History of Prostitution/Prostitution in Other Countries

Boles, Jacqueline and Charlotte Tatro, "Legal and Extra-Legal Methods of Controlling Female Prostitution: A Cross-Cultural Comparison," International Journal of Comparative and Applied Criminal Justice, 2:71-85, Spring 1978. Suggests that the function of prostitution laws is primarily "symbolic," in that they define "good and evil" rather than effectively control or regulate prostitution. Also suggests that the less repressive the laws, the less likely prostitutes are to be dependent on pimps.

Boswell, John, Christianity, Homosexuality and Tolerance. Chicago: University of Chicago Press, 1980. Includes a good deal of information on how prostitution functioned and was tolerated or repressed, from Ancient Greece through the Renaissance.

Brown, Rita Mae, Southern Discomfort. New York: A Bantam Book, 1982. Set in the period from 1918-1928, this novel includes several prostitutes among its characters, the depiction of whom reflects careful research into the way prostitution worked, prior to prohibition, the relationship between the anti-alcohol and anti-prostitution movements, and the discrepancies between how prostitutes viewed themselves and their work, and how they were perceived by others. A good companion to Ruth Rosen's Mamie Papers and The Lost Sisterhood (see below).

Bullough, Vern and Bonnie Bullough, Prostitution: An Illustrated Social History. NY: Crown Publishers, Inc., 1978. Extensive Survey of the way various cultures have dealt with prostitution at various times. Illustrated with pornography from the time and place,

showing the change in the 19th century, at which time pornography became more hostile, perhaps as women demanded greater independence (suffrage, birth control, etc.)

Connelly, Mark Thomas, The Response to Prostitution in the Progressive Era. Chapel Hill, NC: The University of North Carolina Press, 1980. Shows how feminist concerns with violence against women and the sexual exploitation of women and children were manipulated by fundamentalist moralists in the late 19th and early 20th centuries, resulting in a "purity" crusade which, by making prostitution illegal, made things worse instead of better.

El Saadwi, Nawal, The Hidden Face of Eve: Women in the Arab World. London: Zed Press, 1980. Written by the outspoken feminist who was jailed by Sadat, shortly before his assassination. Includes a chapter on "The Illegitimate Child and the Prostitute."

Finnegan, Frances, Poverty and Prostitution: A Study of Victorian Prostitutes in York. Cambridge: Cambridge University Press, 1979.

Goldman, Marion S., Gold Diggers and Silver Miners: Prostitution and Social Life on the Comstock Lode. Ann Arbor: The University of Michigan Press, 1981.

Hariharan, A., et al, "The Sexual Revolution," Far Eastern Economic Review, 91:21-32, January 9, 1976. Excellent description of prostitution systems in various countries in Southeast Asia, the area in which sex tourism (Kisaeng prostitution) is so prominent.

Mark, Mary Ellen, Falkland Road. NY: Alfred A. Knopf, 1981. A superb photoessay about prostitutes in a poor district of Bombay, with an excellent, if too brief, text based on their statements about themselves. My reaction to the pictures was that the women looked like real people, not stereotyped "whores" through a pornographer's eye. The reaction of a man who had been to Falkland Road was that it made the women look "too sad," that they were laughing and smiling when he walked down the street. Suggests, perhaps, how much the smiles are part of hard work.

McLeod, Eileen, Women Working: Prostitution Now. London: Croom Helm, Ltd., 1982. The author, a founding member of PROS, a prostitutes' rights campaign organization in England, discusses the movement, and what the prostitutes feel about their work and want from the movement.

Perry, Mary Elizabeth, "Lost Women," chapter in Crime and Society in Early Modern Seville. University Press of New England, 1980.

—, "Lost Women in Early Modern Seville: The Politics of Prostitution," Feminist Studies, 4:1, February 1978.

Pomeroy, Sarah B., Goddesses, Whores, Wives and Slaves: Women in Classical Antiquity. New York, 1976.

Rosen, Ruth and Sue Davidson, eds., The Mamie Papers. Old Westbury, NY: The Feminist Press, 1977.

—, The Lost Sisterhood: Prostitution in America, 1900-1918. Baltimore, MD: Johns Hopkins University Press, November 1982.

Tannahill, Reay, Sex in History. NY: Stein and Day, 1980. Although not about prostitution, per se, includes a great deal of information about prostitution in Western and Asian history because that is what is in the written records. Fascinating.

Walkowitz, Judith R., Prostitution and Victorian Society: Women, Class, and the State. Cambridge, England: Cambridge University Press, 1980. Extensive detail about the feminist movement to repeal the Contagious Diseases Acts in England in the 1860s and 70s, a movement led by Josephine Butler.

Wells, Jess, A Herstory of Prostitution in Western Europe. Berkeley: Shameless Hussy, November 1982. Documents the structures imposed by the patriarchy on prostitution, from Ancient Greece to Victorian England.

de Wulf, Lucienne, Faces of Venus: Prostitution throughout the Ages. NY: Books in Focus, to be published.

Yondorf, Barbara, "Prostitution as a Legal Activity: The West German Experience," Policy Analysis, 5:417-33, Fall 1979. Compares effectiveness (in terms of police problems, both with violence against prostitutes and with regulating or controlling the prostitutes) of the various zoning schemes in several West German cities. The author concludes that the city with the least problems is West Berlin, which has the least restrictive zoning system.

Statistics

U.S. Department of Justice, Sourcebook of Criminal Justice Statistics, 1981. This annual compendium of statistics on various aspects of crime in the United States includes figures on crimes reported, persons arrested, disposition of cases, and various aspects of criminal justice agencies. Also includes the results of surveys on public attitudes about crime. Available free of charge from the National Criminal Justice Reference Service, National Institute of Justice, U.S. Department of Justice, Box 6000, Rockville, MD 20850.

Studies: Psychology, Sociology, Criminology

Adler, Freda, "The Oldest and Newest Profession," The Criminology of Deviant Women, Freda Adler and Rita J. Simon, eds. Boston: Houghton-Mifflin Co., 1978.

Bresler, Laura and Donald Leonard, Women's Jail: Pretrial and Post-Conviction Alternatives, A Report on Women Arrested in San Francisco, 1978. Available from UUSC, 1251 Second Avenue, San Francisco, CA 94122, \$5.00.

—, and Diane Lewis, Is there a Way Out? A Community Study of Women in the San Francisco County Jail, 1981. Available from UUSC, 1251 Second Avenue, San Francisco, CA 94122, \$5.00.

Cohen, Bernard, Deviant Street Networks: Prostitution in New York City. Lexington, MA: Lexington Books, 1980. Excellent study of thirteen "stroll" districts in lower and mid-Manhattan. Covers such questions as pimp/prostitute relationships (younger women have pimps, older women do not); racism in the enforcement of prostitution laws; police practices.

Davis, Nanette J., "Prostitution: Identity, Career, and Legal Economic Enterprise," in Studies in the Sociology of Sex, James M. Hanslin and Edward Sagarin, eds. NY: Schocken Books, 1978.

Exner, John E., Jr., et al, "Some Psychological Characteristics of Prostitutes," Journal of Personality Assessment, 41:474-85, October 1975. Exner, et al, found that the only measurable difference between prostitutes and controls, who were matched for education and economic background, was that the prostitutes earned more money.

Goldstein, Paul J., Prostitution and Drugs. Lexington, MA: Lexington Books, 1979.

Heyl, Barbara Sherman, "The Madam as Entrepreneur," Sociological Symposium, 11:61-82, 1974. Also, NJ: Transaction Books, 1974.

—, "The Madam as Teacher: The Training of House Prostitutes," Social Problems, 24:545-55, June 1977.

—, "Prostitution: An Extreme Case of Sex Stratification," in The Criminology of Deviant Women, Freda Adler and Rita J. Simon, eds. Boston: Houghton Mifflin Co., 1978.

James, Jennifer, "Prostitutes and Prostitution," in Deviants: Voluntary Actors in a Hostile World, Edward Sagarin and Fred Montanino, eds. General Learning Press, Scott, Foresman & Co., 1977. Jennifer James is one of the foremost researchers in the field of prostitution. An anthropologist with the Department of Psychiatry and Behavioral Sciences at the University of Washington/Seattle, Dr. James has looked at the history of sexual and physical abuse in the childhood of prostitutes, motivations for entrance into prostitution, addiction, the treatment of women as sexual criminals and victims, etc. This particular article is the most comprehensive, but all are worth reading.

—, "Prostitute-Pimp Relationships," Medical Aspects of Human Sexuality, 7:146-60, 1973.

—, "Prostitution: Arguments for Change," in Sexuality Today and Tomorrow: Contemporary Issues in Human Sexuality, Sol Gordon and Roger W. Libby, eds. North Scituate, MA: Duxbury Press, 1977.

—, "The Prostitute as Victim," in The Criminal Justice System and Women, Barbara Raffel Price and Natalie J. Sokoloff, eds. NY: Clark Boardman Co., Ltd., 1982.

—, "Women as Sexual Criminals and Victims," in Sexual Scripts: The Social Construction of Female Sexuality, Judith Long Laws and Pepper Schwartz, eds. Hinsdale, IL: The Dryden Press, 1977.

—, et al, Perspectives on Prostitution. Seattle, WA: Social Research Associates, 1980. Series of articles, includes an analysis of the resistance of the women's movement to dealing with this issue, and especially to working for the decriminalization of prostitution.

—, et al, The Politics of Prostitution: Resources for Legal Change, Rev. Ed. Seattle, WA: Social Research Associates, 1977. Includes articles on various aspects of prostitution, and on organizing for change. Also includes a model prostitution law, a modified form of decriminalization that includes regulation of third parties (pimps, landlords, etc.)

Janus, Sam, et al, A Sexual Profile of Men in Power. NY: Paperback Publishers, Warner, 1978. Although this book is seriously flawed by its simplistic, pseudo-Freudian analysis of the behavior it documents, the information about the behavior of politicians and other powerful men with prostitutes is fascinating. The hypocrisy that allows legislators and judges to patronize prostitutes, while maintaining the prohibition, is inescapable.

Lynch, Theresa and Marilyn Neckes, Cost-Effectiveness of Enforcing Prostitution Laws, 1978. Available from UUSC, 1251 Second Avenue, San Francisco, CA 94122, \$5.00.

Plummer, Kenneth (ed.), The Making of the Modern Homosexual. London: Hutchinson & Co. (Publishers) Ltd., 1981. Although not about prostitution, per se, the discussion of the role of labels and stigma to create and maintain an outcast class is directly relevant to an understanding of prostitution.

Silbert, Mimi H., Ph.D., Principal Investigator, Sexual Assault of Prostitutes, 1981. Available from the Delancey Street Foundation, c/o Dr. Silbert, 2563 Divisadero Street, San Francisco, CA 94115, \$30.00.

Velarde, Albert J., "Becoming Prostituted: The Decline of the Massage Parlor Profession and the Masseuse," British Journal of Criminology, 15:3, 251-63, July 1975. Excellent description of the stigmatization process through which women recruited to work

in supposedly straight massage parlors were subtly coerced into engaging in sexual activity so that by the end of the first day of work they had become prostitutes.

The Law in the United States

Berring, Robert, et al, "Representing the Unpopular Client," Law Library Journal, 72:674-89, Fall 1979.

Decker, John F., Prostitution: Regulation and Control, Littleton, CO: Fred B. Rothman & Co., 1979. Comprehensive analysis of the history of the treatment of prostitutes under the law, including the development of the law, a survey of the approaches taken by several countries, methods and discriminatory enforcement of the laws, and proposals for a mildly regulated form of decriminalization.

Farmer, Mary K., et al, "A Proposal for the Legalization of Prostitution in Connecticut," Connecticut Law Journal, 49:163, 1975.

Haft, Marilyn G., "Hustling for Rights," The Civil Liberties Review, 8-26, Winter/Spring 1974.

—, "Legal Arguments: Prostitution Laws and the Constitution," in Jennifer James, Perspectives on Prostitution, Seattle: Social Research Associates, 1980.

Jennings, Anne, "The Victim as Criminal: A Consideration of California's Prostitution Law," California Law Review, 64:1235-84, Spring 1976.

Milman, Barbara, "New Rules for the Oldest Profession: Should we Change our Prostitution Laws?" Harvard Women's Law Journal, 3:1-82, Spring 1980.

Murray, Ellen F., "Anti-Prostitution Laws: New Conflicts in the Fight Against the World's Oldest Profession," Albany Law Review, 43:360-87, Winter 1979.

Rosenbleet, Charles and Barbara J. Pariente, "The Prostitution of the Criminal Law," American Law Review, 11:373, Winter 1973.

Wade, Daniel E., "Prostitution and the Law: Emerging Attacks on the 'Women's Crime,'" University of Missouri/Kansas City, 43:413-26, Spring 1975.

Wandling, Theresa M., "Decriminalization of Prostitution: The Limits of the Criminal Law," Oregon Law Review, 55:553-66, 1976.

Women Endorsing Decriminalization, "Prostitution: A Non-Victim Crime?" Issues in Criminology, 8:137, Fall 1973.

Juvenile Prostitution, Juvenile Sexual Abuse

Armstrong, Louise, Kiss Daddy Goodnight: A Speak-Out on Incest. NY: Hawthorn Books, Inc., 1978. Although not about prostitution, per se, worth reading in this context since about 50 percent of juvenile prostitutes are incest survivors.

Baizerman, Michael, et al, "Adolescent Prostitution," Children Today, September/October 1979. Includes some discussion of who the customers are and why they look for juvenile prostitutes.

Bracey, Dorothy H., "Concurrent and Consecutive Abuse: The Juvenile Prostitute," in The Criminal Justice System and Women. NY: Clark Boardman Co., Ltd., 1982.

Crow, Ruth and Ginny McCarthy, eds., Teenage Women in the Juvenile Justice System: Changing Values. Tucson: New Directions for Young Women, Inc., 1979.

Herman, Judith Lewis, with Lisa Hirschman, Father-Daughter Incest. Cambridge, MA: Harvard University Press, 1981. Considerable discussion of the relationship of in-

cest and later involvement in prostitution. Authors conclude that incest survivors enter into prostitution because they accept exploitation by others, while my understanding, from discussions with incest survivors who have worked as prostitutes, is that the motivation is more one of trying to turn the tables, and reversing the control so that the incest "victim" gains control by demanding payment.

Rush, Florence, The Best Kept Secret: Sexual Abuse of Children, Englewood Cliffs, NJ: Prentice-Hall, Inc., 1980.

Sanford, Linda Tschirhart, The Silent Children: A Parent's Guide to the Prevention of Child Sexual Abuse, Garden City, NY: Anchor Press/Doubleday, 1980. Includes a good chapter on juvenile prostitution as sexual abuse, and some discussion on the kinds of help available, e.g., Covenant House, in New York.

Shulman, Alix Kates, On The Stroll. NY: Alfred A. Knopf, Inc., 1981. This is a novel, by the author of Memoirs of an Ex-Prom Queen and Burning Questions, about a young girl who runs away and gets turned out by a would-be pimp. Contrasts the young girl's life with that of an aging bag lady, who once was a kind of courtesan to military brass at the end of World War II.

Feminist Analysis

Barry, Kathleen, Female Sexual Slavery. Englewood-Cliffs, NJ: Prentice-Hall, Inc., 1979. Paperback, NY: Avon Discus, 1981. One of the first books by a contemporary feminist to analyze prostitution, this book was important in that it helped to get the issue discussed. However, Barry's analysis suffers from her ability to understand that, although some prostitution is a form of slavery, some prostitution is at least as voluntary as most other forms of wage labor, and that some women like the work and consider it their profession.

Faust, Bernice, Women, Sex and Pornography: A Controversial Study. NY: Macmillan Co., 1980. Looks at the question of why there is so much pornography for men, and virtually none for women. Posits the theory that one reason is that women are more affected by touch than by visual stimulation.

ISIS: International Bulletin 13, November 1979. Special issue devoted to tourism and prostitution. Includes articles on the whore/madonna dichotomy, and the relationship between tourism and prostitution in a number of Asian countries. Also discusses the relationship between U.S. military bases and prostitution.

Macmillan, Jackie, "Prostitution as Sexual Politics," Quest: A Feminist Quarterly, 4:1, 41-50, Summer 1977. Feminist analysis; supports decriminalization as a necessary step in ending the problems associated with illegal prostitution.

Smart, Carol and Barry Smart, eds., Women, Sexuality and Social Control, London: Routledge and Kegan Paul, 1978.

END