

Ouch!

Western Feminists' 'Wounded Attachment' to the 'Third World Prostitute'

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Abstract

'Trafficking in women' has, in recent years, been the subject of intense feminist debate. This article analyses the position of the Coalition Against Trafficking in Women (CATW) and the writings of its founder, Kathleen Barry. It suggests that CATW's construction of 'third world prostitutes' is part of a wider western feminist impulse to construct a damaged 'other' as justification for its own interventionist impulses. The central argument of this article is that the 'injured body' of the 'third world trafficking victim' in international feminist debates around trafficking in women serves as a powerful metaphor for advancing certain feminist interests, which cannot be assumed to be those of third world sex workers themselves. This argument is advanced through a comparison of Victorian feminist campaigns against prostitution in India with contemporary feminist campaigns against trafficking.

The term 'injured identity' is drawn from Wendy Brown's (1995) *States of Injury, Power and Freedom in Late Modernity*. Brown argues that certain groups have configured their claims to inclusion in the liberal state in terms of 'historical 'injuries''. Antoinette Burton (1998) extends Brown's analysis to look at Victorian feminists' relationship to Empire, arguing that the 'injured identities' of colonial 'others' were central to feminist efforts to mark out their own role in Empire. This paper builds on Burton's analysis, asking what role the 'injured identities' of third world sex workers play in the construction of certain contemporary feminist identities. The notion of 'injured identities' offers a provocative way to begin to examine how CATW feminists position the 'trafficking victim' in their discourse. If 'injured identity' is a constituent element of late modern subject formation, this may help explain why CATW and Barry rely so heavily on the 'suffering' of 'third world trafficking victims' in their discourses of women's subjugation. It also raises questions about the possible repressive consequences of CATW's efforts to combat 'trafficking in women' through 'protective' legislation.

Keywords

sex work; trafficking in women; prostitution; sex worker rights; India; Contagious Diseases Acts; colonialism

Introduction

The subject of ‘trafficking in women’ has, since the mid-1980s, received increased international attention. Currently, negotiations are underway at the UN Centre for International Crime Prevention in Vienna around a new international agreement on trafficking in women (Revised Draft Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime: A/AC.254/4/add.3). This new agreement has been the subject of lobbying by feminist anti-trafficking NGOs. The lobby efforts are split into two ‘camps’. One, the Human Rights Caucus, sees prostitution as legitimate labour.¹ The other, spearheaded by the Coalition Against Trafficking in Women (CATW), sees all prostitution as a violation of women’s human rights.² While there are some similarities in their representations of the ‘third world trafficking victim’, CATW in particular positions ‘third world prostitutes’ as helpless victims in need of rescue.³ This article analyses CATW’s lobby efforts and the writings of its founder, Kathleen Barry. It suggests that CATW’s construction of ‘third world prostitutes’ is part of a wider western feminist impulse to construct a damaged ‘other’ as the main justification for its own interventionist impulses.⁴

The central argument of this article is that the ‘injured body’ of the ‘third world trafficking victim’ in international feminist debates around trafficking in women serves as a powerful metaphor for advancing certain feminist interests, which cannot be assumed to be those of third world sex workers themselves. The term ‘injured body’ is drawn from Wendy Brown’s *States of Injury: Power and Freedom in Late Modernity* (1995). In this work, Brown argues that modern identity politics are based on a feeling of ‘injury’ caused by exclusion from the presumed ‘goods’ of the modern liberal state.

This is not the first time that the ‘injured third world prostitute’ has figured in international feminist campaigns. Antoinette Burton has examined, in *Burdens of History: British Feminists, Indian Women and Imperial Culture, 1865–1915* (1994), the manner in which Victorian feminists utilized the position of the prostitute in Britain and in colonial India as part of their campaign to prove that English women were fit subjects of political enfranchisement. In so doing, they deployed an image of Indian prostitutes, and Indian women in general, in keeping with the orientalism of empire: that of Indian women as backward, helpless and subject to barbaric tradition. In a more recent article, Burton (1998) applies Brown’s theorizing to the question of Victorian feminists’ relationship to empire. This article draws on all three works to frame its inquiry into the ways in which colonial feminist discourses around prostitution influence

contemporary feminist constructions of the 'injured body' of 'third world trafficking victims'.

First, I briefly highlight the implications of Wendy Brown's theories of identity formation for an analysis of CATW's discourse on trafficking. Second, I turn to Antoinette Burton's application of Brown's theory for the light it sheds on the historical use of colonial 'suffering bodies' in the construction of modern feminist identities. I then return to Wendy Brown to examine the ways in which the 'injury' at the heart of Barry's analysis of women's subjugation combines with the colonial legacy to fix the 'third world trafficking victim' as victimized 'other'. Finally, I examine CATW's demands on the UN in light of Brown's arguments about the possible repressive consequences of the identity/injury nexus.

It is important to register two related sets of issues that are beyond the scope of this article to address. First, CATW feminists are not alone in their attachment to 'third world prostitutes' suffering bodies'. Feminist anti-trafficking organizations that nominally support the recognition of prostitution as a legitimate profession can slip into orientalist representations of third world sex workers. Too often, these organizations set up a dichotomy between 'voluntary' western sex workers and 'victimized' third world sex workers. This distinction carries its own political dangers, which have been explored by Alison Murray (1998) and in my own earlier work (Doezema, 1998).

Second, the campaign against trafficking in women is not conducted solely by western feminists, and third world women's organizations participate in CATW.⁵ The orientalist use of prostitutes' 'suffering bodies' by western feminists is fairly easy to read off. Where do third world feminists fit in? A full answer to this question is beyond the scope of this article, but it is important to register that the 'suffering body' of the 'third world prostitute' is not a one-dimensional image whose sole function is to reassure western feminists of their moral rightness and superiority. This 'body' figures in non-western feminist (and other) discourses as a metaphor for a number of fears, anxieties, and relations of domination (Tyner, 1996; Cabezas, 1998; Pike, 1999; Doezema, 2000). For example, the figure of the 'suffering third world prostitute' serves well to symbolize the excesses of the global march of capital, and its negative effects on women. To view the campaign against trafficking in women as an example of imposed 'western feminism' ignores the national/cultural context in which these campaigns are formed. Writing on Nepal, for example, Pike (1999) demonstrates how deeply current anti-trafficking campaigns are embedded in culture and national history. Of course, many third world feminists reject the image of 'third world women as helpless victims of either patriarchy or a "crude, undifferentiated capitalism"' (Sangera, 1998: 1).

A number of third world feminists and sex workers are at the forefront of efforts to resignify the place of the prostitute in feminist politics (Kempadoo and Doezema, 1998).

‘States of injury’

The essays collected in Brown’s *States of Injury: Power and Freedom in Late Modernity* (1995) explore issues of ‘political power and opposition’ (1995: 3), drawing on the work of Marx, Nietzsche, Foucault and Weber. This article does not attempt to engage fully with Brown’s challenging and complex arguments, nor does it attempt to evaluate them in their entirety. My reading of Brown is thus necessarily partial. Rather, I apply some of Brown’s arguments to generate insights about the relationship between certain types of western feminism and the ‘injuries’ of ‘third world trafficking victims’.

The emergence of ‘injured identity’

Central to Brown’s analysis of political power and opposition is the emergence of ‘politicized identities’, such as those based on gender, sexuality or ethnicity, as oppositional political groupings. She sets herself the task of finding out how politicized identity can effectively challenge structures of domination. In so doing, she does not attempt to argue ‘for’ or ‘against’ identity politics as such. Rather, she brings a genealogical approach to the question of identity politics. That is, she considers both the historical circumstances that led to politicized identity’s emergence and the ways in which these shape politicized identity’s demands on the state. In her words: ‘Given what produced it, given what shapes and suffuses it, what does politicized identity want?’ (1995: 62).

It is Brown’s contention that politicized identity ‘wants’ protection rather than power. This desire all too often risks shoring up structures of domination, rather than undermining them. Why is this so? Brown follows (among others) Foucault and Marx in her view that oppositional movements arise out of already existing structures, to redress wrongs that are perpetrated by those structures. As such, these movements are reactionary, and configure their arguments in already existing terms. Brown argues that politicized identity was both a product of and a reaction to the manifest failure of liberalism to deliver on promises of universal justice for all: to the exclusion of certain ‘marked groups’, such as women or gays, from the liberal goods of freedom and equality. Politicized identity’s demand to be included in these goods, however, does not question the fact that these goods arise out of structures that lead to the ‘injuries’ of marginalization in the first place.

Brown suggests that politicized identity's potential for transforming structures of domination is severely limited because of its own investment in a history of 'pain'. The 'pain' or 'injury' at the heart of politicized identity is social subordination and exclusion from universal equality and justice promised by the liberal state. This historical pain becomes the foundation for identity, as well as, paradoxically, that which identity politics strive to bring to an end. In other words, identity based on injury cannot let go of that injury without ceasing to exist. This paradox results in a politics that seeks protection from the state rather than power and freedom for itself. In seeking protection from the same structures that cause injury, this politics risks reaffirming, rather than subverting, structures of domination, and risks reinscribing injured identity in law and policy through its demands for state protection against injury.

Foucault's analysis of what he called disciplinary power is an important element in Brown's understanding of the paradox of identity politics: that identity politics may actually reinforce the structures of domination they emerge to oppose. In the *History of Sexuality* (1980) and *Discipline and Punish* (1979), Foucault postulated that individuals are not simply constrained by external structures, but that 'subjects' are produced and regulated by disciplinary structures and discourses. (For Foucault, this did not mean that overcoming domination was impossible: rather he suggested that wherever power operated, so did resistance.) Foucault thus accounts for how disciplined subjects both consent to and construct their own discipline. However, Brown goes further than Foucault, asking how it can be that that a subject not only stops desiring freedom, but actually begins to desire its opposite. To answer this question, she turns to Nietzsche's concept of *ressentiment*, developed in *On the Genealogy of Morals* (1969).

Feminism and resentment

According to Brown, politicized identity, including feminism, displays many of the 'attributes of . . . *ressentiment*' (1995: 27): the tendency on the part of the powerless to reproach power with moral arguments rather than to seek out power for itself. The turn to Nietzsche accounts for Brown's use of terms like 'pain' and 'injury' to indicate the effects of marginalization and subordination. Nietzsche postulates that the cause of *ressentiment* is 'suffering': this suffering causes the individual to look for a sight of blame for the hurt, as well as to revenge itself upon the 'hurter'. Brown describes the 'politics of *ressentiment*' as follows:

Developing a righteous critique of power from the perspective of the injured, it ['the politics of *ressentiment*'] delimits a specific site of blame for suffering by constituting sovereign subjects and events as responsible for the 'injury' of social

subordination. It fixes the identity of the injured and the injuring as social positions, and codifies as well the meanings of their actions against all possibilities of indeterminacy, ambiguity, and struggle for resignification or repositioning . . . the effort to ‘outlaw’ social injury powerfully legitimizes law and the state as appropriate protectors against injury and casts injured individuals as needing such protection by such protectors.

(1995: 27)

Ressentiment’s investment in powerlessness means that it prefers moral posturing over political argument: ‘His [Nietzsche’s] thought is useful in understanding the source and consequences of a contemporary tendency to moralize in the place of political argument, and to understand the codification of injury and powerlessness . . . that this kind of moralizing politics entails’ (Brown, 1995: 27).

Brown’s opposition between ‘morals’ and ‘politics’ seems at first difficult to accept, especially for feminists. What are we to base our politics on, after all, if not some notion of what is right, what is just, what is good, for women – all moral notions? However, in encouraging politics rather than morality, Brown does not suggest that we get rid of, or can do without, the ‘right’, the ‘just’ and the ‘good’. Rather, she maintains that ideas of what is right, just, or good that are based on moral notions of what we think we *are* lead to a politics of *ressentiment*, of ‘reproach, rancor, moralism and guilt’ (1995: 26). She argues that we need to develop new spaces in which to decide politically, collectively, what is good, just and right, derived not from identity-based notions of ‘who I am’ but from a new ethics of ‘what I want for us’ (1995: 75).

The tendency to turn towards the state for protection, rather than questioning state power to regulate and discipline, is one that Brown sees as especially problematic for feminism. She notes:

women have particular cause for greeting such politics with caution. Historically, the argument that women require protection by and from men has been critical in legitimating women’s exclusion from some spheres of human endeavor and confinement within others. Operating simultaneously to link ‘femininity’ to privileged races and classes . . . protection codes are also markers and vehicles of such divisions among women. Protection codes are thus key technologies in regulating privileged women as well as intensifying the vulnerability and degradation of those on the unprotected side of the constructed divide between light and dark, wives and prostitutes, good girls and bad ones.

(1995: 165)

The notion of ‘injured identities’ offers a provocative way to begin to examine how CATW feminists position the ‘trafficking victim’ in their discourse. Brown’s examination of the historical formation of late modern politicized identities places the problematic of ‘logics of pain in the subject

formation processes' (1995: 55) centrally. This has immediate resonance: CATW's campaign against trafficking in women constantly reiterates the literal, physical pain undergone by 'third world prostitute' bodies. If 'politicized identity's investment . . . in its own history of suffering' (Brown 1995: 55) is a constituent element of late modern subject formation, this may help explain why CATW and Barry rely so heavily on the 'suffering' of 'third world trafficking victims' in their discourses of women's subjugation. It also raises questions about CATW's efforts to combat 'trafficking in women' through 'protective' legislation.

Wounded history

The possibility of applying Brown's work to examine the role of the 'suffering prostitute body' in the construction of certain feminist identities was suggested to me by Burton's (1998) application of Brown's analysis. Burton uses Brown's work to analyse a particular production of Victorian feminism: Josephine Butler's *Native Races and the War* (1900). In this tract, Butler appealed to the sufferings of Black African men under Afrikaner rule in order to justify British involvement in the Boer War.⁶ In her analysis, Burton extends Brown's theory, arguing that:

What remains under explored in Brown's theoretical framework is the extent to which ostensibly autonomous political communities and actors have historically relied on the injuries of 'others' to (re)-focus the attention of the state on their own desire for inclusion in the body politic.

(1998: 339)

Burton suggests this is because Brown's 'genealogy of western liberalism and its affiliates is only implicitly, rather than explicitly, colonial' (1998: 339).

Burton's application of Brown's theory is highly suggestive for an analysis of uses of the 'suffering bodies' of 'third world prostitutes' by contemporary feminists. In Burton's analysis, two aspects of 'suffering bodies' of 'others' as used by Victorian feminists stand out. First was the highly gendered use of this body. Many of the 'suffering bodies' deployed by Victorian feminists were female: female slaves in the Caribbean, women, especially prostitutes, in India and prostitutes and poor women in England. But this was not always so, as the analysis of *Native Races and the War* demonstrates. The most significantly gendered aspect, however, was not the gender of the 'suffering body', but rather women's supposed ability, based on essential feminine characteristics, to identify with the 'suffering bodies', and therefore, to represent them politically. The second aspect of the 'suffering body' was the distinct class/colonial position of the 'suffering body' in relation to the 'saving body': 'saving bodies' were middle class and white; the 'suffering bodies' working class or black and colonial.

In the following section, I revisit Burton’s (1994) work on Victorian women’s campaigns against prostitution in India in the light of Burton’s own later application of Brown’s theory. This opens up wider possibilities for exploring the construction of the ‘third world trafficking victim’ in CATW’s discourse. It allows us to examine in what way the Victorian feminist reliance on ‘suffering others’ might impact on contemporary discourses. It can also help shed light on the relations of domination and subordination that are hidden in the production of feminist narratives about the ‘third world trafficking victim’.

Victorian feminists and prostitutes’ ‘suffering bodies’

Victorian feminists’ arguments around prostitution were grounded in discourses of slavery (Irwin, 1996). According to Burton (1998), the extension of anti-slavery discourses by Victorian feminists beyond their original political context in the early anti-slavery movement points to the importance of ‘suffering others’ for Victorian feminists in establishing their claim to be included in the body politic. The use of ‘slavery’ by feminist and non-feminist campaigners was extremely powerful: as a site of ‘irrefutable injury’ it served to demonstrate the need for women’s involvement, first in public philanthropy, and later directly in politics (Burton, 1998).

The campaign that marked the expressly political, rather than philanthropic, use of the ‘suffering body’ of the prostitute by Victorian feminists was known as abolitionism (Bland, 1992). Abolitionism was directed against the Contagious Diseases Acts enacted in Britain in 1867. These Acts, intended to reduce venereal disease among troops, set up a system whereby prostitutes were subjected to fortnightly internal examinations, and could be detained in ‘lock hospitals’ if found infected. The campaign, led by Josephine Butler, and consisting of unions, socialists and other reformers along with feminists, objected to the acts for the ‘double standard’ of morality they encoded. The purification of the state, these feminists argued, could only be achieved through women’s suffrage (Walkowitz, 1980).

While early campaigns against prostitution made metaphorical use of the slavery trope, the advent of the campaign against white slavery saw it transformed into a literal description of the condition of prostitution. W.T. Stead’s ‘Maiden tribute to modern Babylon’, published in the *Pall Mall Gazette* (1885), galvanized public opposition to ‘the white slave trade’ (see Walkowitz, 1992). In this fantastically sensational series, he claimed to provide investigative evidence of hundreds of young English girls deceived, coerced and/or drugged into prostitution and accused poor parents of selling their daughters to ‘white slave traders’ (Stead cited in Fisher, 1997:

132). In an earlier article (Doezema, 2000), I traced the narrative elements of 'white slavery': innocence, established as youth and sexual purity, helplessness, degradation and death. The rhetorically explosive combination of sex and slavery served to whip up public support for the abolitionist cause (Walkowitz, 1980; Grittner, 1990; Guy, 1991; Irwin, 1996).⁷

Allegations of 'white slavery' from Britain to the East meant an increased focus on prostitution in the colonies (I. Chatterjee, 1990). However, British feminists were more concerned with the regulation of Indian prostitutes through the Contagious Diseases Acts than with the fate of British 'white slaves' in India. The Contagious Diseases Acts in India were enacted shortly after those in England and were meant to serve the same purpose: to protect the health of British soldiers. As in England, this was to be achieved by compulsory examination and detainment of prostitutes for venereal disease. After the successful campaign for repeal of the Acts in England and Wales, feminist abolitionists, led by Josephine Butler, turned their attention to India (Burton, 1994). After a sustained campaign, the Acts were rescinded in 1888. However, repeal of the Acts did not mean the end of regulation, which continued in many areas, and abolitionists continued their efforts (Ballhatchet, 1980; I. Chatterjee, 1990; R. Chatterjee, 1992; Burton, 1994).

The ways in which Victorian feminists portrayed Indian prostitutes had many similarities with the portrayal of working class prostitutes 'at home'. As 'suffering bodies' of prostitutes at home (in England, America and elsewhere) served to provide Victorian feminists with a way of arguing the necessity of their political participation in domestic government, so the 'enslaved' Indian prostitute served to demonstrate the need for women's involvement in the politics of empire in order to purify it and stop the suffering caused by men (Burton, 1994). As Liddle and Rai argue:

The subject Indian woman in a decaying colonized society was the model of everything they [Victorian feminists] were struggling against and was thus the measure of Western feminists' own progress. British feminists saw Britain as the centre of both democracy and feminism, and when they claimed political rights they also claimed the right to participate in the empire.

(1998: 499)

Victorian feminists theoretically considered Indian women to be 'equal' to British women. However, this was more an example of Christian rhetoric than actual belief (Burton, 1994). British women's claims for inclusion necessitated the inequality of British and Indian women: Indian women served as the perfect 'foil' to indicate the 'advanced' situation of middle-class Victorian feminists. The international, imperial nature of the feminist campaign against the Contagious Diseases Acts in India homogenized the condition of British women as advanced, strong and civilized at the

same time as it homogenized Indian women as backward, helpless and inferior (Burton, 1994).

In adapting discourses of prostitution to the colonial situation, feminist abolitionists drew on dominant colonial discourses of India. In these orientalist discourses, the position of women became a key marker of ‘civilization’ (Midgley, 1998). In contrast to British women, the condition of ‘Indian women’ in general was seen as one of helpless subjection to barbaric traditionalism (Liddle and Rai, 1998). The ‘child bride’, the ‘burnt widow’, the ‘captive of the *zenana*’ and the prostitute all served as signifiers for Indian womanhood in its entirety (Liddle and Rai, 1998). In the implicit equation set up by feminist abolitionists, the ‘suffering body’ of the Indian prostitute became that of all Indian women and stood for the condition of India as a whole (Burton, 1994; Liddle and Rai, 1998). The ‘suffering body’ as metaphor for India established it unequivocally as backward and in need of rule: the gendered nature of this body staked out British feminist terrain in empire.⁸

A modern form of imperialism?

Feminist scholars of empire argue that contemporary feminist discourses cannot be considered out of their historical context (Burton, 1992; Liddle and Rai, 1998; Midgley, 1998). The campaign against trafficking must be seen in the light of the history of imperialism, colonialism and decolonization: campaigning efforts by feminists in the first, the third and the former communist worlds are shaped by this history. While, as Liddle and Rai point out, the third world of today is not the ‘Orient’ of colonial times, colonial discourses still ‘retain a hold on the Western imagination as expressed in certain contemporary women’s studies writings’ (1998: 497). It is not an accident of history, but the legacy of empire, that ‘third world prostitutes’ suffering bodies’ are at the forefront of certain feminist campaigns today. Yet, as Kempadoo notes, the work on examining the impact of the imperial legacy on contemporary feminist conceptions of prostitution has barely begun:

Nevertheless the need for feminist theory to engage with racialized sexual subjectivities in tandem with the historical weight of imperialism, colonialism and racist constructions of power has only been raised recently in the context of this feminist theorizing on prostitution.

(1998: 13)

This section will address two questions. First, it will look at the ways in which the ‘injuries’ of the prostitute are central to the construction of the identity ‘women’ in the political theories of Kathleen Barry and the activism of CATW. Second, it will look at the ways in which the colonial

legacy of imperial feminism impacts on how the 'sufferings' of the 'third world prostitute/trafficking victim' are incorporated into this identity.

The 'injury' of prostitution

Wendy Brown examines the genealogy of late-modern political identity formation in North America in terms of the ways in which identities such as those of gender, race or homosexuality are constructed on the basis of perceived historical 'injuries'. Barry's analysis, in *The Prostitution of Sexuality: The Global Exploitation of Women* (1995) of the role of prostitution in women's oppression proceeds along the same 'injury/identity' nexus analysed by Brown. In Barry's analysis, women's subordination is the result of sex. Sex is defined as 'the condition of subordination of women that is both bodied in femaleness and enacted in sexual experience' (1995: 278). Women's subordination is seen as analogous to that of class subordination, that is, women's 'class position' is one of sexual subordination to the dominant 'class' of men. The 'injury' of sex is thus that which constitutes the 'class' of women. For Barry, as well as other feminists such as Andrea Dworkin, Sheila Jeffries and Catherine MacKinnon, sex is power: male power over women.

Barry sees prostitution as the ultimate expression of male dominance.

My study of sex as power . . . inevitably, continually, unrelentingly returns me to prostitution. . . . one cannot mobilize against a class condition of oppression unless one knows its fullest dimensions. Thus my work has been to study and expose sexual power in its most severe, global, institutionalized, and crystallized forms . . . Prostitution – the cornerstone of all sexual exploitation.

(1995: 9)

The harms of prostitution are expressed in highly graphic terms that ironically echo traditional, religious/patriarchal moralizing against prostitutes. Hoigard and Finstad (1992), whose work is held up as exemplary by Barry, refer to sex workers' vaginas as 'garbage can[s] for hordes of anonymous men's ejaculations' (quoted in Chapkis, 1997: 51). Barry herself says that prostitutes become 'interchangeable' with plastic blow-up sex dolls 'complete with orifices for penetration and ejaculation' (1995: 35). A member of CATW recently characterized prostitutes as 'empty holes surrounded by flesh, waiting for a masculine deposit of sperm.'⁹ Seen in this way, prostitutes' 'pain' becomes the foundation of the identity 'woman'. 'Prostitution makes all women vulnerable, exposed to danger, open to attack. To be vulnerable is, by definition, to be "able to be hurt or wounded or injured"' (Barr, 1995: 317). 'Woman' thus becomes an 'identity' solely constituted through the 'injury' of male sexual power; as the most 'injured', the prostitute is most fully identified as 'woman'.

I am taking prostitution as the model, the most extreme and most crystallized form of all sexual exploitation. Sexual exploitation is a political condition, the foundation of women’s subordination and the base from which discrimination against women is constructed and enacted.

(1995: 11)

Kathleen Barry and CATW claim to base their analysis on the ‘true’ experiences of prostitutes. In Barry’s theory, sex in prostitution ‘reduces women to a body’ and is therefore necessarily harmful, whether there is consent or not (1995: 23). Consequently, prostitutes’ ‘true’ stories of pain and injury serve both to demonstrate the rightness of her theory and are claimed as the empirical basis for that theory. The testimonies of prostitutes thus assume the status of absolute truth. However, only certain versions of prostitutes’ experience are considered ‘true’. Barry constructs the ‘injury’ of sex in prostitution in a circular manner. Prostitution is considered always injurious because the sex in it is dehumanizing. However, the sex takes on this dehumanizing character because it takes place within prostitution. In this neat, sealed construction, there is no place for the experiences of sex workers who claim their work is not harmful or alienating. For Barry and CATW, the notion of a prostitute who is unharmed by her experience is an ontological impossibility: that which cannot be.

This appeal to the essentially invariable nature of prostitutes’ experience is at odds with Barry’s interpretation of the constructed nature of sexuality as a ‘political product of gender hierarchy’ (1995: 22). Barry’s analysis of women as a sexual ‘class’ completely constructed by men is very similar to that formulated by Catherine MacKinnon (1987, 1989). Brown’s critique of MacKinnon is highly useful for this article because of the similarities between MacKinnon and Kathleen Barry. Brown cites MacKinnon as an example of feminist theorizing that contains ‘the sharp but frequently elided tensions between adhering to social construction theory on one hand, and epistemologically privileging women’s accounts of social life on the other’ (1995: 41). Brown elaborates on these ‘symptomatically modernist paradoxes’ (1995: 42) in MacKinnon’s work:

while women [in MacKinnon’s work] are socially constructed to the core, women’s words about their experience . . . are anointed as Truth, and constitute the foundations of feminist knowledge . . . even when social construction is adopted as method for explaining the making of gender, ‘feelings’ and ‘experiences’ acquire a status that is politically if not ontologically essentialist.

(1995: 42)

This is not simply an arcane academic debate about the status of knowledge in feminist theory. Like MacKinnon, Barry claims that women’s experience, in this case, the experience of prostitution, bears out the ‘truth’

of sexual subordination. Not only does this result in the constructionist/essentialist paradox described above, it also requires 'suspending recognition that women's 'experience' is thoroughly constructed, historically and culturally varied, and interpreted without end' (Brown, 1995: 40). Brown suggests that the urge to reify 'women's experience' stems from a reluctance to leave behind the moral certainties of 'truth' for political power struggles: in others words, from an inability to renounce a politics of *ressentiment*.

In claiming the 'injured prostitute' as the ontological and epistemological basis of feminist truth, Barry forecloses the possibility of political confrontation with sex workers who claim a different experience. It is this move – the insistence that there is one 'truth' about sex workers' experience, and that this truth must be the basis of feminist political action, that Barry reveals her essentially moral stance and thus her investment in *ressentiment*. This moralism serves to obscure the operations of power in her own constructions of prostitutes' experience. I now turn to an examination of the nature of this power.

Power, identity, and imperialism

How is power exercised in Barry's writing about 'third world prostitutes'? Liddle and Rai's (1998) recent article on orientalism in feminist discourse is a useful place to begin exploring this question. Liddle and Rai identify three ways in which 'discursive [authorial] power takes on the character of orientalism [and] . . . power of an orientalist character is exercised' (1998: 512). Two of these will be discussed below. First, Liddle and Rai argue that orientalist power is exercised discursively when 'the author denies the subject the opportunity for self-representation' (1998: 512). A second discursive operation of orientalist power occurs when patriarchal oppression or women's resistance to it is represented in such a way that western cultures, and western feminism, come out as 'more advanced on the scale of civilization' (1998: 512).¹⁰

In Barry's work, the subject of the prostitute is constructed partially through the lens of orientalism: in Liddle and Rai's words, she 'denies the subject the opportunity for self-representation' (1998: 512). First world sex workers are both pitied and blamed for adopting a politics of sex worker rights.¹¹ While pitied for having to 'actively incorporate dehumanization into [their] identity' (1995: 70), first world sex worker activists are at the same time held responsible for women's oppression: 'to "embrace" prostitution sex as one's self-chosen identity is to be actively engaged in promoting women's oppression in behalf of oneself' (1995: 71). Third world sex workers, however, are not even credited with knowing

what sex worker rights are all about. Referring to third world sex workers, Barry writes: ‘“Sex work” language has been adopted out of despair, not because these women promote prostitution but because it seems impossible to conceive of any other way to treat prostitute women with dignity and respect than through normalizing their exploitation’ (1995: 296).

As with Victorian feminists and their campaign to rescue Indian women, third world sex workers are seen as so ‘enslaved’ that their only hope is rescue by others. The helplessness of Indian prostitutes was central to Victorian feminists arguments, and the slavery trope served to demonstrate the need for intervention by western feminists: ‘Ideologies of slavery, whether pro- or anti-, were premised on the notion that the slave, even when capable of resistance, was most often helpless in the face of either natural incapacity or culturally sanctioned constraint’ (Burton, 1998: 341). The helplessness of the Indian prostitute served as an effective foil to the saving capabilities of British feminists (Burton, 1994). The same holds true now: ‘In true colonial fashion, Barry’s mission is to rescue those whom she considers to be incapable of self-determination’ (Kempadoo, 1998: 11).

Third world sex workers’ organizations reject this racist portrayal of themselves as deluded and despairing (see Kempadoo and Doezema, 1998). Neither is ‘sex work language’, as Barry implies, a western concept picked up by ignorant third world sex workers who are incapable of understanding its ramifications. While the term ‘sex work’ was coined by Carol Leigh, a western sex worker (Leigh, 1998), its rapid and wide-spread adoption by sex workers the world over reflects not stupidity, but rather a shared political vision. As Kempadoo (1998) documents, sex workers in the third world have a centuries-old history of organizing to demand an end to discriminatory laws and practices. Building on this history, sex worker rights organizations are today flourishing all over the third world: ‘Sex workers’ struggles are thus neither a creation of a western prostitutes’ rights movement or the privilege of the past three decades’ (Kempadoo, 1998: 21).

Third world sex workers have seen through the patronizing attitude of those like Barry who would save them for their own good. It is worth quoting at length from the ‘Sex Workers’ Manifesto’ (1997), produced at the First National Conference of Sex Workers in Calcutta (attended by over 3,000 sex workers):

Like many other occupations, sex work is also an occupation . . . we systematically find ourselves to be targets of moralizing impulses of dominant social groups, through missions of cleansing and sanitising, both materially and symbolically. If and when we figure in political or developmental agendas, we are

enmeshed in discursive practices and practical projects which aim to rescue, rehabilitate, improve, discipline, control or police us. Charity organizations are prone to rescue us and put us in 'safe' homes, developmental organizations are likely to 'rehabilitate' us through meagre income generation activities, and the police seem bent upon to regularly raid our quarters in the name of controlling 'immoral' trafficking. Even when we are inscribed less negatively or even sympathetically within dominant discourses we are not exempt from stigmatisation or social exclusion. As powerless, abused victims with no resources, we are seen as objects of pity.

(Durban Mahila Samanwaya Committee (DMSC), 1997: 2–3)

The 'hierarchy of civilization'

I now turn to the second of Liddle and Rai's contentions about the workings of orientalist power in feminist discourse: that orientalist power is invoked discursively when male oppression and female resistance are characterized in such a way as to reinforce a 'hierarchy of civilization'. Barry's work, and the campaign rhetoric of CATW, clearly locate trafficking within 'backward', traditional societies (Kempadoo, 1998). As in Victorian feminists' Indian campaign, 'traditional and religious practices' are seen as the root of the problem of trafficking: 'Trafficking focuses particularly on indigenous and aboriginal women who are from remote tribal communities where traditional family and religious practices either devalue girl children or reduce girls to sex service, which enables and encourages parents to sell their daughters' (Barry, 1995: 178).

Referring to a remark by a Pakistani women's rights leader that Bengali girls trafficked into Pakistan do not know what country they are from, Barry comes close to calling these women sub-human: 'Illiteracy and rural village patriarchal feudalism abnegate human identity for many of these women' (1995: 171). Concerning Thai women, she remarks: 'In Thailand, religious ideology and patriarchal feudalism reduce the value of women's lives to that of sexual and economic property, which in turn validate prostitution' (1995: 182). Her analysis is based on that of Troung (1990), whose work, though of immense value, is not free from 'a sense that non-modern cultures live in a different, backward, or eternal time' (Lyons, 1999: 3).

This attitude – that third world women, and prostitutes in particular – are victims of their (backward, barbaric) cultures is pervasive in the rhetoric of CATW and in those western feminist organizations that have joined CATW's lobby efforts around the Vienna Protocol against trafficking. According to Planned Parenthood President Gloria Feldt:

In the US, we tend to see the issue of trafficking and forced prostitution through the lens of our affluent democratic society. In many cultures, women and girls

have no power and very limited rights so that their vulnerability to sex trafficking is high.

(quoted in Soriano, 2000: 3)

The co-director of CATW stated recently: ‘In the global South and East, victims of the sex trade are often young women and girls who are desperately poor in cultures where females are expected to sacrifice themselves for the well being of their families and communities’ (Leidhold, 1999: 4).

In CATW-inspired feminist discourses, the ‘third world’ sex worker is presented as backward, innocent and above all helpless – in need of rescue (Doezema, 1998, 2000; Murray, 1998). Through her, the superiority of the saving western body is marked and maintained.

Protection or discipline

According to Wendy Brown, the result of strategies based on *ressentiment*, that is, demands to the state for redress of injured identity, can end up re-inscribing, rather than neutralizing, the injured identity itself. As examined in the first section, the ‘politics of protection’ are particularly dangerous for women because of the way they have been used to control and divide women. Brown suggests that we should be even more cautious about attempts to protect women sexually:

if the politics of protection are generically problematic for women and for feminism, still more so are the specific politics of sexual protections, such as those inherent in feminist antipornography legislation and criminalization of prostitution . . . such appeals for protection . . . involve seeking protection from masculinist institution against men, a move more in keeping with the politics of feudalism than freedom. Indeed, to be ‘protected’ by the same power whose violation one fears perpetuates the very modality of dependence and powerlessness marking much of women’s experience across widely diverse cultures and epochs.

(1995: 165)

Barry and CATW configure their demands for an end to ‘injury’ in terms of an appeal to the universal ideal of human rights. Yet their political goals betray the extent to which demands for protection mesh with attempts to discipline the very ‘suffering bodies’ whose ‘injuries’ are seen as the very stuff of the identity ‘woman’.

At the Vienna negotiations, CATW’s lobby group back a definition of ‘trafficking in women’ that would severely restrict women’s ability to migrate both within a country and between countries. They call for all those who assist a woman to migrate, when at the end of the migration the woman works in prostitution, to be charged as ‘traffickers’ (CATW, 1999). This

means that a relative who drives a potential sex worker from one city to the next, or even an airline on which a potential sex worker flies, could be charged with 'trafficking' (Jordan quoted in Soriano, 2000). It is not difficult to see how these restrictions fit in with notions prevalent in much of the world about keeping women close to home and hearth (Guy, 1992; Yuval-Davis, 1997; Wijers, 1999; Doezema, 2000). In another example, Barry cites as a model a 1993 policy adopted by the Vietnamese Government to eradicate prostitution. Prostitutes who were 'willing to lead a normal life' were offered an unspecified amount of money to do so (Quy quoted in Barry, 1995: 300). However, 'unwilling' prostitutes were 'gathered in special centres for reformation for at least a minimum of six months' (Quy quoted in Barry, 1995: 301). Barry champions the internment of sex workers in the guise of 'protection' – this is indeed a chilling illustration of the politics of *ressentiment* at work.

Conclusion

Let us be clear: empire is no longer. Contemporary forms of international domination ('development' 'globalization') are heavy with a colonial past but their mechanisms of power are not those of empire. Decolonization, independence movements, new social movements, grassroots organizations and NGOs have brought new actors to the international political stage, and power cannot be read simply off geographical lines. Thus contemporary utilizations of prostitutes' 'suffering bodies' by western feminists cannot be analysed as a perfect analogue to utilizations by Victorian feminists. Nonetheless, if power is not the sole preserve of former imperial nations, they still have the lion's share of economic might and political power, and feminists' ambivalent reaction to contemporary international relations of domination in some ways mirrors that of their Victorian counterparts.

In Burton's analysis, the construction of Victorian feminist identity through the body of enslaved Indian prostitute proceeded via an interaction between the opposites of identification and opposition: identity was affirmed through, on the one hand, feminine ability to identify with suffering, and on the other, through establishing the superiority of English women to colonized women. For CATW feminists, the 'suffering body' of the 'third world prostitute' serves the function of marking the contrast between herself and 'emancipated' women as well as symbolizing the ultimate 'injury' of the identity 'women'. Through her, abolitionist feminists both western and non-western argue for women's inclusion in international human rights: the kidnapped, raped, beaten, ill 'third world prostitute' stands as a powerful symbol for the exclusion of women from 'universal' human rights due to their sexual subordination. The 'third

world prostitute’, oppressed by tradition and religion, exploited by western patriarchal capitalism, carrying the baggage of the colonial legacy of presumed backwardness and sexual innocence, is the perfect figure to hold up to the world as the image of sexually subordinated womanhood. Her victimhood, established by over a century of feminist, abolitionist and colonialist discourse, is indisputable.

In Brown’s analysis, the desire for protection of injured identities leads to collusion with and intensification of disciplinary regimes of power. The process of identity formation in the work of Barry and CATW is a complicated one. It is constituted out of both identification with the ‘suffering body’ of the prostitute – ‘woman as whore’ – and through the neo-imperial opposition to the ‘backward’ third world prostitute. Through CATW’s complicated process of identification/‘othering’, however, it is the discipline of certain bodies that is being sought in the name of protecting all women. CATW’s strategy at the UN negotiations in Vienna betrays *ressentiment’s* desire to identify victims, apportion blame and support repressive measures in the name of protecting women. It is small wonder that many governments’ delegations sympathize with their position. While the negotiations are still ongoing, and the outcome is uncertain, there are indications that the UN will opt for an approach that aims to ‘protect’ women from prostitution by limiting their freedom. CATW should not be surprised when sex workers the world over appear less than grateful for these efforts on their behalf.

Notes

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- 1 Members of the Human Rights Caucus include the International Human Rights Law Group, USA; the Foundation Against Trafficking in Women, the Netherlands; Global Alliance Against Traffic in Women, Thailand; Asian Women Human Rights Council, Philippines and India; La Strada, Poland, Ukraine, Czech Republic; Fundacion Esperanza; Columbia, the Netherlands, Spain; Nab Ying, Germany; Foundation for Women, Thailand; KOK – German NGO Network Against Trafficking in Women. Representatives of the Network of Sex Work Projects have also been active in the lobby. For information on the Human Rights Caucus lobby efforts, see <www.hrlawgroup.org>.
- 2 Supporters of the CATW-led International Human Rights Network include the Coalition Against Trafficking in Women, North America, Asia Pacific, Africa,

Latin America and Australia; Equality Now, USA; the International Abolitionist Federation; Woman's front, Norway. For information on the International Human Rights lobby networks, see <www.uri.edu/artsci/wms/hughes/catw>.

- 3 For analysis of the different feminist and sex worker positions on trafficking, see Chapkis (1997), Doezema (1998), Murray (1998), (NSWP 1999). The Network of Sex Work Projects (<www.walnet.org/NSWP>), an international NGO that advocates for the recognition of sex work as a legitimate profession, has liaised extensively with the Human Rights Caucus in the development of their position. The author has been deeply involved in these efforts, and has attended several of the sessions at the UNCICP in Vienna.
- 4 The Human Rights Caucus argues that trafficking in women should be seen in the wider context of migration for forced labour and servitude, such as labour in sweat shops or agriculture (Human Rights Caucus, 1999). The Human Rights Caucus supports the efforts of sex worker rights activists to gain legitimacy for their profession, while at the same time fighting abuses of power within the sex industry.

The position of the Human Rights Caucus has been supported in broad lines by several UN organizations, including the UN Special Rapporteur on Violence Against Women (A/AC.254/CRP.13), the UN High Commissioner for Human Rights (A/AC.254/CRP.16), and the International Labour Organization (A/AC.254/CRP.14). This support confirms arguments I made in an earlier article (Doezema, 1998) that the international community is moving away from the idea, established in agreements such as the 1949 Convention on the Suppression of the Trafficking in Persons and the Exploitation of Others, that all prostitution is 'exploitation' and should be abolished. However, this is not to say that CATW has no influence internationally. They are in receipt of grants totaling \$349,000 from the US Justice Department and the Ford Foundation (*Boston Globe*, 2 January 2000, C1). CATW has seized the negotiations at the UN as a platform from which to launch a high-profile campaign. While it is still too early to determine the effect of lobbying efforts at the UN (negotiations are scheduled to continue until October 2000), CATW has in recent months launched an offensive in the USA against the US negotiating position (Raymond, 1999). The Christian Right and other conservative organizations have joined the campaign in order to attack the Clinton administration for being soft on trafficking and prostitution (*New York Post*, 8 January 2000 <www.uri.edu/artsci/wms/hughes/catw>).

CATW's campaign charges that the definition of trafficking proposed and supported by the US delegation in Vienna reflects the 'pro-prostitution' position of the Human Rights Caucus. In response to this pressure, the Clinton Administration's Senior Co-ordinator for Women's Issues has issued a fact sheet on the US position. The document states that the US position is unequivocally anti-prostitution: 'The administration opposes prostitution in all its forms. The United States has perhaps the most far-reaching prostitution laws in the world' ('UN Trafficking Treaty: Myths/Facts' <www.state.gov/www/global/women/

fs_000118_myths.html>). This response from the Clinton Administration is a measure of the influence of CATW’s anti-prostitution lobby. For those who are concerned about the effects of anti-prostitution legislation on the lives of sex workers, especially migrant sex workers, this is a worrying development.

- 5 My use of the terms ‘third world women’, ‘third world feminist’ and ‘third world sex worker’ follows that of Kempadoo who writes: ‘“Third World women” is used here in keeping with the definition proposed by various “Third-World feminists” which captures the notion of a collectivity whose lives are conditioned and shaped by the struggles against neo-colonialism and imperialism, capitalism and gender subordination’ (1998: 24). I wish to emphasize that I see ‘third world feminists’ and ‘third world sex workers’ as categories that include both men and women.
- 6 While Butler’s campaign was not representative of feminist opinion generally at the time of the war, Burton (1998) uses the example to illustrate how Victorian feminists relied on the sufferings of colonized bodies to argue for British women’s political enfranchisement.
- 7 The campaign was not limited to Britain: cross-border feminist organizations were formed to stop the ‘white slave trade’. Nor was the campaign limited to feminists: as fears around white slavery intensified, the campaign became increasingly repressive in nature. Social purity organizations, which advocated the use of repressive measures to cleanse society of vice, dominated the campaign against white slavery. Some feminists were attracted to the repressive character of the ‘social purity’ movement, others however, such as Josephine Butler, distanced themselves from it. See further Walkowitz (1980), Grittner (1990), Guy (1991), Bland (1992), Irwin (1996).
- 8 It was also essential for the abolitionist cause that Indian women be perceived as worthy of being ‘saved’. As feminist campaigners against the Contagious Diseases Acts in Britain positioned the prostitute as a victim rather than as an ‘evil fallen woman’ (Walkowitz, 1980; Roberts, 1992), so the campaign against the Acts in India challenged the official colonial version of the Indian prostitute as primitive and shameless by nature (R. Chatterjee, 1992; Burton, 1994). When confronted by abolitionists’ arguments that the Contagious Diseases Acts regulated, rather than abolished prostitution, officials countered by arguing the supposed ‘lascivious’ nature of Indian society (R. Chatterjee, 1992), in which prostitution was supposedly an expression of Indian women’s voracious need for sex, rather than a shameful aberration. As Ratnabali Chatterjee (1992) has argued, ‘sexualizing’ the other was characteristic of orientalist approaches to India. As such, they reflected the colonizers’ own preoccupations rather than the actual state of prostitution in India. Though accepted to some extent as a profession, prostitution was still highly stigmatized, especially ‘lower class’ prostitution (R. Chatterjee 1992; Engels, 1996). Less has been written about the role of prostitution in Indian nationalist and feminist discourse than other sexuality/gender concerns such as *suttee*, *zenana* and child marriage. Nonetheless, it is evident from what has been written that the subject of prostitution,

- like others relating to women's position, was less about the actual women concerned than a field on which nationalist and feminist aims were contested (see Mani, 1989, R. Chatterjee, 1992; Kumar, 1993; Engels, 1996).
- 9 This statement was made by Evelina Giobbe during the NGO Consultation with UN/IGOs on Trafficking in Persons, Prostitution and the Global Sex Industry: 'Trafficking and the Global Sex Industry: The Need for a Human Rights Framework' 21–2 June 1999, Palais des Nations, Geneva.
 - 10 The third way an author exercises orientalist power is 'when the discourse forms an explicit or unacknowledged alliance with the structures of imperialism which tie colonised and post-colonial countries into a subordinate position within the international economic system' (Liddle and Rai, 1998: 512).
 - 11 Barry claims that western sex workers who 'promote prostitution' are engaging in 'survival tactics', repressing and reconfiguring the harm so that it is possible to live with it. She comes close to asserting that all western sex workers rights activists and those women who support them are repressing memories of childhood incest, which conditioned them to act for the patriarchy (see especially 1995: 279).

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