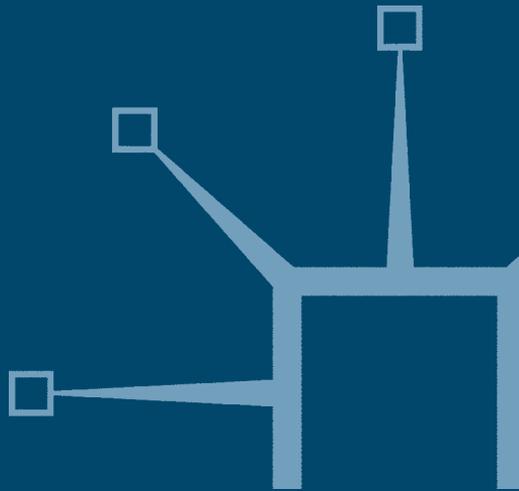


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Sex Worker Union Organising

An International Study

Gregor Gall



Sex Worker Union Organising

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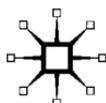
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Dedicated to my partner, Fiona Cassidy, as an acknowledgement (but not obviously any compensation) for the many non-work hours again spent out of her company completing another manuscript.

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Preface

The idea of sex workers unionising has, I think, an instant appeal on a number of different levels. One is that the subject matter, regardless of unionisation, concerns sex workers and this raises an issue of curiosity. The next is that the workers in question are sex workers who are a group of workers that has not before sought to unionise. Another is that many will find it difficult to conceive that unionisation is practical or appropriate for sex workers. So, hopefully, that interest will find its way to the reading of this book.

This is a serious but accessible work, not a dry academic tome that has stripped the life out of quite an extraordinary phenomenon. The voices of the sex workers and accounts of their activities are given prominence. The audiences for this book will hopefully comprise sex workers themselves, social progressives concerned with the future of sex work, trade unionists and social progressives concerned with the future of trade unionism, socialists and feminists as well as a host of commentators, opinion formers and policy analysts.

My interest in studying the unionisation of sex workers stems from a long and deeply held belief that trade unionism is likely, because it is the quintessential form of worker collectivism under capitalism, to be the first step towards the self-emancipation of workers, whoever these workers are, in both more immediate and more distant terms. Wage labour is a manifest reality for millions upon millions of workers under capitalism. The struggle for a society based on social need and human development not profit and competition must necessarily begin with where workers are. 'Where' meaning in physical terms as well as in terms of consciousness and not where others might want them to be.

My own view on the veracity of the perspective or discourse of 'sex work' (see below) is largely immaterial to this study. To accept the perspective or discourse as sufficiently legitimate and existent as to be worth studying its manifestations, repercussions and implications is heuristically necessary. This does not require the adopting of a definite personal conviction for the perspective or discourse. But my own view is that the perspective has certain merits but that as yet the forcefulness of its case is far from being complete, and some of this extra force will only become obvious as a result of possible social developments. Something possibly of a 'Catch-22' type situation.

This is an exploratory study of an emerging phenomenon. This phenomenon may have portentous for the one of the fastest growing industries through the global economy, for it may usher in some badly needed 'balance' to an unequal economic and political relationship between the sex worker and the sex employer.

Moreover, sex workers' union organisation is potentially a harbinger of new forms of vibrant and influential trade unionism. Time will tell. But in another way 'size doesn't matter', for sex worker union organisation is a phenomenon which is interesting in its own right as an example of the struggle for self-expression and self-representation of interest under regimes of oppression and exploitation.

This is a serious research study of workers in the sex industry. Inevitably, given the topic, there are some explicit references to sexual acts. The Author and the Publisher would like to make it clear that no offence is intended.

1

Introduction

One of the ways workers can secure better conditions is through trade unions' negotiation with employers. Unions for sex workers are limited to countries where the sex industry is legal and quite formal, and to employed sex workers. Usually sex business managers go to great lengths to avoid admitting an employer/employee relationship with sex workers. Trade unions have also been reluctant to allow sex workers to join them even when it is technically possible. Resistance to unionisation comes from sex business managers and others who have financial interests in sex workers remaining unorganised or who believe that prostitution should, or could, be abolished. Professional associations [i.e. pressure groups] are easier to form than unions. They may be open to a wider range of people and can be more flexible in their approach to problem solving. In some countries such associations have a stronger tradition than either unions or regulations which govern the workplace. Professional associations generally promote self-regulation. They do not usually have the capacity to enforce standards as a trade union might.

This excerpt comes from the booklet *Making Sex Work Safe* by the international Network of Sex Work Projects (NSWP) published in 1997. It unintentionally provides a useful *entrée* to the study of the unionisation of sex workers in Australia, Britain, Canada, Germany, the Netherlands, New Zealand and the US from the mid-1980s onwards and helps sum up some of the main issues concerned. Among these are that unionisation is advocated by some for sex workers, unionisation may be more or less appropriate for some groups of sex workers rather than other groups of sex workers, that unionisation is being contested and resisted and so on (see also Chun (1999) on the case of dancers and more generally Plachy and Ridgeway (1996:34, 37)). This is a

useful backcloth on which this study can be painted. And in doing so, there are a number of points of departure.

First, the existence of the perspective that 'sex work' is a legitimate form of employment and economic activity and as such requires unionisation to reduce the exploitation and oppression of sex workers associated with it. Second, the related perspective that sex workers (or sex trade workers) perform emotional and erotic labour which is a variant of what may be termed conventional wage labour, and in particular 'emotional' labour performed by a variety of other service workers. Third, the evidence of a political awakening in the consciousness of those that are usually regarded as quintessentially downtrodden and super-exploited women who are often regarded as victims, on the one hand, or as unchaste, on the other hand. Fourth, the sex industry represents a large and growing form of economic activity, comprising a diverse and heterogeneous array of activities ranging from prostitutes, escorts, and massage parlour workers, to strippers/exotic dancers/lap dancers, pornographic models, pornographic actors/actresses, and sex chatline telephone and text operators. This relatively hidden industry involves hundreds of thousands of workers and generates billions of dollars of revenue annually in both western and less developed economies. Fifth, that as trade unions have experienced considerable membership and organisational decline in their heartland areas of extractive industries and manufacturing, they need to organise hitherto non-traditional and so-called 'atypical' groups of workers situated in the growing sectors of the economy in order to counter this decline. Sex workers may represent such a group located in the service sector of the economy. Sixth, hitherto research concerning the unionisation of sex workers has almost exclusively confined itself to prostitution as a result of a conflation of sex work with prostitution (see, for example, Shah (2003)). This research breaks new ground in this respect and examines not just the idea of unionising sex workers but also the practice of it. Earlier scholarship, reportage and commentary merely examined the case for unionisation, labour rights and social regulation.

An important controversy runs through these points of departure. To deem the commodification and sale of sex, sexual services and sexual artefacts as 'sex work' and consequently to attempt to unionise 'sex workers' are both highly controversial issues amongst various feminist and progressive milieus. This controversy, dubbed the 'feminist sex wars' by many of the involved protagonists, has polarised around two schools of thought (see also Perkins (1991:368)). The first may be characterised as 'radical feminism' (e.g. Barry 1979, 1995; Dworkin 1981,

1987; Jeffreys 1997; MacKinnon 1987), and the second the 'liberal' or 'libertarian feminism' (e.g. Bell 1987; Delacoste and Alexander 1987, 1998; French 1992; Pheterson 1989a, 1996). According to the 'radical feminists', the act of deeming the selling of sexual services and prostituting bodies for exchange values, where the vast majority of transactions concern the sale of women's sexuality, emotions and bodies, as in any way legitimate is to condone this practice of sexual exploitation and sexual violence. It is also to provide a huge obstacle to abolishing the prostitution of the female body and female sexuality. The existence and continuation of such selling is viewed by many feminists as a key construct in the subjugation of women to men and/or capitalism defined as varying between patriarchal capitalism or capitalist patriarchy. Selling and commodifying sex, sexual services and sexual artefacts is viewed not merely as being contaminated by men but as being the quintessential means by which women are subjugated through the actual practice as well as by the way in which this influences broader attitudes about women held by men and women. The argument runs that selling sex, sexual services and sexual artefacts are not what fundamentally matters. Rather, it is the selling of the self and of women that fundamentally matters.

However, according to the second school of thought comprising sex worker activists themselves and many NGOs such as advice, advocacy and support groups involved in protecting and aiding sex workers (particularly prostitutes), trade unionism appears to be a reasonably sensible and pragmatic means of addressing the many problems and issues which sex workers face in their working lives and workplaces/work settings. It represents a limited form of self-determination and self-emancipation, and promises the potential of further self-determination and self-emancipation. This school of thought adopts a perspective which recognises that sex work can represent both degrading, violent and exploitative work, on the one hand, and well-remunerated and satisfying work, on the other. The distinction between the two is argued to revolve around the immediate as well as broader conditions under which the work is carried out. Thus, the terms of selling of sex, sexual services and sexual artefacts, as with other forms of labour, can be improved. In particular, trade unionism is seen by this school of thought to raise not just the issue of human and citizens' rights but to go further and raise issues of workers' rights, workers' control over their work and lives and to play some part in the transforming of sex workers' consciousness through self-organisation on a longer road to self-liberation.

The former school of thought group represents the 'abolitionist' tendency towards sex work while the latter school of thought represents the 'transformational' tendency towards sex work. However, both schools of thought have not *thoroughly* addressed the problematic issue of whether (union) organising sex workers may represent a transitional method to end the prostitution and commodification of bodies as part of a wider transformation of society, leaving sex work as a personal and social service uncontaminated by exploitation and oppression of any kind. The former school clearly believes by implication this cannot be the case while the latter, and in particular many sex workers themselves, believe that there are certain parts of, and to, sex work which are or can be redeeming and should not be considered eligible for abolition. Some have regarded this positive sex work as part of a potentially better form of capitalism while others regard it as potentially part of a new form of society, i.e. socialism. Trade unionism is generally viewed in two ways. The first is merely concerned with improving the terms of the sale of labour. In this sense, trade unionism is a potential obstacle to transformation. The second is that trade unionism embodies a potentially transformative agency because in collectively focussing on the terms of exchange, workers' horizons can be widened to concentrate on the abolition of exploitation *per se* through the abolition of wage labour. Consequently, there exists a debate to be conducted over the prospects, judged in terms of possibility and probability, of whether trade unionism can represent such an agency in terms of wage-labour in sex work.

Components and dimensions of study

The following section sets out the four major components and dimensions of the study: the legitimacy of sex work and sex workers; the movement from civil rights to union rights and from pressure groups to trade unionism; the growing but often hidden nature of the sex industry; and aspects of collective and trade union organisation in the sex industry. Here, this research breaks new ground. Despite a considerable and expanding literature on union revitalisation, social movement unionism and union renewal in Britain, the US and Australia (see, for example on the US, Clawson (2003), Brofennbrenner *et al.* (1998), Milkman and Voss (2004), Turner *et al.* (2001)), the issue of researching union organising in entirely virgin or greenfield territories has not received much attention at all. By the same token, the considerable and expanding literature on the sex industry has not examined

the issue of sex workers' interest representation and unionisation in any great detail (see, for example, Agathangelou (2004), Sanders (2004c, 2005c)) while neither has the burgeoning literature on service and emotional work (see, for example, Bolton (2004), *Gender, Work and Organisation* (2005), Korczynski (2002a, 2002b)).

Prior to this, even some accounts of dancer resistance at the Lusty Lady (e.g. Chapkiss 1997 and Dudash 1997, save Chapkiss 2000) barely mention the unionisation drive there. This is because the latter writers' discourse emphasises self-identity, individualism and subjectivity. This research also responds to Weitzer's (2000a:10) call for the need to conduct much more research on the collective aspects of the wider sex industry for the focus of most studies has been on the *individual* and with regard to prostitution. For example, Brewis and Linstead (2000c) look only at what the work of prostitutes comprises in terms of identity, meaning and subjectivity. They do not consider the collective attempts at gaining control, collective resistance, collective interests and the collective representation of them. Following from this, they also do not examine the non-gendered aspects of power and have a tendency to not see beyond the gendered aspects of power, that is, they do not look at power in itself, and they tend to focus on identities as end in themselves not as a means to an end. This study attempts to avoid these weaknesses by examining sex work and sex workers from a perspective of radical political economy. It, consequently, does not confine itself to prostitution, where many conflate sex work with, and make it synonymous with, prostitution.

The legitimacy of sex work and sex workers

The fulcrum for, and of, organising sex workers is the perspective of viewing sex workers as workers whose labour (emotional, erotic) is of a) a sufficient level of moral legitimacy and b) has social worth as a form of employment that is seen to be comparable to other forms of labour and paid employment as to be deemed worthy and acceptable to organise. The perspective is also of sex workers selling sexual services and not their bodies and persons *per se*. A distinction is not made between acts which involving the selling of sex and acts of selling sexual stimulation, or between those acts which involve entering a body, acting on another body or entering personal spaces and those which involve the production of such imagery. Allied to this, sex work is viewed as comprising work that *can be* socially useful and *can* provide job satisfaction, personal fulfilment, empowerment and self-actualisation, where becoming a sex worker *can be* a genuine life

choice. The conditions of this potentiality are acknowledged to be existent in the present and to be potentially greatly enhanced in the future under different conditions. However, it is recognised that alongside these potential benefits, there are downsides in terms of violence, stigmatisation, poor pay and conditions of employment, and job and employment insecurity. Previously, in Britain, the rights of sex 'workers', and particularly prostitutes, (to the extent these existed) were seen merely in terms of human rights, sexual health and morality. Because of this, trade unionism had little purchase. Now, sex 'workers' in Britain, the Netherlands, the United States, Germany, Canada, Australia and New Zealand, the countries studied in this research, are now viewing themselves, and being seen by others, as *bona fide* workers who are sex workers. This represents a significant shift in the balance of opinion with regard to what comprises sex work and what defines sex workers. Its roots are to be found in the evolution and development of prostitutes' rights movements, the emergence of a certain strain of more liberal feminist thought, the growth of libertarian thought amongst women outside feminist milieu, and the development of NGOs operating around issues of sexual health and well-being of sex workers.

The movement from civil rights to union rights and from pressure groups to trade unionism

The transition of a milieu of thought and organisation amongst sex workers and their supporters from focussing on civil and political rights to focussing on economic and trade union rights and from embodying pressure group activity to then organising in a trade union manner based on the workplace setting constitute two critical accompanying and closely related developments. The initial groups of sex workers (i.e. prostitutes who were often aided by non-prostitute supporters) to engage in self-organisation saw their struggle, consciously or unconsciously, in terms of acting as pressure groups pursuing civil, human and political rights over decriminalisation, destigmatisation, public awareness, social provisions and social protection (e.g. education, health, welfare) and protection from violence, intimidation and harassment, whether from police, customers or other members of the public. Arguably, these were the first sex workers to collectively organise because they were responding to the severest and most public forms of political control, legal control, harassment and physical violence of any sex workers. The bodies on which the sex workers and their organisations have sought to exert influence were public opinion, political parties, government, the

state and its appendages (e.g. police, judiciary, health, social work). Several manifestations flowed from the nature of pursuing this platform in this way. First, has been the construction of collectives of sex workers deploying the help, advice and support of various professionals and specialists (e.g. lawyers, health care specialists, educationalists) in an immediate and direct manner. For example, many of these professionals carried out voluntary work for the prostitutes' pressure groups and/or worked on funded sex work projects. Second, collective action has sought to win largely individual-based rights and entitlements in the legal and public policy arenas. Third, even where employment issues were directly addressed, sex workers have sought to apply pressure on a third party to compel employers to act in a more benign manner. Fourth, the sex worker pressure groups have sought to lobby to gain access to the power, resources and influence of the state and various social capital networks rather than attempt to create their own. Thus, the dominant characteristics have been acting as a ginger group and being reliant upon others (whether NGOs or the state) to provide either the end goals or the facilitation of these.

Building on this development in a complimentary manner, but also to a considerable degree extending this in both quantitative and qualitative terms, has been the emergence of the holding amongst some sex workers of the view that as workers they should organise collectively in the workplace or on the work setting. This is believed to be the more effective way to increase their individual and collective based degrees of workplace control and to pursue far more collectively orientated rights. Consequently, the focus of attention is no longer only or just, for example, the police, the legal system or the government, but the immediate employment relationship, the employer and the wage-effort bargain. Therefore, attention is given to the terms and conditions of economic exchange in a way that did not exist previously. So, for example prostitutes as sex workers, are now focussing attention on their own collective organisation as a trade union-type organisation concerned with reducing the compulsion to take certain customers and to increase the discretion in choosing customers. The salience here concerns demands made by customers/employers to perform certain tasks, and the risk of violence, unprotected sex/STDs and abuse. Moreover, and flowing from this trade union orientation, is a thrust to create, and rely on, their own resources to a far greater degree. Although still deploying the expertise of others to a considerable degree, the ability to pay for and secure these resources results from far greater self-organisation, self-activity and self-reliance. What

is also interesting to note here is that the current sex worker union organisations have taken up and attempted to further build on the agenda of the prostitutes' rights movement for sex workers as well as develop their own agenda of workers' rights *within* a discourse and organisational form of a social movement. The social movement is that of the sex workers' rights movement. This reflects the ideological colourations of the activists as well as the weakness of the as yet only nascent union organisations.

A growing but often hidden industry

The definition of what constitutes the 'sex industry', sometimes referred to as the 'sexploitation economy', is open to interpretation. Consequently, so too is its size. The narrowest definition would comprise frontline workers like prostitutes, strippers, live sex performers, lap dancers, pornographic models, and sex chatline telephone and text operators, encompassing both contact and non-contact with customer activities. A broader definition would include pimps and procurers, owners of establishments, sex teachers, certain publishers, certain journalists, and support staff (e.g. cleaners, vendors, and security guards). A broader still definition comprises the replication, manufacture and sale of products and services in addition to just their original creation. This, therefore, includes photographers, film makers, lighting and sound assistants, sex toy manufacturers, retailers and so on. Much, but not all of the sex industry is hidden from the ordinary eye. The sex industry is physically located in certain spaces and advertised and accessed by certain media. Only the desire to seek out and identify its manifestations can in any way reveal its full extent. This advertises their existence and their services without facilitating a direct experience of them. To give some indication of the size of the 'industry', the International Labour Office (Lim 1998) in the late 1990s estimated that in just Indonesia, Malaysia, the Philippines and Thailand, 0.8m-1.0m people earned a living from being paid for sexual services, i.e. prostitution. In Britain, the UK Network of Sex Work Projects (UKNSWP) estimated there were at least 80,000 prostitutes in Britain in 1999 (Kinnell 2004).

With the development of web-based computer and information technologies, different arrays of media, and the arrival of call centres, the sex industry has vastly expanded beyond simply prostitution, sex shops, sex clubs and pornographic magazines. The re-legitimisation in society of soft porn and stripping/lap dancing through the culture of post-modern 'new laddism' and its female counterpart in the last

decade and the move to more generally liberal attitudes towards sex amongst younger generations in the last two decades have opened up hitherto unforeseen market opportunities for sex industry entrepreneurs. Despite this, very little is known about the structure and employment conditions of the various components of the sex industry, whether it be soft or hard core, legal or illegal, involving employed or self-employed workers and so on. In this sense, much remains hidden about the industry that is in many respects already relatively clandestine and covert.

Aspects of collective and trade union organisation in the sex industry: innovative and activity

The nature of trade union activity, in terms of constructing, mobilising and maintaining union presence and union influence, in the sex industry is explored. Consideration begins by focussing on the genesis and growth of membership and organisation, the nature of union members and union activists by sex industry sub-occupation, political worldviews, and social backgrounds. The historical coincidence of a) sex workers as workers having aspirations to gain recognition of their work as worthwhile and legitimate and b) the take up by the union movement in many countries of 'union organising' with its discourses and language of demanding 'dignity', 'justice' and 'respect', their organising of atypical and hitherto disorganised workers and their espousal of the *modus operandi* of self-reliance and self-organising has allowed the coming together of unions and sex workers. Significant numbers of sex workers have long spoken these discourses and language. One of the key resources to organising, albeit not in terms of recruitment but rather in terms of consciousness- and awareness-raising, has been that of the sex worker advocacy NGOs which work around sexual health and well-being issues. Of some support in terms of models of organisational 'best practice' and inspiration for activity have been the long-standing examples of self-organisation of prostitutes. Such groups initiated the early movement towards the normalisation of sex work. In terms of facilitating a more conducive environment for unionisation to take place in, the recent move to more liberal and libertarian attitudes towards sex and sexuality and the growth of the sex industry, in terms of its size and diversity, have also been critical developments.

While solidarity can be constructed as a result of realisation of sameness and commonality of interests in contradistinction to those of the customers and employers, divisions can arise through competition for