



# Contested spaces: Exploring the intersections of migration, sex work and trafficking in South Africa

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**ABSTRACT:** This paper considers the discourses, practices and conditions that contribute to the multiple vulnerabilities faced by female migrants who sell sex in South Africa and, in turn questions the ways in which they negotiate and challenge these vulnerabilities. In Johannesburg, a city with the largest proportion of South Africa's migrants, female migrants who sell sex face a number of vulnerabilities due to the criminalised nature of their work and other factors such as irregular documentation status, fear of deportation and xenophobia, (Gould & Fick 2008; Richter 2012 *et al*). In addition, concerns around human trafficking in South Africa are seen to negatively impact upon attitudes towards sex work. Drawing from two research projects with migrants who sell sex in inner-city Johannesburg, this paper highlights the need for a more nuanced discussion around sex work and trafficking. While highlighting the distinctions between the two, we argue that it is necessary to recognise the multiple realities for women who sell sex; realities which seep out far beyond the popular discourses which label them as victims and which demonstrate that experiences of sex work can embody risk, hope, fear, enjoyment, violence and fulfilment.

**KEYWORDS:** Trafficking; Migrancy; Vulnerability

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Sex work<sup>1</sup> deeply divides opinions in various social, political and academic spaces. In South Africa, under the Sexual Offences Act 23 of 1957 (last amended in 2007),



all aspects of sex work are criminalised<sup>2</sup> – including the buying and selling of sex, pimping and running of brothels. Research from South Africa indicates how criminalised responses to (‘foreign’) sex workers results in the intersection of increased multiple vulnerabilities, including gender-based and structural violence experienced in the form of police/client harassment and brutality; barriers to healthcare, HIV testing and treatment; anti-foreigner sentiments from service providers and, problematic access to documentation and socio-legal services (Vearey *et al.*, 2011; Richter *et al.*, 2012). In addition, pressure to address concerns on human trafficking in South Africa have led to the implementation of popular anti-trafficking efforts amongst Non-Governmental Organisations (NGOs) and government institutions. This is despite the fact that what data does exist has been criticised by researchers and activists for methodological flaws. Moreover, their preoccupation with issues of immigration and sex work ignore less sensational aspects of labour exploitation that also fall under the anti-trafficking umbrella (Africa Check 2014).

Trafficking legislation also plays into wider global discourses around issues of migration and citizenship. Despite the increasing recognition of migration as a key driver for development (see UNDP 2009), globally, nation-states are tightening their management of cross-border migration, making it increasingly difficult for *some* non-nationals, especially for those engaged in informal, lower-skilled activities, to legally enter, reside and work within a country of which they do not hold citizenship. In South Africa, a progressive refugee act is undermined by increasingly restrictive and discriminatory immigration policies that prevent many migrants from gaining the necessary and appropriate documentation for legal residence in the country.

Pressure from the global anti-trafficking movement coupled with national immigration policies and anti-sex work legislation collectively places cross border migrants who sell sex at increased risk for exploitation and abuse. Therefore, while not disputing the seriousness of human trafficking as a crime, in this paper we argue that it is necessary to recognise the complexities and intersectionality that migrant women who sell sex in South Africa navigate in order to understand the impact on lived experiences. Furthermore, we argue that the field of migration studies has failed to explore the role of migrant women who sell sex as ‘transnational migrants, as members of diasporas, as entrepreneurial women, as flexible workers and as active agents participating in globalisation’ (Agustín 2006, 43). Thus, in line with a growing body of literature we suggest that in granting agency to

individuals who migrate and sell sex, migration for the sex industry can be viewed in terms of the expansion of life choices and livelihood strategies, travel experiences, as well as the vast structural pressures that push and pull women to become involved (see for example, Kempadoo & Doezema 1998; Busza 2004; Kapur 2005; Kempadoo 2005; Agustín 2006, 2007). Moreover, this kind of framework would not only be an important way of distinguishing women who are trafficked from those who have made the choice to enter the sex industry, but would also help in shifting the debate on sex work beyond the dichotomised and often moralised 'rescue or respect' discourses.

This paper draws from in-depth interviews and participatory research to the discourses, practices and conditions that contribute to the multiple vulnerabilities faced by female migrants who sell sex in South Africa. In turn, it considers the ways in which female migrants negotiate and challenge such vulnerabilities. The research for this paper was conducted in inner-city Johannesburg, specifically in Hillbrow and Yeoville<sup>3</sup>, two areas within the City with a well-known, long standing sex trade (Stadler & Delany 2006; Richter 2008). Throughout the paper we refer to 'female migrants who sell sex' rather than 'migrant sex workers' to reflect the multiple and intersectional spaces that exist for many women involved in the industry. As is explained in the next section, while some of the women in our research identified as sex workers, many did not. Rather, they described their entry into sex work as temporary and as a result of needing to meet immediate economic hardships. In this paper, we will thus explore the use (or not) of labels, and examine the ways participants' accept/reject socio-political terminology.

In the following section we present the methodologies that were used in the studies that informed and shaped this paper. Following the methods section, we briefly set out the context of migration, sex work, and trafficking in South Africa. Drawing on the narratives of female migrants who sell sex, we explore how their experiences of travelling to South Africa, of living in Johannesburg, and of selling sex challenge the common discourses used to discuss migrant women who sell sex. In particular, we argue how the absence of this group in academic and development literature not only ignores the complexities involved in understanding the intersections of migration, sex work, and trafficking but often pushes migrant sex workers into more marginalised spaces that further heightens their vulnerabilities. Thus we conclude by arguing that in order to tackle the problematic conflation of

sex work and trafficking, along with demands for the sensitisation of migration in South Africa, a more nuanced and textured understanding of migrant women who sell sex is necessary. This understanding looks less at the enactment of legislation and more at the lived experiences of female migrants who sell sex as a way to highlight the blurred boundaries and contested spaces that exist in their lives.

## Methodology

The data presented in this paper is drawn from two research projects with migrants who sell sex.<sup>4</sup> The first project focuses on the double vulnerabilities, including the impact of migration legislation, trafficking discourses and transnational networks on feelings of belonging amongst migrant sex workers in Johannesburg.<sup>5</sup> In-depth interviews with ten female migrants who regularly sell sex were conducted with women from Zimbabwe and the Democratic Republic of Congo. Interviews were carried out monthly over a period of six months. They focused on exploring issues such as, home life and experiences of travelling to South Africa, negotiating life in Johannesburg, trajectories into selling sex, challenges and vulnerabilities faced, and opinions and personal thoughts around the sex work industry.

Recent studies on migrant sex workers in Johannesburg have mainly focused on inner-city Johannesburg, specifically in Hillbrow (Richter *et al* 2012; Stadler & Delany 2006; Wojcicki & Malala 2006) and have almost always included the help of Sisonke – South Africa’s most prominent pro-sex worker advocacy organisation that is run by sex workers for sex workers.<sup>6</sup> The main area of focus for this study was to explore sex work and migration broadly; however, the study also sought to explore the specific vulnerabilities faced by those who chose not to label themselves as sex workers and who do not align with the sex worker movement. Therefore, participants were recruited through a snowballing process. Whereby one contact connected the researcher with further contacts and so on. However, relying on a close circle of contacts revealed both limitations and challenges for this study. For example, while some participants arrived with hopes and expectations that the researcher might be able to offer support in finding work, with documentation and, addressing their financial difficulties etc. This meant that at times it was difficult for the researcher to maintain ethical boundaries, or to know where those boundaries lay. Such issues also reflect the specific context of South Africa where

there is little structural support available to women in marginal situations, and especially those who are selling sex.

In addition to the interviews with female migrants, the research also sought to unpack issues pertaining to trafficking with special attention paid to anti-trafficking efforts in South Africa. Interviews were conducted with government officials and agencies as well as NGOs focused on anti-trafficking as a way to understand how they conceptualise and understand migration and sex work, and to explore the types of data that they use to inform policy and practice.

The second project, entitled 'Volume 44' is a participatory photography project with migrant sex workers in South Africa<sup>7</sup>. The project focused on the under-represented voices of migrant men, women and transgender sex workers in South Africa. Building on previous participatory research conducted by the ACMS and Sisonke that has involved South African and foreign-born sex workers, the project aimed to explore the health, social, economic, security concerns, and experiences of individuals involved in the South African sex industry in order to inform research, legal reform and advocacy efforts surrounding sex work and migration in South Africa. Multimodal visual and narrative approaches, such as mapping, narrative writing, storytelling and group image review/critique were central to the workshop process. The project took place in two distinct Provinces in South Africa: Gauteng and Limpopo and a total of 19 participants (men, women and transgender persons) were involved.

Each project site (Johannesburg and Musina) consisted of three separate workshop phases. Each phase lasted an average of five days and took place over the course of six weeks. Upon completion of the participatory photo project, the researcher conducted two one-hour open-ended interviews with each of the participants. Interviews were guided by the stories that emerged from each individual during the workshops. Although participants appeared to share openly during the workshops, increased insights into representation and life stories surfaced more during the one on one interviews.

In contrast to the first project where snowballing was used as the primary technique for participant recruitment, Volume 44 participants were solicited by Sisonke staff and all of the participants were members of Sisonke. As members, they attend monthly meetings that focus on issues pertaining to the organisation and sex worker movement, receive human rights training and are offered a 'safe space' to

speak candidly about their experiences as sex workers. Although most members of Sisonke tend to identify as sex workers during Sisonke led initiatives, not all use the label of 'sex worker' when outside of this space of comfort. In fact, one of the central aims of Sisonke is to advocate for the decriminalisation of sex work in South Africa however, during one-on-one interviews some members appeared to be uneasy, concerned or unsupportive of the decriminalisation movement. Concerns ranging from increased visibility to distrust of the political system and internal dissonance relating to their own views of sex work as a legitimate form of work tended to be the main reasons for lack of support for decriminalisation. While all of the research participants in both of the studies acknowledge that they sell sex for money many, regardless of their affiliation (or not) with Sisonke state that it is a temporary strategy that supports immediate economic needs. These examples can be seen as a reflection of the internal stigma that mirror popular views on sex work and thus force many who are selling sex to hide the nature of their work. On the other hand, they can be seen as sentiments that reflect the complexity of being a migrant woman that sells sex in South Africa. Regardless of the specific reasons, what is nuanced here quite clearly is that the personal sentiments that surround the selling of sex do not fit neatly into global or local socio-political movements of pro/anti sex work policy. In fact, across both studies, participants voiced concerns of safety and well being for reasons that extended beyond the inherent risks of selling sex. Fears of deportation, gender-based violence, economic insecurity and xenophobia appeared to take precedence when participants spoke about issues of discrimination and abuse.

Given the criminalised nature of sex work and increased importance of anonymity, the participants in both research projects were given the option to remain anonymous. Participants were informed that they did not have to answer questions and could drop out of the research at any point.<sup>8</sup> Informed consent was collected and participants were allowed to use a pseudonym. All of the participants were over the age of 18 and all had chosen to enter the sex industry. Interviews were conducted in private and held in a neutral space away from the participants home and work areas.<sup>9</sup> Each participant was compensated for their time given in the research and any potential loss of earnings (with food vouchers ranging from R50–100 per session/day<sup>10</sup>). Interviews were held in English with translators available when necessary. Participants were also referred to local counselling, health and legal assistance organisations, if and when required.

The focus of this research has meant that we have encountered women who not only live in the 'hidden spaces' of the city (Vearey 2010), but as the paper will show, are also part of some of the most marginalised communities in Johannesburg. This meant that relationships of trust had to be built between the researchers, workshop facilitators and participants<sup>11</sup> Upon reflection, the use of multiple visual and narrative approaches in the Volume 44 project meant that it was easier to explore sensitive topics where participants are encouraged to reflect on individual and shared lived experiences in ways that traditional methodologies might not be able to offer. During the final phase of the participatory photo project participants were asked to share insights about the project. Countless stories revealing the benefits of storytelling as a tool for self-reflection were shared among the participants at both sites. However, one limitation of this study is that all of the participants were closely affiliated with the same organisation thereby, lacking diversity in experiences in relation to selling sex in South Africa

## Migration and Sex Work in South Africa

The stories that emerged throughout the two research projects are generally not represented in discussions around sex work, migration and trafficking in South Africa. In fact, more often than not, the conflation of (migrant) sex work and trafficking means that the experiences of those who cross borders and sell sex are commonly misrepresented and turned into narratives of victimisation, exploitation, and as individuals who lack of autonomy. Increased stigma associated with being a non-national and labelled as a 'foreigner' also carries increased negative consequences for cross-border migrants in South Africa. High rates of gender-based violence and xenophobia<sup>12</sup> coupled with being engaged in sex work places female migrants in increased precarious positions.

In South Africa, popular misconceptions among some policy makers and the general South African populace is that the country, and Johannesburg (located in the Gauteng Province) in particular, is over-saturated with cross-border migrants. However, data shows that South Africa's cross border migrant population, which makes up 3.3 percent of the national population, aligns with global trends (Statistics South Africa, Census 2011). Johannesburg, hosts the largest percentage of South Africa's migrant population – yet still only 7.4 per cent of the population is comprised of non-nationals (ibid.). Alongside the misconceptions over the num-

bers of migrants in South Africa is the lack of understanding in regards to the term 'migrant'. From South African policy debates to civil society initiatives, 'migrant' is mainly used to describe non-nationals thus failing to recognise that many 'migrants' in the country have moved within the country, often from rural to urban centres (known as internal migrants). In a South African context the internal xenophobia used in language to describe 'others' perpetuates deeply rooted notions of belonging and simultaneous scapegoating of the 'unfamiliar'. In our research anti-foreigner sentiments have surfaced on a number of occasions. Sku, a middle-aged woman from Zimbabwe and member of Sisonke for example highlighted the complexity of being a non-national during an interview:

It's too hard to trust South Africans. Me, I am friends with so many ladies in the business. Some are South African and some are not. I can be in a meeting with South African sex workers and I think that they like me but in the business that woman can call me a foreigner if she thinks that I am making too much business. How is this? If we don't love one another who will love us? Like her, I am a sex worker and do this business for my family. Why do we hate one another? They [South African sex workers] say that we Zimbabweans come here to take their money. They say that we charge less than them and that it why we make money but this is not true. Some men prefer women from other countries because we do not steal. But I don't get involved. For me it's about my children. But, it is too hard to make friends here with the South Africans.

Christa, a young woman from the Democratic Republic of Congo (DRC) living in Johannesburg also described her experience of giving birth to her son at a hospital where the nurses slapped her and referred to her as "*kwerekwere*"<sup>13</sup> while she was in labor; '[T]hey told the staff not to give food to me and another lady who was from Nigeria and said that food was not for foreigners'. Christa also experienced having her rent doubled simply because she was a non-national and not receiving payment for work she had done at a café because the owner knew she was a foreigner thus had limited legal access to file a complaint.

International and local research indicates that many urban migrants – especially undocumented migrants – choose to engage in informal livelihood strategies, including sex work (For example, Busza 2004; Agustín 2005, 2007; Richter *et al.*, 2012; Vearey *et al.*, 2011). Migrants may enter a city, look for various ways to es-

establish a livelihood to support themselves and their dependents 'back home' and find that informal sector employment is more accessible than that in the formal sector (for example, see Richter *et al.*, 2012). Although sex work is considered an informal livelihood strategy, the criminalisation of sex work alongside the attention of trafficking means that migrants selling sex are not considered as contributors in the areas of work and livelihood; rather they are framed as deviants, criminals and/or victims.

While the exact number of sex workers in South Africa as a whole is unknown, the growing body of research on migrant sex workers in South Africa indicates that the largest percentages of sex workers are either internal or cross-border migrants. In a study conducted in 2010 across four sites in South Africa – Cape Town, Sandton (northern Johannesburg), Hillbrow (inner-city Johannesburg), and Rustenburg (outskirts of Johannesburg) – Hillbrow showed the highest percentage of migrants with 51.9 percent of sex workers surveyed as cross-border migrants (Richter *et al.*, 2012). This study further indicated that migrant sex workers report less frequent condom use and face increased difficulties in accessing healthcare services. Research also shows that cross-border migrant women selling sex are normally heads of households supporting an average of five persons.

The combination of being a migrant, a woman and sex worker also places migrant women selling sex at increased risks ranging from human rights violations, including police abuse, arrest, detainment, deportation, discrimination, access to health care and other support services, to xenophobic violence and death. These multiple risks are described in the account given by Chantel, a Zimbabwean sex worker who shared a story about her friend that was attacked by a South African man during her participation in the photo project:

My friend is from Zim and she was going home late at night when a man drove towards her to ask for business. She agreed even though she was tired. When she get into his car he ask her if she is Zimbabwean. Then she know that he is looking for trouble because he is saying that Zimbabwean women are giving bad messages to South African women. Then she try to jump out of the car and when she did he reversed the car and ran over her. Then he got out of the car and beat her up. He left her there thinking that she was dead. My friend is alive thank God but she suffered too many injuries and then could not work for her children for many months.

Such vulnerabilities may explain, in part why many of the women in our research were unwilling to label themselves as sex worker, preferring instead to highlight the selling of sex as something they do as a result of economic demands and pressure. Thus while sex work is broadly defined as the exchange of money for sexual acts, our research has revealed that sex is also sold as part of a transaction for food, accommodation, school fees for children, etc. According to Teresa, a participant in the photography project who works full time as a hairdresser and engages in sex work occasionally:

I sell sex when I need to. Sometimes I don't make enough money from when I work on hair so I need to sell sex. Sometimes I go to the streets and other times I call someone that I know. I call him to come over for a visit and when he is at my house I tell him that my child school fees or something else that I need but that I don't have the money. This person will pay the school fees or buy me food or whatever and I end up having sex with him because there is a cost to everything and this is how I can repay him.

While highlighting the diversity of experiences and interpretations of sex work, the comment by Teresa above also underlines the importance of seeing women in this context as migrants and entrepreneurs rather than 'sex workers'. A migration framework would thus allow consideration of all conceivable aspects of women's lives and travels – rather than categorising women who sell sex within a label that they may not identify with, and which does little to speak to the depth of their experiences as human beings.

## Trafficking discourse and anti-trafficking measures in South Africa

As previously noted, the absence of women who migrate and sell sex from migration studies can also be attributed to the attention given to human trafficking both globally and within South Africa specifically. The perception that commercial sex is connected to organised crime and irregular migration not only means that the trafficking discourse fails to distinguish those who have been trafficked from those who chose to work in the sex industry (even when done so through lack of op-

tions), but equally does little to address the many levels of exploitation and abuse experienced by women who sell sex. Despite attempts by sex worker organisations and movements such as Sweat and Sisonke, as well as researchers and academics in South Africa to highlight the unhelpful and indeed dangerous conflation of sex work with trafficking, trafficking for purposes of sexual exploitation has continued to capture the attention of the state, media and civil society (see Gould 2011). In this following section we offer a brief overview of some of the trafficking discourse and literature to consider how it has shaped policy and practice in South Africa and in particular how organisations focused on anti-trafficking have framed and (mis)represented the experiences of migrant women selling sex. At this point we acknowledge that there exists a diverse literature on trafficking that we are not engaging in; however, due to the scope of this paper we have summarised the main arguments that we feel are most pertinent to our discussion.

The definition of human trafficking contained in the Palermo Protocol<sup>14</sup> refers to:

The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation (United Nations 2001).

From 2005–2009 South Africa was placed on the US Department of State's Tier-2 watch list reflecting a belief that the country had a serious trafficking problem that was not being adequately tackled (see Gould 2011). These concerns were also shared by state institutions, inter-governmental organisations and some NGO's based in South Africa. At the time, and still today, there is no concrete explanation or proof that could substantiate the distress expressed by international and national bodies about the so called problem of trafficking in South Africa. However, as a result of global pressure, primarily from the USA, and South Africa's obligations as a signatory of the Palermo Protocol, legislation against trafficking was developed and encapsulated in the Prevention and Combating of Trafficking in Persons (TiP) Bill. The Bill was first published in 2010 and, at a speed far greater than

any other bills to be passed in South Africa and passed as law by the President in July 2013. The rapid development is seen by many as a signalling to the pressure placed on South Africa around the trafficking issue.<sup>15</sup>

The so-called 'moral panic' (see Bonthuys 2012) in the run up to the 2010 World Cup in South Africa is not only a good example of the power of trafficking hysteria based on unsubstantiated claims, but also illustrates how such discourse can lead to greater risks and vulnerabilities for sex workers. Prior to the event, claims that the mass trafficking of foreign women and children to satisfy the demand for cheap sex supposedly generated by large-scale sporting events, were peddled by the media and through large-scale anti-trafficking campaigns (Bonthuys 2012). Bonthuys points out that these claims (which were not unique to the 2010 World Cup) have never been substantiated. Moreover, while purporting to focus on the well-being of trafficked sex workers, they instead provided a justification for the harassment and punishment of sex workers in Cape Town (ibid). Bonthuys, for example, notes the tendency of law enforcement agencies to arrest and 'profile' sex workers in Cape Town, an observation consistent with other reports, which highlighted the increased harassment by police and reduction of clients during the world cup (Richter *et al.*, 2012).

Despite the numerous media reports and the involvement of many International and local NGOs with anti-trafficking programmes, research around issues of trafficking in South Africa is scarce and there is little reliable data to back up the claims of numbers being trafficked. The data that was used for the creation of the TiP Bill for example has been exposed as being acquired through methodologically unsound ways – often failing to differentiate between people who have been smuggled and those who have been trafficked (Gould & Fick 2008; Gould, Richter, & Palmary 2010; Richter & Luchters 2012). Gould and Fick's study *Selling Sex in Cape Town* (2008), which set out to identify victims of trafficking found very little evidence that trafficking for the purpose of sexual exploitation took place. In fact, by the end of the study they could only identify two people who 'may have been trafficked in the past' (ibid, 144). Their study revealed that most sex workers that they interviewed had entered the sex industry for reasons of financial opportunity and economic need; reasons we argue that appear similar to the explanations given by most people, perhaps with the exception of those whom are independently wealthy, to describe why they work. Although individuals in the informal sector

may experience increased desires for more formal work opportunities, we believe that most people, regardless of career choice, would explain the act of working as necessary to their survival. In the next section we look more closely at the notion of survival, in relation to our research participant's experiences, however, the point to be highlighted here is that amongst research with migrant women who sell sex, very little evidence of trafficking has been identified.

We argue that the debates and discussions taking place globally, and specifically in South Africa, are being largely influenced by popular anti-trafficking campaigns rather than by substantial robust methodologically sound data. However, these debates are shaping policies that not only ignore these multiple realities of why women migrate to sell sex. Rather, they appear to conveniently assume that a migrant woman involved in sex work has been trafficked. This position requires us to delve deeper and examine the wider context in which human trafficking can be viewed as a popular global project drawing on larger post colonialist discourses around the securitisation of nation-states, concerns around movement across borders, women's bodies, and a criminal underworld. Most importantly, it pulls directly on moral sentiments and the need to save female 'victims' not only from male perpetrators, but also from themselves, which can be seen clearly in the language of organisations focused on anti-trafficking and sex work in South Africa.

As many scholars have commented, current debates around the trafficking of women for sexual slavery cannot be divorced from the moral panic around the white slavery scene<sup>16</sup> in nineteenth century and past colonial frameworks which allowed the Western elite to feel like they were 'saving' poor, oppressed and victimised 'others', particularly women (see for example; Kempadoo & Doezema 1998; Doezema 2000; Soderlund 2005; Saunders 2005; Kempadoo 2005; Agustín 2007; Bernstein 2010; Doezema 2010, Weitzer 2010). The present day 'rescue industry' is also in line with the abolitionist feminist approaches which maintains that 'prostitution' is an extreme form of gendered violence discrimination and that it is 'inherently violative of women's bodily integrity regardless of consent or choice' (Peach 2008, 237; see also Barry 1995). In opposition, 'reformists' and sex worker activists argue that sex work is work and thus a legitimate form of labour – shifting the debate towards one of questions of labour, migration and sexual freedom.<sup>17</sup> However, as Bernstein (2010) has pointed out, by presenting their argument within a human rights discourse, abolitionist feminists have effectively 'neu-

tralised' this domain of political struggle with little attention paid to sex workers and migrants' rights (see also Kempadoo & Doezema 1998; Chapkis 2005, Agustín 2007). Instead we find the focus is brought back to ideas of women's 'purity' and normative ideas of women's role in the home and sexual relations. Palmary (2010) for example asserts that a migrant woman's distance from home has been considered 'the source of women's vulnerability' and thus often used to justify anti-sex work and trafficking measures (p.51). These notions about a woman's place in the home, argues Palmary, not only relate to migrant women as being 'othered' but also to moralistic ideas about sex work, which are especially prevalent in South Africa.

Our research for example has shown that the language used by anti-trafficking organisations clearly construct a picture of women as *victims, trapped* by circumstances, *forced* into *prostitution* and in doing so lack in self-respect and dignity. Organisations such as Embrace Dignity (Cape Town based), the Salvation Army and The New Life Centre in Yeoville (Johannesburg) draw on moralistic notions that sex work is 'immoral' and therefore their task is to rescue women involved in sex work in order to help them restore their dignity by finding alternative and moral work (see Schuler 2013). Embrace Dignity, one of the most prominent NGOs in South Africa notes, 'Prostitution is the oldest *oppression*. Not the oldest profession'. While claims around prostitution as being the 'oldest profession' seems unnecessary when seeking to explain the choice to work in the sex industry and/or to support the selling of sex as a viable work option this perspective is clearly in line with the aforementioned abolitionist stance and enables the collapse of any distinction between those who are forced into sex work and those who make a choice. As a social worker based at women's shelter also explained to us;

These women get fooled. They are young and told they can come to Johannesburg for work. When they get here there is prostitution and they have no other choices ... it is our job to get them away and help them see there is something else. It is not good that they do this.

While the use of the term 'these women' creates a level of distance in order to moralise and judge it also implies a subject that, in this case, is seen in need of rescuing and saving. The Salvation Army, who run a large anti-trafficking awareness programme reflect this view quite clearly in noting;

[O]f the hundreds we have related in recent years, all but a handful say they would prefer to exit if there were meaningful, attainable alternatives. Those we meet sell sex in order to survive—to eat, to live or to sustain an addiction.

While it is largely true of the women that we spoke with that selling sex is a means to survive, feed their families and support themselves, none of the women indicated that they were forced into sex work or that they had been trafficked into the country. Furthermore, the anti-trafficking programmes not only do little to recognise their experiences, but compound the vulnerabilities and risks that they face by increasing the stigmatisation of what they did.

### More than just a sex worker

However, beyond the debate around choice and (mis)representation of migrant women who sell sex, are the experiences and feelings described by many of the women we spoke with that revealed a level of internal dissonance regarding the legitimacy of selling sex as work. These findings indicate a divergence away from anti or pro sex work ‘hardline’ stances. In this last section we draw more specifically on some of the experiences of travel and of selling sex for migrant women in Johannesburg to illustrate the extent of the reality of women’s multiple subjectivities and personal agency within the wider context of social, economic and personal factors (also see examples by Kempadoo 1998; Buzsa 2004 and Sandy 2006).

Miriam’s experiences of travelling to South Africa and becoming involved in sex work highlight some of the difficulties faced by those who cross borders, engage in sex work and yet do not fit with the dichotomised debates that shape their experiences and representation. Miriam first arrived in South Africa from the DRC in 2010. She had decided to leave after failing to find work to support her family of five younger brothers, her mother, and her two young children who were two and five years old at the time when she left. She notes,

I left DRC in 2010 ... I ran away at 16 years to find money. So then I started to get money for sex. I was 17 when I had my first child. Then when the child was 4 years – the same situation. Went out for work – another child. That child died – Muti<sup>18</sup> made him sick. My father’s family gave some money but it was not much. I needed to travel so I left – no family there. I found one driver and he sent me

to Zambia. Then from there I came to South Africa. To get to Musina<sup>19</sup> I gave the driver sex.

Miriam had already begun sex work in The DRC as a way of providing for her family; however, she hoped that she could find a modeling job to earn some money once she arrived in Johannesburg.

[I]n DRC people said Joburg is nice, there is money – they tell me they like slim bodies there so I will get money. But when I come here – it's not like that. I came no English – one friend from South Africa she told me English words. She taught me ... She helped me to learn English and I told her I wanted to model. She went with me to a modeling agency. They were keen but they wanted English speaking and R1000.00. Then I decided to do the work again as I needed money. I had to pay rent.

Miriam's story demonstrates how sex work became a viable option for her in the face of other very limited choices and the need to survive in the city. Like many of the migrant women we spoke with, Miriam made a choice about coming to Johannesburg. It was not an easy choice, nor was it made in light of many other options. However, it was still a choice based on what seemed like the best way out of a desperate situation. Amongst the majority of our research participants the selling of sex appeared to be the best option amongst limited options and similar to other professions, many women stated that if offered a better paying job they would not work in the sex industry full time.

One of the most prominent views expressed was that the sex industry allowed a level of independence and flexibility in terms of time, which is very important for women with young children to support and whom cannot afford childcare. It also did not require a work permit or documentation. Some of the participants could not read or write in English, which rendered the chances of finding formal employment very slim. Christa for example stated,

I started at 18 with my sister. It was my step-mum's sister who told me to stop asking for money and to earn my own. I went to [a] club and picked up a man and it started from there. My sister did the same thing – but she got HIV. I got

pregnant. I want to do something else like beauty or something but how to pay for training and who will look after my child?

The Salvation Army addresses their judgment of sex work as immoral by offering the women who stay at their shelters training in domestic work, sewing and childcare. While for some, these occupations may be preferable, for the majority of the women these options are not suitable for their economic demands. As Kholi stated,

I tried working as a domestic when I arrived in South Africa but the earnings were too little and I could not support my children or send them to private school. For me, it is important that my kids have more opportunities than I had and the only way that I can do this is if I make money to send them to school and pay for their basic needs.

While most of the research participants would not claim sex work as their dream profession, they certainly did not need 'rescuing'. Moreover, if sex work were positioned along the same axis as a socially 'acceptable' – and protected – viable employment option as other work, sex workers who were offered employment for higher paying opportunities would be seen as individuals moving up a socio-economic ladder rather than as people escaping an immoral occupation.

Overall, our research revealed that there is a huge diversity in the experiences of those who travel and sell sex and much of this is also related to experiences of belonging and exclusion in the city of Johannesburg. Most of the women we spoke with for example saw their time in Johannesburg as temporary, partly reflecting the difficulties they felt in making South Africa their home and being accepted. It has been noted that notions of temporality, liminality or transience are often closely associated with the experience of migrants in Johannesburg (see Madsen 2004; Landau 2006). In Kihato's acclaimed work with migrant women in Johannesburg, she highlights the transitional aspect of cross-border migrant's lives – most of whom she claims do not intend to stay in the city – by stating, 'migrants live on as if suspended in society, aspiring for life elsewhere' (2013, 8). While amongst our participants there was very little nostalgia for 'going back home' most planned to move 'somewhere else'. Miriam's plans were to go to France where she hoped to become a model and make more money for the children she left behind in DRC. Christa wanted to go 'somewhere else – maybe America' while Patricia stated that

she would find a country where she could feel safe and get a good job. Yet while most of the women shared feelings of temporariness in Johannesburg, they simultaneously talked in a way that suggested they had settled in Johannesburg. In this way, we see a link to Kihato's description of migrant women as 'aspiring to be elsewhere geographically, socially and economically, while remaining bound by their circumstances in Johannesburg' (ibid, 16).

The notion of temporariness also seemed to be a way for the women to say that what they were doing was OK. Having made it clear that their work was disapproved of by their families and those around them, the women fought to justify their work to themselves and to us 'It's just for the moment', Miriam stated, 'My family needs money and I have to send it. – how can I do without working?' She went on 'this is for my children so they don't have to be like me. My daughter will be a model like I wanted to do. This [sex work] is not a nice thing for her to do. She won't do it'.

Thus feelings of ambivalence regarding the legitimacy of their work revealed an internal dissonance that did not always align with anti or pro sex work 'hard-line' stances. While many of the women we spoke with were comfortable with being sex workers, the choice to use the label was often met with some resistance or was used in moments of convenience, such as during a Sisonke meeting. Perhaps participants internalised the stigma around selling sex or perhaps the term 'sex worker' felt static and limited rather than liberating and empowered as many self-identified 'sex workers' proclaim when using the label 'sex worker'. As Sbu stated,

'I am more than a sex worker. I am a mother, daughter, sister and friend. I use it sometimes, when it is necessary. Like, when I go with Sisonke to a court hearing about an abuse on sex workers but I don't see myself as a sex worker. I am a woman from Zimbabwe that sells sex for her family to eat'.

In a context where as we have already noted many migrant women who sell sex are categorised as victims of trafficking and as women who do not make choices, the voices of women like Sbu demonstrate their awareness, agency but also crucially, their ambivalence, are not heard. Such voices become silenced by the moral outrage that accompanies much of the discourse around sex work and trafficking; by beliefs around the idea of women who make journeys; bodies that travel, that cross borders and, bodies that are viewed as being out of place – of not belonging. However, more than this is the fact that the multiple identities as expressed by Sbu, and others such as Miriam and Christa – as a mother, daughter, sister, etc,

are eclipsed by the sex work, trafficking and migration debate which tend to allow categories and labels to frame the discussion, rather than allow for such diverse and layered experiences to set the agenda for how we might start to explore the lives of migrant women who sell sex.

## Conclusion

The stories that have emerged over the course of our research reflect tragedy, hope, pain, loss as well as opportunity and independence. While the reality is that in South Africa selling sex remains extremely risky, this risk was not due to sex work *per se*, but because of the state of illegality for sex workers. Choice, alongside danger is often highlighted as a reason why sex work is an undesirable if not immoral profession; however, as illustrated by the experiences recounted in this paper, while danger is most often created by the marginalisation of those who sell sex rather than the work itself, the issue of choice is far more ambiguous than is often portrayed. Given that danger and lack of choice are not unique to sex work, and that lived experiences are far more complicated than simple narratives of victims and survivors, there is a need to ask a new set of questions. These questions demand a shift away from the binary debates that focus on whether sex work is right or wrong, moral or immoral, or whether sex workers must be rescued or respected. They need to be replaced – we argue – with a focus on the dynamic and multidimensional lived experiences of what it means to be a migrant woman seeking to support her family; what it means to negotiate space, opportunity, family, pride and dreams. Our research clearly indicates the complexity of socio-political, emotional and spiritual terrains that migrant women navigate in their daily lives. For many, remaining ‘hidden’ and even not-belonging is a conscious tactic that supports their temporal choices; whereas, others choose to live out more public representations of their identities. Regardless, what is evident through the stories shared with us is how preconceived notions of ‘others’ spill out beyond the tight boundaries set by the dichotomous debates, and furthermore heightens the many vulnerabilities that migrants and sex workers already face due to their work and status as non-nationals.

There is also a clear need for more awareness of both the intersections, and most importantly, the distinctiveness of migration, sex work and trafficking. As we

have shown, victims of trafficking in South Africa are rarely distinguished from migrants who have chosen to travel and to sell sex. Anti-trafficking measures push for the rescue of all those involved in the sex industry regardless of agency and choice. This not only violates the human rights of migrants who sell sex, but reduces the available space for them to speak their minds, to offer their opinions, and to challenge the misrepresentations of their lives and work. Finally, our research demonstrates that in order to tackle the problematic conflation of sex work and trafficking along with demands for the sensitisation of migration in South Africa, we should look less to the enactment of legislation as such and more to the everyday lived experiences of migrants and of sex workers to highlight the blurred boundaries and contested spaces that exist.

## Endnotes

- <sup>1</sup> In this paper we use the following definition of sex work as developed during a UNAIDS workshop in 2000: 'Sex work is any agreement between two or more persons in which the objective is exclusively limited to the sexual act and ends with that, and which involves preliminary negotiations for a price' (UNAIDS 2000 in Richter *et al.* 2011, 10). We also use the term sex worker rather than 'prostitute' to refer to those who identify as working in the sex industry in a non-stigmatising way conveying the professionalism of sex work.
- <sup>2</sup> See: Sexual Offences Act 23 of 1957: <http://www.justice.gov.za/legislation/acts/1957-023.pdf>
- <sup>3</sup> Hillbrow and Yeoville, are two of the most densely populated inner-city Johannesburg suburbs in South Africa, and are home to a diverse migrant community including non-nationals from across the continent, and South Africans from other provinces.
- <sup>4</sup> The studies were based at the ACMS (African Center for Migration and Society) at the Witwatersrand in Johannesburg, South Africa. ACMS is an independent, interdisciplinary and internationally engaged Africa-based centre of excellence for research and teaching that shapes global discourse on human mobility, development, and social transformation (see: [www.migration.org.za](http://www.migration.org.za)).
- <sup>5</sup> Funded by the WOTRO's 'Migration, Development and Conflict' programme the research is part of a larger project that draws on data from South Africa and the Netherlands.
- <sup>6</sup> Sisonke is funded by the Sex Worker Education and Advocacy Taskforce (SWEAT) see: [www.sweat.org.za](http://www.sweat.org.za) or [www.africansexworkeralliance.org](http://www.africansexworkeralliance.org).
- <sup>7</sup> <http://www.migration.org.za/page/about-vol44/move>
- <sup>8</sup> Data is kept in a locked facility and on a password secured computer. A code system has been applied so as to minimize the risk of identity disclosure.
- <sup>9</sup> Ethics approval was ascertained for both research projects via the University of Witwa-

tersrand Human Research Ethics Committee (project 1: protocol no: H140212; project 2: H130644).

- <sup>10</sup> Approximately £3–6.
- <sup>11</sup> While this paper focuses on the experiences of migrant women sex workers over the age of 18 years, it is also important to remain cognisance of the need to highlight the lives of those who remain almost entirely absent from research with sex workers – men, transgender persons and persons under the age of 18 that are involved in the sex industry.
- <sup>12</sup> It is well documented that South Africa has one of the highest rates of gender-based violence (GBV) in the world. In 2009 the female homicide rate was five times the global rate (Abrahams *et al.*, 2013) and the national intimate partner violence homicide rate was more than twice that of the United States (Abrahams *et al.*, 2009).
- <sup>13</sup> A negative term commonly used to denote non-nationals in South Africa
- <sup>14</sup> Trafficking is defined in the United Nation's 2001 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (also known as the Palermo Protocol).
- <sup>15</sup> Despite the fact that the bill is currently stalled, pending the finalisation of TiP directives and regulations by the various departments involved, anti-trafficking measures continue to be implemented widely in South Africa by NGOs and other organisations (see Hornberger & Yaso 2012).
- <sup>16</sup> Doezema (2000) describes the white slavery scene in terms of a so-called phenomenon first reported by the media in London in which 'innocent' white women and girls were forced, against their will, into prostitution. While the discourse itself was never monolithic, with some suggesting that white slavery involved all prostitution, and others focusing on the role of foreign men in kidnapping and selling white women and girls the key issue was the way in which ideas of white slavery became synonymous with white women and girls being 'forced' by 'evil' traffickers into prostitution (see also: Walkowitz 1980; Rosen 1982; Bristow 1982; Corbin 1990; Guy 1991).
- <sup>17</sup> Acknowledging that some women are forced into selling sex, reformists have also drawn a distinction between forced and voluntary sex work. However, critics of this approach have argued that this dichotomy creates a guilty/innocent division that reproduces the whore/Madonna division within the category of the prostitute (see Doezema 1998: 47).
- <sup>18</sup> Muti is a term used for traditional medicine in South Africa.
- <sup>19</sup> Musina is the northernmost town in the Limpopo province of South Africa. Bordering Zimbabwe it is the first arrival point of most migrants entering South Africa.

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