BEHIND THE PROSTITUTION DEBATE IN SOUTH AFRICA
- CONSTRUCTIONS OF GENDER

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Prostitution is illegal in South Africa, but there is an ongoing debate about whether prostitution should be decriminalized or not. The purpose of this report is to look closely at some of the participants in the debate, their main aims, how they work to reach their aims and how structural gender relations are reflected in their argumentations. To answer to the purpose, the participants’ argumentations are viewed from a social constructionism perspective. The participants have different opinions about what the main problem concerning prostitution is. They either consider prostitution itself or the stigma of prostitutes as the main problem. What they consider the problem to be, affects what they want to achieve by participating in the debate, and how they work to achieve this. Prostitution is constructed by the different participants as; a threat towards moral values, a threat towards national economy and public safety, a normal service industry or as a result of structural gender relations. The different ways the participants construct prostitution depend on their main aims. Gender relations can be seen in the participants’ argumentations through their constructions of prostitutes and sex buyers. The sex buyer is constructed as a man who does not have control over his sexual needs and is therefore not responsible for his sexual actions. The prostitute is constructed as a woman who needs to be controlled by the law in order to be protected from being a victim of structural gender relations. The prostitute is also constructed as an unattractive and filthy woman who is unworthy of respect. A third construction of the prostitute is a woman who through legislation has lost her rights to control her own life. All participants’ argumentations imply that women, and not men, should change to decrease problems concerning prostitution.

Key words: debate, gender relations, prostitute, prostitution, sex buyer, social constructionism, South Africa
# CONTENTS

**INTRODUCTION** .................................................................................................................. 5  
**PROBLEM FORMULATION** ............................................................................................. 6  
  **PURPOSE** ..................................................................................................................... 6  
**METHOD** ......................................................................................................................... 7  
  **LIMITATIONS** .................................................................................................................. 7  
  **SELECTION OF RESPONDENTS** .................................................................................. 7  
  **PROCEDURE** ................................................................................................................... 8  
  **VALIDITY AND RELIABILITY** ...................................................................................... 8  
  **ETHICAL CONSIDERATIONS** ...................................................................................... 9  
  **PROCESSING AND ANALYSING THE MATERIAL** ...................................................... 9  
**PRESENTATION OF RESPONDENTS** ............................................................................... 10  
  **PRO DECRIMINALIZATION** .......................................................................................... 10  
    **Respondent 1** ............................................................................................................. 10  
  **CHRISTIANS AGAINST DECRIMINALIZATION** ......................................................... 10  
    **Respondent 2** ............................................................................................................. 10  
    **Respondent 3** ............................................................................................................. 11  
  **DEMOCRATIC ALLIANCE AGAINST DECRIMINALIZATION** ................................... 11  
    **Respondent 4** ............................................................................................................. 11  
**DEFINITIONS OF COMMONLY USED TERMS** ............................................................... 11  
**THEORY** .......................................................................................................................... 12  
  **SOCIAL CONSTRUCTIONISM** ..................................................................................... 12  
    **Research about the construction of prostitution in the French policy debate** .............. 13  
  **GENDER RELATIONS** .................................................................................................... 14  
**RESEARCH ON PROSTITUTION** .................................................................................... 15  
  **PROSTITUTION IN SOUTH AFRICA** ......................................................................... 15  
**GENDER RELATIONS IN POST APARTHEID SOUTH AFRICA** .................................. 16  
**BACKGROUND TO THE DEBATE** ............................................................................... 17  
**THE GROUPS’ REASONING BEHIND THEIR MAIN AIMS** .......................................... 18  
  **SOCIAL AND ECONOMIC CONDITIONS** .................................................................. 18  
    **Pro decriminalization** .............................................................................................. 18  
    **Christians against decriminalization** ...................................................................... 19  
    **DA against decriminalization** ................................................................................ 19  
  **THE SEX BUYERS’ ROLE IN PROSTITUTION** ............................................................... 20  
    **Pro decriminalization** .............................................................................................. 20  
    **Christians against decriminalization** ...................................................................... 20  
    **DA against decriminalization** ................................................................................ 21  
  **MORAL ISSUES** .......................................................................................................... 21  
    **Pro decriminalization** .............................................................................................. 21  
    **Christians against decriminalization** ...................................................................... 21  
    **DA against decriminalization** ................................................................................ 22  
  **SECURITY AND SAFETY** ............................................................................................ 22  
    **Pro decriminalization** .............................................................................................. 22  
    **Christians against decriminalization** ...................................................................... 23  
    **DA against decriminalization** ................................................................................ 23  
  **INCREASE OF PROSTITUTION AND ITS IMPACT ON SOCIETY** ............................... 23  
    **Pro decriminalization** .............................................................................................. 23  
    **Christians against decriminalization** ...................................................................... 23  
    **DA against decriminalization** ................................................................................ 24
INTRODUCTION

During our internship in South Africa we found that a lot of preparations were being done to make the upcoming Fifa World Cup 2010 a success. The World Cup was expected to have an impact on the nation and its population. The tourism, both national and international is expected to increase. The event is seen as a chance for South Africa to make a good impression on the rest of the world. We read in the newspapers about how the city of Cape Town prepared for World Cup by “cleaning up” the streets from homeless and socially excluded people. Through our internship we met many socially excluded people and we became interested in how this event was going to affect these people. A lot of focus in the media was on how to entertain the soccer fans in the best possible ways. The media looked back at the World Cup in Germany in 2006 as a good example of how to host the tournament. Legal public drinking and legal prostitution were seen as factors that helped making the 2006 year’s World Cup such a success. We read about an opinion that prostitution should be decriminalized during World Cup to satisfy the tourists. We already had noticed big inequalities between genders in the South African society therefore this opinion did not make us as surprised as if we would have read about it in Sweden. We found the way prostitution was discussed in the media interesting and decided to stay in South Africa to investigate this further.
PROBLEM FORMULATION

Today prostitution is illegal in South Africa but a decriminalization has been discussed for many years and has created a media debate. The debate was intensified by former national police commissioner, Jacki Selebi’s, suggestion that prostitution should be decriminalized for the duration of World Cup 2010 (BBC news 2010-02-10). After Selebi’s suggestion this was also brought up for discussion on a political level. Gorge Lekgetho, member of the ANC parliament, argued pro this suggestion and said:

“It is one of the things that would make it [the tournament] a success because we hear of many rapes, because people don’t have access to them [women]” (Soccerlens 2009-12-02).

This quote could raise the question if gender inequality affects the media debate about decriminalizing prostitution. In January 2010 the law commission decided that prostitution will not be decriminalized during the World Cup but a permanent change of the law will be up for consideration again in 2011. The debate continues in the media and even though there are four proposals for a new law, the debate in Cape Town is mainly divided in to two groups, one that is pro decriminalization and one that is pro keeping prostitution illegal like it is today.

Purpose

The purpose of this report is to look closely at the debate in Cape Town, about decriminalizing or not decriminalizing prostitution in South Africa. There are distinguished groups in the debate and these groups are in focus of this report. The intention is to comprehend what these groups base their statements and arguments on, what the statements have developed from and what the groups’ main reasons are for taking leading roles in the debate. The intention is also to find out how the different groups propose that authorities should structure their work around issues that are related to prostitution, and how these proposals are linked to and complement the groups’ aims. The purpose is also to investigate if gender structures might affect the arguments and if the debate might contribute to construct power relations between men and women. Thereof this report intends to answer the following four questions:

- What main aims do the groups in focus of this report have with running the debate about if prostitution should or should not be decriminalized in South Africa?

- How do the groups argue that the society should structure the work around prostitution, to achieve their aims?
- How is prostitution described by the groups and how are these descriptions related to their aims?

- Do structural gender relations in the South African society affect the debate about decriminalizing prostitution? If so, how does this show in the groups’ argumentations?

**METHOD**

This research could be characterized as qualitative, where the purpose is rather to understand than to describe different sides of the debate about decriminalizing prostitution in South Africa. The interest is therefore mostly explorative which means that the phenomenon in focus figures in a natural environment. The research is also inductive with the meaning that the starting position was open, with an intention to be as unbiased and receptive as possible. This was supposed to give a comprehensive picture of the debate to start with, and to let distinct interesting themes that appeared during the procedure be in focus to achieve the purpose (Rosengren & Arvidson, 2005). What soon after the open start of the research appeared as interesting was to notice different constructions that the debate seemed to form about prostitution. A social constructionism perspective was therefore chosen as a tool to understand the debate.

**Limitations**

This research intends to investigate the debate that is performed in Cape Town, even though the topic of the debate deals with the whole nation of South Africa. The national debate might look different from the one in Cape Town, and might be run by different forces. The geographically limited sample of the debate does therefore not intend to give a generalized picture of the national debate. The reason for the geographical limitation of this research was to make it possible to closely investigate the different forces behind the media debate within the limited timeframe of the report, and this was impossible to do with the national debate. The limited time for this report also had influence on the restricted number of respondents. The purpose of this report was limited down to the three groups in focus of this research. These groups were noticed to be the most influential ones and were therefore selected, but the smaller groups of the debate could have been interesting to get a wider perspective. It also would have been interesting with the perspectives of more people from each group, which could have given a more gradated picture of the debate. Due to time limitation the material has only been viewed from a social constructionism perspective, but it could have been interesting to also analyse it from other perspectives.

**Selection of respondents**

Distinguished for the exploring method that was used for this research, is that the researchers start out knowing relatively little about the phenomenon they study. (Rosengren & Arvidson, 2005) The research done for the purpose of this task started with following what the media delivered on the topic. The debate proved to be divided into two opposite groups that fought for their opinions against each other. Different messages that the groups sent out to the public were noticed to be
significant. This raised the interest for what the forces behind the media debate looked like. To find this out, names of influential people and organisations were tried to be found in the media and in the researchers’ networks. Conversations with people who knew much about the topic lead to that the researchers were invited to and participated in a big meeting about how to best reach out to the public with opinions on prostitution. This lead further to prove that the group that was the strongest one in the media was strong also in reality, but very small compared to the other group. This is the reason for why only one representative is interviewed from this side of the debate. The other group was noticed to be run by two separated forces that both wanted the same thing and cooperated in this specific matter, but worked with the issue from very different perspectives. Thus, there were three groups of interest for the purpose of this research and one representative from each group was of interest for the collection of information. When selecting representatives from these groups, the persons’ positions in the organisations they were parts of and the work they were doing was taken under consideration. To answer to the purpose of the research, people who were influential on the public debate were preferable from each group. They should also preferably work directly with prostitution to be interesting for the purpose. From the three forces noticed behind the media debate, four respondents were selected for interviews. This is because one of the forces had more or less only one spokesman in the debate, and he did not work directly with prostitutes. One more respondent was therefore needed from that group, to compensate the first one.

Procedure
To find out the reasoning behind arguments in the debate, qualitative interviews were used. A discourse analysis could have been used for this purpose, but qualitative interviews were considered to give a deeper understanding of the debate. The questions used in the interviews were formulated widely to let the respondents have influence on the development of the interviews (Rosengren & Arvidsson). A few theme based questions were set in advance, which were about the respondents’ thoughts of prostitution in general, a decriminalization of prostitution, work done around prostitution et cetera. Further questions developed within these themes, from what the interviewees answered. These questions were mainly about making the interviewees clarify their answers. The reason for the open interviews was to receive as close information as possible about the interviewees’ purposes of participating in the debate, which was important for the purpose of this research. Open questions let the interviewees direct the focus on what they considered were the most important topics. A recorder was used to make it easier to process the information after the interviews, and this did not seem to make the situation uncomfortable for the interviewees, since most of them were used to perform in media.

Validity and reliability
In an interview the researcher’s personal identity can affect the interviewee’s responses and affect the outcome of the collected data. The interviewer’s age, ethnicity and sex can have an influence on the result, to what extent is depending on the questions asked and the respondent’s interpretation of the interviewer. The interviewee conform the answers after what answer the interviewer is expected to
look for. To change this impact on the collected data and hide one’s “self” in an interview is hard and some things can never be hidden (Denscombe 2000). This was taken under consideration in the gathering of the material for this report and the factors that could affect the outcome were neutralized to an as big extent as possible. Factors such as personal opinions on the subject or personal political point of views can be neutralized in contrast to sex, age or ethnicity that in a personal interview can not be hidden. It was also taken under consideration that this study took place in a country and culture that were different from the context the researchers are used to. This is also a factor that could have had an impact on how the gathering of the material was done and on how the analysis of the material was implemented.

**Ethical considerations**

Ethical complications were taken under consideration during the gathering of the material for this report. According to Denscombe (2000) personal factors that can not be hidden should be normalized to as far extent as possible, to get the most out of the interviews. The respondents were informed about the reasons for the report, that it is done for a Swedish university and why they had been chosen to be a part of it, which might not have been to normalize personal factors. However they were told about these circumstances because it was considered unethical not to. The groups in focus of this report are very distinguished and the material could have been wider if the researchers would have established a relationship towards the respondents by letting the respondent believe they shared their opinions. This was not done due to the ethical dilemma that this would have caused. The respondents were also informed that the interviews were recorded and why they were recorded. In this research all the respondents were interviewed in the roles of their professions, therefore the ethical considerations were less complicated than if the respondents would have been interviewed as private persons. This is why the respondents are not anonymous, but their names are not used in this report because focus is on the groups they are representing and not on themselves as persons. The respondents are also more or less used to be a part of the media debate which indicates that they are used to be interviewed. This eases the ethical dilemmas that can appear in an interview. Due to ethical reasons the respondents have been offered to read the finished report.

**Processing and analysing the material**

The overview approach through the whole procedure of research and analysis has been formed from a social constructionism perspective. This perspective is from where the questions of the purpose have developed. This is also the main perspective of the analysis of the definite result. The parts of the interviews that were of interest for the purpose of the report were transcribed and thematised into recurring topics. Social constructionism has been used as a tool to interpret the material. Further, the result has been analysed with a theory about gender relations that Connell (1995) has formed.

The result is in this report presented according to the themes that were found in the interviews, and is divided into different chapters. First there is a chapter that introduces the reasoning behind the groups’ aims. The different groups’ reasoning is separately presented under each theme. Next chapter is disposed in the same
way as the first one and presents how the groups think the society should work around prostitution, and their reasoning behind that. Then there is a chapter where the content from the first two chapters is analysed from a social construction perspective, which thereof presents the groups’ constructions of prostitution. Gender relations that are shown in the debate are also analysed and presented here. In the chapter after that, the connection between the groups’ aims and constructions of prostitution and gender are discussed.

PRESENTATION OF RESPONDENTS

The groups that are in focus of this report are here presented. After the introduction of each group the respondents, who represent the groups, are presented.

Pro decriminalization

The group that is pro decriminalization is formed from a non-profit organisation called SWEAT, Sex Worker Education and Advocacy Taskforce, that is situated in Cape Town, South Africa. The organisation was established during the transformation from apartheid to democracy in the early nineties. At first it was a social work student project that later was driven forward by a male prostitute. The organisation started out as ASET, AIDS Support, Education and Training, but in 1996 SWEAT became independent. SWEAT works with outreach programs for prostitutes working in the streets, and with education around safer sex, health, human rights and also with crisis counselling, legal advice and skills training. Since 2000 they work actively with advocating and lobbying pro decriminalization of adult prostitution.

Respondent 1

From this group a woman who has been working for SWEAT since November 2009 has been interviewed. Her main work task is running drug abuse programs for prostitutes. She is also active in advocating pro decriminalization of prostitution. This interview took place at SWEAT’s office in Woodstock, Cape Town, in February 2010.

Christians against decriminalization

Many churches and Christian organizations in Cape Town have mobilized to fight different social problems, whereof prostitution is one. The Christians are against decriminalizing prostitution and they are trying to stop the pro decriminalizing group that now is growing. They fight this on many levels by educating in schools, organizing exit programs and safe houses, working to influence the government and informing the public about prostitution in different ways.

Respondent 2

One representative of the Christian group that has been interviewed is a woman who runs a safe house in Cape Town for women who want to leave the sex industry. Before respondent 2 opened the safe house, she worked with prostitutes in Amsterdam in the Netherlands. She is now involved and active in the Christian network to work with the issue in a bigger context. The interview with respondent
2 took place in the safe house she is running in Observatory, Cape Town, in February 2010.

**Respondent 3**
Another interviewed representative of the Christian group is a pastor and the president of the non-profit organization FPI, Family Policy Institute. FPI was founded in 2007 and is focused on research and education about social problems. FPI advocates to strengthen the family centered policies in public life. The organization also provides legislators and executives and the national government with research and analysis about family issues that affect the society. To reach the public FPI seeks to inform the media about these issues. Respondent 3 also has a leading role in the Christian network against decriminalization of prostitution. The interview with respondent 3 took place at FPI’s office in the city center of Cape Town, in February 2010.

**Democratic Alliance against decriminalization**
Democratic Alliance (DA) is not the national governing party, but is the ruling party of the Western Cape Province of South Africa and has its roots in the liberal anti-apartheid movement. DA’s main opinion is that prostitution should stay illegal.

**Respondent 4**
The representative of this group who has been interviewed is a councillor of DA in Cape Town and he is the head of safety and security department. He used to be pro decriminalization of prostitution but after working in this field for eight years he changed his mind and he now works to keep prostitution illegal. He is organizing the public work around the problems in the Atlantic Suburb areas of Cape Town. He is also active in the media to present the party’s opinions on why prostitution should stay illegal. The interview with respondent 4 took place at his office in the city center of Cape Town, in February 2010.

**DEFINITIONS OF COMMONLY USED TERMS**

*Prostitute* - any person who has unlawful carnal intercourse or commits an act of indecency with any other person for reward, this is a crime in South Africa (South African Sexual Offence Act 23 in section 20(1)(aA). In this report people who commit this crime will be called prostitutes. In this report *prostitute* is the definition of an adult who engages in *prostitution* voluntarily. One of the groups that is in focus of this report uses the term sex worker instead of prostitute. In this report the term *prostitute* is used consistently because that is the most commonly used term, and this choice is not a way of taking a standpoint.

*Sex buyer* – in this report the term *sex buyer* means any person who gives another person any kind reward in exchange for sexual favours.

*Prostitution* - in this report the term *prostitution* in used to describe the phenomenon of when a *sex buyer* gives a *prostitute* any kind of reward in exchange for a sexual favour.
Prostitution industry - in this report Prostitution Industry is a term used to describe the environment and scene in which the phenomenon of prostitution takes place.

Sex industry- in this report the sex industry is the environment in which all the different phenomena that are associated with selling sexual favours take place, this includes stripping, porn, prostitution, trafficking and such like.

Trafficking- in this report trafficking is a form of forced prostitution. The prostitution may be forced through physical or mental abuse. Trafficking often includes a movement from one country to another but in the definition used in this report this is not necessarily the case. In this report trafficking includes people who are forced to work as prostitutes in the same country and those who are moved against their will to work as prostitutes.

THEORY

The debating that the groups in focus of this report are performing will be analysed from a social constructionism perspective. Social constructionism can explain how the different groups construct prostitution in the debate and how this affects the general vision of prostitution. Gill Allwood (2008) has done research about how prostitution is constructed in the French media debate. This research is presented in this chapter after the presentation of social constructionism, to clarify how social constructionism can explain how the general idea of prostitution is created. To analyse the connection between the debate and gender equality in the South African society, R.W. Connell’s (1995) theory about gender relations will be used. Connell is a social constructionist who focuses on the constructions of gender relations, masculinities and femininities. Connell has created the foundation of gender social constructinism, which many social constructionists have used as a base in their theories. Connell’s theory widely covers different perspectives of constructed gender relations, and that is the reason for why her theory is used in this report. (Giddens, 2007)

Social Constructionism

Social constructionism focuses on people’s understanding of the reality and not on the reality itself. How we experience a thing or phenomena depends on our earlier experiences, and since everyone have different earlier experiences every person will understand that thing or phenomena differently. When we socialize with others we share our experiences and thereby construct the world together, this means that we have more similar understandings of the world to people who are close to us than to other people. The constructions of the world are always in processes and they therefore differ in time. What we experience as knowledge of the world is thereby both cultural and historical dependent. What is right in one context might be wrong in another context, and when exploring a phenomenon that someone else is experiencing, it is therefore important to try to understand how that person’s context differs from one’s own. Words are important because they explain and give our surroundings meanings. We do not experience
phenomena that we do not have words for, thus we construct phenomena by socializing and giving them words. As the language is developing in time in a certain culture, the construction of the culture is reproduced and developed by its members (Burr, 2003).

Burr (2003) gives four key assumptions that should be considered when analysing something from a social construction perspective. The first of these key assumptions is a “critical stance toward taken-for-granted knowledge”. With this he means that all the knowledge people have without questioning it should try to be identified and critically viewed at by social constructionists. This knowledge is what people presuppose to explain other knowledge. The second key assumption a social constructionist should have is “historical and cultural specificity”. According to Burr how one understands and defines things in the world depends upon one’s place in space and time. The third key assumption is that “knowledge is sustained by social processes”. By socializing with actions and vocal expressions people share their knowledge of the world and also practice it. People thereby adapt to constructions and reproduce them. The fourth key assumption that Burr gives is that “knowledge and social action go together”. With this he means that social constructionists should be aware that how something is constructed affects peoples’ reactions. What people take as knowledge decides how they are going to act in relation to the knowledge (Burr, 2003).

According to Loseke (2003) we categorize the world to understand it and why we categorize something in a certain way depends on the way we look at the thing. For example some conditions can be categorized as social problems if they are viewed at from one perspective, and not seen as social problems if viewed at from another perspective. It is the definitions that give things meanings and conditions must therefore be defined as social problems to be understood as social problems. There are conditions that by some people are understood as they are making harm, but to others the conditions themselves do not make harm but would be harmful if categorized as such. The meaning a word is given, how the word is categorized, is thus important for how people will behave in relation to the word. Loseke takes abortion as an example of this. An abortion is objectively always an abortion, but whether abortion is a problem or not is debated. Some people argue pro-life and some people argue pro-free choice in the abortion debate, and what they argue for decides if they categorize abortion as a social problem or not. The reactions that follow from the different meanings that the different sides give the term abortion are totally different. Those who are arguing pro-life want to eliminate abortion and those who are arguing pro-free choice want abortion to be a possible solution for unwanted pregnancy (Loseke, 2003). This shows how important categorization is for our understanding of our surroundings, and also important for our actions.

Research about the construction of prostitution in the French policy debate
Gill Allwood (2008) has between 1997 and 2007 done research about construction of prostitution and clients in France. She shows how the French debate creates a way of thinking about prostitutes, prostitution and clients. She presents a common representation that makes prostitutes viewed as victims who need to be saved.
Prostitution was presented under the National Commission on Violence Towards Women and a picture of prostitution as a modern form of slavery was constructed. Allwood means that the French government constructed the problems around prostitution and the representation of prostitutes as victims, criminals or immigrants that needed help to get back home. These constructions have received criticism that it is a too restricted picture of prostitutes. Allwood explains that some abolitionists recognise the subjecthood of prostitutes and the possibility for them to make individual choices but restricted within the patriarchal and capitalistic social context. Other abolitionists have a vision of prostitutes that all prostitutes want to leave the industry one day or another no matter what they say, which gives the prostitutes own words no validity (Allwood 2008).

**Gender relations**

According to R.W. Connell (1995) there are different types of femininities and masculinities that all are ordered around the assumption that men are dominant of women. The gender relations are results of interaction between people in everyday life. People’s behaviour and actions have direct links to social structures in society, which continuously reproduce and change. Connell describes three aspects of society that work together with constructing the society’s gender order. These aspects are work, power and personal/sexual relationships, which all three represent the most important areas of society where gender relations are constituted and enforced. Work here considers the sexual division of work in the homes and on the labour market. Power refers to power in social relations such as authority, violence and ideology that is practised within institutions such as the state, the navy and the family. With the personal/sexual relationships Connell means the dynamic in close, emotional and personal relationships. The gender relations are structured on a society level in a specific gender order. When Connell describes the practices of social relations in a specific environment or institution she calls it “gender regimes”.

Connell (1995) describes a gender hierarchy where there is a hegemonic masculinity that is on top of and dominates all masculinities and femininities in society. The hegemony can be constructed and maintained through mass media, education and ideology. The hegemonic masculinity is associated with first of all heterosexuality and marriage, but also with power, labour and mental and physical strength. This masculinity is an ideal form and there are only a few men who can match it. There are many men who can benefit from the hegemonic masculinity without matching the ideal and Connell means that these men show a “complicit masculinity”. In this hegemonic gender order the opposite of a “real man” is a homosexual man, which is the most important subordinated masculinity among many, and is placed on the bottom of men’s gender hierarchy. All femininities are shaped from subordinated positions in relation to the hegemonic masculinity. One type of femininity is “emphasized femininity” which is an important compliment to the hegemonic masculinity. Emphasized femininity is focused on accommodating men’s interests and desires. Among young women this means being sexually recipient and among older women this means motherhood. According to Connell there are femininities that are not subordinated and that go against the conventional femininity, but these femininities struggle to make themselves heard in society.
RESEARCH ON PROSTITUTION

It is hard to find research about the prostitution debate in South Africa and about how the debate is affected by and creates gender. The research that is presented in this part is instead generally about prostitution in South Africa and is supposed to give a background of the issue that is discussed in the debate. This part is built on research done by John M Luiz and Leon Roets (2000), in which they try to give an overview of the nature of prostitution in South Africa with focus on the city Goldfields in Free State, South Africa. They have done case studies and interviews with people in the sex industry. This part of the report, about prostitution in general in South Africa, also includes facts from Melissa Farley’s (et al 2003) research about prostitution, trafficking, violence and posttraumatic stress disorder.

Prostitution in South Africa

John M Luiz and Leon Roets (2000) describe the sex industry in South Africa as divided between different structures such as brothels, massage parlours, escort agenises and less organized prostitution like street prostitution. There is also a division among prostitutes in South Africa between women and men, heterosexual, homosexual and transgender. However different types of prostitution are more or less common. The most common combination is that the person selling sex is a woman and the person buying sex is a man. Prostitution goes over all different racial, religious, social and cultural groups. Prostitutes face a lot of discrimination from all sectors of society even from their clients and authorities. Because of this and because prostitution is illegal prostitutes are forced to meet their clients in remote places to avoid facing prejudice and to avoid getting caught. This forces prostitution to take place in unsafe environments, making prostitution even more dangerous and makes it more difficult for outreach programs to target their assistance to prostitutes. In the prostitution industry there is a division between elite prostitutes and ordinary prostitutes and this often has racial undertones (Luiz & Roets 2000).

Farley (et al 2003) let 854 people who recently or at that time were prostitutes, answer a questionnaire. Of these 854 men and women 68 were from South Africa. This research describes that violence is common in prostitution and that prostitutes face rape, harassment and abuse on a regular base. This research shows that 66% of the South African prostitutes who answered the questionnaire for this research had been sexually abused as children. The researchers address being sexually abused as a child as a risk factor for ending up in prostitution. Farley’s research also shows that people entering prostitution in general are very young and that 40% were under 18 years old when they entered the business (Farley et al 2003). John M Luiz and Leon Roets (2000) agree with Farley on this matter and declare that many young people find it difficult to establish a “normal” life and because of poverty and lack of other opportunities end up in prostitution. Disorganized family arrangements and sudden changes in the family situation is also something that Luiz and Roets bring up as a reason for some people to enter prostitution (Luiz & Roets, 2000).
Farley’s (et al, 2003) research from nine different countries shows that of the 854 persons who answered the questionnaire 87% answered that they need to leave the prostitution industry. Of the 68 persons from South Africa who answered the questionnaire the same percentage answered that they need to leave the industry and 37% of these 68 persons wanted prostitution to become legalized (Farley et al, 2003).

According to Luiz and Roets (2000) the sex buyers comes from all sectors of society and the price for sex is negotiated between the buyer and the seller. The payment and price varies depending on type of prostitution and type of client. Type of payment also varies between, for example money, clothing, jewellery, drugs or alcohol (J.M, Luiz & L,Roets, 2000).

GENDER RELATIONS IN POST APARTEID SOUTH AFRICA

To understand the context where the debate about prostitution develops from and takes place, it is important to be aware of how gender relations have been constructed. Desiree Lewis (2009) describes how social power relations are structured in contemporary South Africa and this will be presented in this part of the report.

Lewis (2009) argues that gender relations in contemporary South Africa are affected by power relations during apartheid. According to Lewis the current gender discourse took its form in apartheid South Africa. During apartheid punishment was often gender related and eroticised and it was common with public torture and punishment. In this way not only the participants took part of the humiliation but also the witnesses took part of the degradation. As the hearings in the Truth and Reconciliation Commission shows, relations between guards and inmates were often related to gender structures. Both male and female inmates were often feminized in relation to the masculine patriarch authoritarian guards (Lewis, 2009).

Gender relations of today are according to Lewis affected by this gender discourse of the apartheid era. One example of this that Lewis brings up is the rape trial against Jacob Zuma, current president of South Africa. Zuma was accused of rape and during the trial he used his authority to create an image of himself in media as a masculine patriarch. The South African people were, through media, reminded of how cruel, patriarchal and heterosexual dominated the society can be. The woman who accused Zuma lost her citizenship and the court thereby showed how patriarchal controlled the society is. Zuma supporters created “the burning of the bitch” campaign, which degraded the woman who accused Zuma of rape. This again shows to the public what happens if a woman tries to disregard the patriarchal norm and accuse a male authority of rape (Lewis, 2009).

Lewis (2009) shows how social power relations can be understood as threatened in today’s South African society, and those who feel threatened therefore
sometimes unconsciously try to reinforce the power. One example of this that Lewis describes is when a woman at a Taxi rank in Johannesburg was attacked by taxi drivers because she wore a miniskirt which the taxi drivers considered to be inappropriate. They molested, sexually abused her and poured beer on her to teach her a lesson. According to Lewis this shows how the men reinforced their patriarchal power by degrading the female body. That a woman wears a miniskirt at the taxi rank, which as many public areas in South Africa is a prime site of masculine entitlement and aggression, threatens the patriarchal social structure (Lewis, 2009).

Lewis (2009) shows another example of gender spectacles that has taken place in South Africa. In 2007 there was a big strike organised by the trade union, which led to some violent behaviour both from the government and the strikers, who were mostly men. The violent behaviour is something that Lewis points out as a repertoire of showing, and creating a hegemonic masculinity. Even though men were more aggressive than women during the strike, the women were blamed to create chaos because it is seen as inappropriate for them to act out in any way (Lewis 2009).

That there is an obvious and sometimes fierce heterosexual norm in South Africa can be seen in one example that Lewis brings up in her publication. There have been cases in South Africa where women who are open with their homosexuality have been exposed to violence and even been raped because of their sexuality. The men who were accused of this explained that they wanted to teach these women a lesson and make them heterosexual. This shows how men think that they have the right and the power to control women’s sexuality (Lewis, 2009).

**BACKGROUND TO THE DEBATE**

Prostitution is against the law in South Africa, both for prostitutes and for sex buyers, and has been since 1957. There is a range of laws and by-laws that have an impact on sex work, but the adult prostitution is mainly regulated in the Sexual Offence Act 23 in section 20(1)(aA) – it states that any person who has unlawful carnal intercourse or commits an act of indecency with any other person for reward, is guilty of an offence.

The debate started when South Africa was democratized in 1994 and it was questioned if a law against prostitution was a violation against the human rights. With the FIFA World Cup coming up in 2010 the need for a law reform was discussed politically and this intensified the debate. It is now certain that there will not be a change of the law before the World Cup, but the government has brought up four proposals for reform of the law and will make a conclusion in 2011. To let different role players engaged in the debate have influence on this decision, the government has offered those who want to fill out a discussion paper on the prostitution law. In the discussion paper the role players have the opportunity to reveal which proposed option they consider as being the best, why it is and how they suggest that the option should operate in different aspects of society and how different terms should be defined. The proposals are the following:
• Total criminalisation of adult prostitution;
  This proposal is to keep prostitution illegal like it is today, both for prostitutes and
  sex buyers.

• Partial criminalisation of some forms of adult prostitution and prostitution
  related acts;
  This proposal means that some parts of the sex industry would be criminal and
  some parts would not. The role players who fill the discussion paper out can
  specify which parts they think should be criminal and describe how this law
  should be formed.

• Non-criminalisation of adult prostitution;
  This proposal aims to remove all the laws that criminalize prostitution in any way.

• Regulation of adult prostitution and prostitution related acts.
  This proposal is to remove the laws that criminalize prostitution but regulates
  different parts of prostitution within a legal frame work. How this law should be
  formed more specifically is open for discussion. (www.gov.za, 2010-05-17)

The debate is now mainly divided into two groups. One group is pro
  decriminalization of prostitution according to the third proposed option, and one
  group is against decriminalization according to the first proposed option. None of
  the groups are pro the second law proposals of partial criminalization or the fourth
  proposal of regulated prostitution. Both these proposals require forces from
  authorities that these groups do not think that the South African society has
  capacity to implement. (Respondents 1, 2, 3, 4)

THE GROUPS’ REASONING BEHIND THEIR
MAIN AIMS

The debate is mainly divided into one group pro decriminalization and one group
  against decriminalization. The group that is against decriminalization is in this
  report divided into two groups because of different intentions and argumentation.
  This chapter is divided into different parts that are based on the main aims and
  arguments for decriminalizing or not decriminalizing prostitution. In every part
  the three groups’ reasoning around the arguments are separately presented.

Social and economic conditions

Pro decriminalization

The group that is pro decriminalizing prostitution thinks that prostitution is an
  important way to survive for many people in poverty, and that the law should
  change in order to improve this way of earning money. The social and economical
  problems are big in South Africa and there is no social security system strong
  enough to help the people who suffer the most from these problems. Many people
  have been living in poverty and have been sexually abused since childhood, and
for many of these people prostitution is not a big step. Many prostitutes come from difficult backgrounds:

“Most teenage girls’ first sexual experiences are at school ... That they’re raped and epidemic infected is very common, and child abuse is very common. And of course they have AIDS as well. Children become teenagers because they don’t have parents who look after them. If you talk to these women, those are the conditions they would come from, where they were absolutely desperate. And we don’t have strong enough social welfare to provide for people.... There are millions and millions of people, young women with children. They got pregnant with a man who denies that he is the father of the child. Parents are not around. They literally don’t have any options.” (Respondent 1)

Since this is what many people’s lives look like, and since it will take a very long time to change the problems in the society that put many people in these situations, it is better to start working directly with the people who are already in trouble. If prostitution would be decriminalized this work would be much easier and better done, and benefit the prostitutes economically and socially. Being a criminal is stigmatizing and gives prostitutes and their families’ social problems.

**Christians against decriminalization**

The Christian group that is against a decriminalization believes that many people enter the industry because poverty makes them only see that option. They also think that many people in the same situation choose not to enter the industry. Those who choose not to enter the industry do so because, among other reasons, they do not want to do something that is illegal. Many poor people have not been informed about the physical and psychological risks of prostitution and therefore need the law to stop them from choosing something that probably will become harmful to them. Options that people have besides prostitution are often jobs with such small salaries that many people can not make a living on them. Respondent 2 expresses this by saying:

“The answer is to have a way out for them, which is the churches’ mandate. It is the churches’ mandate. So we’re supposed to be doing it. I do believe that that is the answer. It got to be a way out for the women.” (Respondent 2)

People in poverty should have more and better options for their survival than they have today, in order to exclude prostitution as an alternative.

**DA against decriminalization**

DA that works against a decriminalization points out that the whole nation would make an economic loss from a change of the law and all citizens would be less contented. An example is that the real estate prices went up in the Atlantic suburb area when the visible prostitution and petty crimes went down, this also made the businesses in the area germinate which benefits the neighborhood and its citizens in general. There is a close connection between prostitution, trafficking, drug
dealing, and petty crimes. A decriminalization would only benefit the pimps and brothel owners, and not the prostitutes nor the society in general.

The sex buyers’ role in prostitution

Pro decriminalization
Those who are pro decriminalization argue that sex buyers, who usually are men, always have been demanding prostitutes all over the world, and probably will continue doing that in the future as well. Women do not want their men to go to prostitutes, but there is not much to do about it if a man chooses to. Respondent 1 takes her self as an example of this:

“I have my own family and I would hate the idea of my husband being with a sex worker. I would hate it, personally. I think, you know, it would be a betrayal because of my understanding of sex upon a relationship. But we still have a long way to go in South Africa, so. The majority of men think that way. And you know, it’s probably never going to go away. I mean, sex work is the oldest profession, and in every country there is prostitution.” (Respondent 1)

There is a norm that a real South African man has many women at the same time. This view might come from when families were torn apart during apartheid or from different cultures that stretch long back in time. Either way this picture of manhood is placed deep in people’s minds and has an acceptable affect on the sex buyers as sex buyers. The following describes how this norm operates in South Africa:

“I think we have a long way to go in terms of gender equality. In some ways we have probably the best gender laws in the world. But in the reality on the ground I’m afraid that women are viewed as commodities and not as full and complete people. Sexually it’s very tolerated that men, men are expected to screw around. I have had conversations with African women who said -do you really believe that a man can be faithful in an onerous relationship? They hadn’t have experience of that. So culturally, I think there is still a long long way to go. And men are often socialized with the belief that a man has sexually needs and if the wife can’t meet the need, the man is entitled to go elsewhere to find it. So I mean, it’s so much the norm.” (Respondent 1)

While waiting for this norm to change, a decriminalization of prostitution would make it easier for prostitutes to meet the demand for them.

Christians against decriminalization
One argument that the Christian group has against decriminalization is that it is easier to decrease the demand for prostitutes when buying sex is illegal. Prostitution might be the oldest profession in the world, but that does not mean that people would enjoy being a prostitute or that it is impossible to fight.
“Which woman wants to have sex ten to fifteen times a day? How could she enjoy that?” (Respondent 2)

Focusing on the buyers should be the best way to fight the sex industry, since without them the industry would disappear.

“I think that men need help in this area. Because prostitution and sex trafficking is there because men have a problem.” (Respondent 2)

**DA against decriminalization**

There are sex buyers from all groups of society and they are therefore sometimes difficult to identify. Respondent 4 shows a picture of when a man was arrested for buying sex, and says:

“A car salesman, he’s from Summerset West, he’s a Summerset Dunaplet. That’s him sitting there, didn’t take a picture of his face, but it is him sitting there. Decent looking guy. Wealthy. Well dressed. He has money. A nice car. The women we found him in the room with... you can’t pay me to touch that. I have a libido, I’m not sexless, I have a libido, it does work. I do like women. But you couldn’t pay me to touch that female. That’s just hectic and he’s got a wife. We called his job, he’s got a wife. Does he tell her the truth or not? What he is doing there. I mean he is exposing her to the risk.”

(Respondent 4)

According to DA men do not think that they are doing anything wrong by satisfying themselves sexually through buying sex.

**Moral issues**

**Pro decriminalization**

Doing what you want with your body should be considered a part of the human rights, but keeping prostitution illegal means that you are not allowed to decide what to do with your own body. Section 22 of the Bill of Rights in the South African constitution says that “Every citizen has the right to choose their trade, occupation or profession freely. The practice of a trade, occupation or profession may be regulated by law” ([www.sweat.org.za](http://www.sweat.org.za), 2010-03-15). The fact that prostitution is illegal is, according to those who are pro decriminalization, a violation against this section of the constitution. There is a clause in this Bill that says that a right under certain circumstances can be limited, but those who are pro decriminalization do not think that this specific right is justifiably limited.

**Christians against decriminalization**

According to the universal Human Rights that are also parts of the South African constitution, every human being has the right to freedom and security of the person, the right to dignity and the right to privacy ([www.familypolicyinstitute.com](http://www.familypolicyinstitute.com), 2010-03-15). The Christian group against decriminalization thinks these rights would be violated with a decriminalization since that would allow people to buy the access to other people’s bodies. Any kind of violation against another person’s body or sexuality is a violation against
the human rights. Prostitution is often argued, by this side of the debate, as violence from one person to another person. Prostitution is also argued to show in a bigger perspective men’s violation on women’s sexuality. This is a new way of looking at the issue and international conferences about prostitution and human rights have had influences on this group, which respondent 2 explains:

“For the first time I heard people say that prostitution is violence against women. I believe that. But I had never heard people say it. I believe that that is what this is. And so, more and more people need to get theirs understanding, and then they will be able to fight against it.” (Respondent 2)

Another argument against decriminalization is that the current law shows the importance of the nuclear family. The nuclear family is something the Christians highly value and in today’s society many families are split. This causes lots of social problems and according to respondent 2 it even causes prostitution:

“There is a lot of rape in this country and a lot of child abuse. A lot of little girls are raped and even murdered in South Africa. I mean if I would have to work that one out [the question what prostitution is caused by] it would go right into the whole thing of the broken family. It all comes down to the family.” (Respondent 2)

Prostitution is suggested to be a threat towards the family, this by making the wife of the man who goes to prostitutes jealous. The jealousy might split the family and increase the risk for the children to end up with destructive behaviors, since children in split families are more likely than other children to get involved in bad activities such as drugs and prostitution. Many of the arguments are based on Christian moral values but this is something that they chose not to accentuate in the public debate. This they explain is because they want to reach out to more people than only Christians.

Another argument that Christians use against decriminalization is that with a decriminalization, prostitution would become more visible, which could make women in general more often identified as sex objects.

**DA against decriminalization**

DA is focused on making public areas safe and secure and has no moral arguments for why prostitution should not be decriminalized. Prostitution in this matter only includes people who voluntarily choose prostitution and not people who are forced to by trafficking.

**Security and safety**

**Pro decriminalization**

Prostitutes in South Africa work in very unsafe environments with a high risk of getting infected by sexually transmitted diseases, getting raped, abused or even killed. It is not unusual that prostitutes are abused by buyers, pimps or the police.
It is also common that prostitutes are harassed by authorities. Respondent 1 explains how prostitutes sometimes are treated by the police:

“If they are robbed, raped, hijacked, beaten and stabbed by the clients or by a member of the public, at the moment they don’t have records. They are subjects to terrible exploitation because they can’t go to the police. They don’t have rights in our society because... There are some good police people who wouldn’t abuse them. But there are also police officers who would arrest them just for fun, and mug and humiliate them and demand sex in order to release them or rape them and say – well you’re a sex worker and you enjoy sex. Take away all the self control.” (Respondent 1)

A lot of people do not have any other options than working as prostitutes and a decriminalization of prostitution would increase the rights of the people working in the sex industry. When in contact with authorities and health care many of the prostitutes meet a lot of prejudice from authority staff members. A decriminalization would decrease the stigma of being a prostitute and also decrease the prejudice and the harassment of prostitutes. A decriminalization would also mean that the police would not have a reason to arrest the prostitutes, and the abuse from the police would decrease.

*Christians against decriminalization*

Prostitution is both physically and mentally harmful for the women and men who are trapped in the sex industry, which is a reason to keep it illegal. Prostitutes in countries where prostitution is legal have the same problems as prostitutes in South Africa concerning rape, abuse and harassment, which indicates that a decriminalization would not help in that sense.

*DA against decriminalization*

Prostitution often takes place in dangerous environments and is tightly linked to other criminal activities. A decriminalization of prostitution would not lead to a better situation for the prostitutes, since it no longer would be possible to fight other criminal activities from arresting those involved in the sex industry. Thus the prostitutes would continue to operate in dangerous environments, but without the police involved as often as they are now.

*Increase of prostitution and its impact on society*

*Pro decriminalization*

A decriminalization of prostitution might increase the number of men and women in prostitution but it would make it easier for these people to make a living. The industry would be safer and the trafficking industry would probably decrease.

*Christians against decriminalization*

The Christian group against decriminalization refers to Australia and the Netherlands where prostitution has been legalized recently. Nor the prostitution or the trafficking has decreased in these countries since the legalization (Naidoo et al, 2010).
A decriminalization of prostitution would increase the prostitution because today many people choose not to enter prostitution because they do not want to break the law. It would also make people think that it is nothing wrong with buying sex from prostitutes.

**DA against decriminalization**

A decriminalization of prostitution would lead to an increase of people ending up in prostitution which would lead to an increase of other criminal activities. This since prostitution and other crimes are connected and affect each other.

**Trafficking and prostitution**

**Pro decriminalization**

Trafficking is a phenomenon that makes a lot of people entering the sex industry. The suggestion to decriminalize prostitution does not concern trafficking and it is important not to mix these two up. Trafficking is horrible and must be fought down. A decriminalization of prostitution would lead to a more open sex industry with fewer reasons to use trafficked men and women, which would lead to a decrease in the trafficking industry.

In research made by SWEAT the connection between prostitution and trafficking is explained differently than in the interview with respondent 1. According to this research most of those who have been trafficked, knew what was expecting of them when they accepted the offer. Some of them, who did not know, continued voluntarily even when they were no longer forced to. The reason for this is, according to the survey, that they were satisfied by getting paid. (Gould & Fick, 2009)

**Christians against decriminalization**

One reason for keeping prostitution illegal is that trafficking and prostitution are linked together and can not be separated. Trafficking is a big problem in South Africa. A lot of men and women from other countries are forced or lured into prostitution and trafficked over the border into South Africa. Many people, who have been trafficked, stay in the industry even if they managed to escape from those who made them enter it. Examples of reasons for them to stay are that they need money to pay a drug addiction that the industry has given them, or that they owe pimps money. In these cases the men and women have not chosen to become prostitutes but ended up in the sex industry because someone forced them. It is also common that people from South Africa are somehow tricked to enter prostitution and then more or less forced to stay in the industry. That people are lured into prostitution is terrible and must be fought from all possible angles, thus prostitution must be kept illegal.

**DA against decriminalization**

Trafficking and prostitution are both parts of the sex industry and the sex industry is a part of the organized criminality in South Africa. Decriminalization of prostitution would make it more difficult to fight trafficking and other criminality.
HOW DO THE GROUPS THINK SOCIETY SHOULD STRUCTURE THE WORK AROUND PROSTITUTION?

The proposed work of how the society should structure the work around prostitution is presented in this chapter. The chapter is divided into different parts which each show the groups’ reasoning behind the proposals.

Social structures

*Pro decriminalization*

According to those who are pro decriminalization, prostitution is linked to inequality between men and women in the society. A more gender equal society would decrease prostitution. The society would be more equal if the current male ideal would change. This could happen if a new image that it is possible to be a strong African man and a responsible family father at the same time would be spread. It is not unusual that men in South Africa have a lot of women at the same time and there is a male ideal of men sleeping with many women, having kids all over town and not taking care of them. This ideal must change to make the relationship between men and women more equal. This would also decrease the number of single mothers with big economical problems, who sometimes are left with no other choice than prostitution.

*Christians against decriminalization*

The Christians argue that to get a decrease in prostitution it is important to create a more equal society. Corruption is by this group considered to be the biggest problem in South Africa and the corruption makes it hard to get anything done, the corruption is also one of the reasons why the schools have such big economical difficulties. It is hard to work with equality in schools when there is a big lack of resources. This is why the Christians think that it is important for the churches to mobilize and fight this issue. They suppose that the government has too many other things to focus on like health care, police and school to actually have the resources to work with prostitution and gender equality.

The Christians also think that to decrease prostitution families have to stick together. They strongly believe in the nuclear family as an institution with a fundamental function in the society. The family’s function is to give its children healthy moral values. In dysfunctional families this development is jeopardized and respondent 2 announce that this happens because of the distance some people have to God:

“*If the family structure is healthy /.../ you don’t have dysfunctional people walking around doing crimes and all awful things. And what is the answer to that? I would say come to God. I am a Christian and I do believe that that is the answer.*” (Respondent 2)

To decrease prostitution the Christians think families need to stick together and to succeed with this more people need to get in contact with God.
DA against prostitution

According to DA there is a lack of equality between men and women in South Africa. This is shown in prostitution and the belief that people, mostly women, can be bought and sold as if they were commodities. They therefore think that a more equal society would have a positive and decreasing impact on the sex industry. To enforce a more equal society DA thinks it is important to start talking in schools about gender relations and other power relations that operate in the society.

Every person chooses how to live their own lives but everyone chooses form their own special menu. It is important for the government to give the citizens of South Africa more opportunities to choose from and this would lead to less people getting into prostitution in the first place.

Police work

Pro decriminalization

According to those who are pro decriminalization the police clamps down on the prostitutes and not on the pimps and brothel owners. The police seem to focus on the victims of the sex industry and not the real criminals. With prostitution decriminalized the police would not have a reason to arrest prostitutes and would instead hopefully work to increase the security of prostitutes.

Christians against decriminalization

The police should focus on the pimps, brothel owners and clients because they are the main problem in the sex industry. If the demand decreases the supply would also decrease.

DA against decriminalization

Prostitution and other criminal activities are according to DA tightly linked together and all crimes should be kept under a hard and ongoing pressure. The first priority is to fight the organized crimes which involve a lot of different kinds of crimes including prostitution and trafficking. To fight these crimes the government has increased the budget to the police and created a department in the police force that is specialized in this area, the vice squad.

The police often use bylaws and not the sexual offence act itself to fight the prostitution in the area. The reason for this is that in order to arrest and prosecute someone with the sexual offence act, valid evidence that is very hard to find is required. The evidence must be caught in the moment to confirm the actual crime. This is sometimes difficult:

“It is difficult to do these operations because the policemen themselves don’t enjoy doing it. They don’t want to do it. The men do not enjoy being involved in it. Something they don’t like is being in a room with a prostitute, where she is busy undressing and there is money and you have to wait until the point when you have enough evidence that confirms that she is having sex which is difficult and unpleasant. The staffs don’t like doing it. I can’t get any of our metro policemen to volunteer to do it. None of them. You’d think that men would love it. But no, none of them are willing to.” (Respondent 4)
DA states that the main target for the police is the pimps and the brothel owners who are the real beneficiaries and the main problem in the sex industry.

**Education about prostitution**

*Pro decriminalization*

Those who are pro decriminalization think that it is important to expose their view on prostitution to the public, in order to change the law and thereby increase the rights of prostitutes. They think that educating people about the dangers related to prostitution could be a good thing to do, but they mean that it is hard to reach out to people in poverty who need the information the most and prevention is therefore not something they focus on.

*Christians against decriminalization*

Christian organizations already work together trying to spread information to the public about the dangers of trafficking and prostitution. They do this by handing out flyers and informing about the dangers related to prostitution both in schools and in churches.

*DA against decriminalization*

DA argues that the general attitude towards prostitution must change. This can be done by for example talking about prostitution, attending debates and exposing opinions in the media. They think that the other side of the debate sometimes makes this difficult for them, especially because the media mostly agrees with that side. This makes it even more important for DA to keep on trying to reach out to the public with their view on the issue. Respondent 4 tells about a complicated television debate he had:

“I went to an interview with SWEAT, and gave my thoughts for five minutes unchallenged, and they had brought a prostitute. For start is, she had her boobs popping out of her top, so I had to sit across the table like this from her, or next to her and most of her cleavage was out on the table. I mean you don’t have a rational debate around substantial... I’m not prude; I’m liberal in that regard. But that’s not how you begin a debate if what you really are trying to do is having a meaningful debate on issues.” (Respondent 4)

It is also, according to DA, important to inform the citizens about prostitution and trafficking so that they understand the dangers about the industry. The government sees this as more long term plans and DA does not know when this will happen.

**Exit programs for prostitutes**

*Pro decriminalization*

There is a close connection between drug abuse and prostitution. A lot of the men and women who sell sexual favors have to do this to support a drug abuse and they often need drugs to cope with mental stress that prostitution creates. According to those who are pro decriminalization it is therefore important to offer
rehab programs to help those who want to stop using drugs, which also can help some of these people to leave the sex industry.

**Christians against decriminalization**
The men and women who want to leave the prostitution industry do not get helped by being sent to jail for braking the sexual offence act. Therefore they should get more qualified help with their issues.

The churches are trying to mobilize so that they together can create and develop exit programs and safe houses. To make this work possible the government has to start prioritizing safe houses and help out with the finances. Every person who wants to leave the sex industry needs individual support and some times it takes years for a person to be rehabilitated back into society. According to the Christians the rules that the government has for organizations to get financed are too restricted. To receive support from the government the safe houses must take a large number of prostitutes and work with them for six months at the most, which is not long enough.

**DA against decriminalization**
To fight the prostitution DA thinks that focus must be on exit programs and safe houses that can help people to leave the sex industry. The government has decided that a bigger budget from now on will be given to these kinds of organizations.

**Exit programs for sex buyers**

**Pro decriminalization**
Those who are pro decriminalization do not think there is a point working with the sex buyers. The sex buyers are in charge of the industry and they do not think there is anything wrong with what they are doing, and it is useless to work with people who do not want help.

**Christians against decriminalization**
According to the Christians against decriminalization it would be a good thing to work with the sex buyers in order to change their attitudes towards purchasing sexual favors. How this work should be done is not yet conceived.

**DA against decriminalization**
An alternative punishment such as treatment of sex buyers is according to DA in theory a good idea but they do not think it would work in South Africa. Most sex buyers are men and they do not think that they are doing anything wrong when they are buying sex, and it would therefore be hard to work with them in an attempt to make them stop purchasing sexual favors. Neither is South Africa as a country ready to implement social work with sex buyers. There are a lot of social problems in South Africa that need interventions from the society, and social work with sex buyers is not something that is or that soon will be a priority.
ANALYSIS

In this chapter the result will be analyzed from a social constructionism perspective. The groups’ predictions of decriminalization, their constructions of the prostitute and the sex buyer and how gender is reflected in their arguments will be analyzed.

Pro decriminalization

Predicted outcome of a decriminalization

The group that is pro decriminalization thinks that prostitutes would be treated with more respect from the society if a decriminalization would be implemented. From a social constructionism perspective this shows how the society constructs what its citizens should consider as normal actions, through legislation. When something as powerful as the law defines prostitution as bad, most citizens will take this for granted. If the society instead would remove this definition through a decriminalization, a picture of prostitution as more normal would be constructed. The construction could be seen as what Burr (2003) calls “taken for granted knowledge”, that affects people’s social actions. This could explain why the pro decriminalization group expects that the society would treat prostitutes with more respect if prostitution would be decriminalized, than the society does today. Those who are pro decriminalization point out how the police are the biggest threats in the society against prostitutes. The police have strong power in relation to the prostitutes and the taken for granted knowledge that prostitutes are bad sometimes makes them disrespect, harass and even rape prostitutes. If prostitution would be decriminalized the whole public idea of prostitution as something unworthy would be deconstructed.

Loseke (2003) explains that the definition of a phenomenon decides our behavior in relation to it. The pro decriminalizing group means that many social problems are linked to prostitution, but they do not define prostitution itself as a social problem. The fact that this group does not define prostitution as a social problem makes them work with the phenomenon in a different way than others do. They want to fight problems that are linked to prostitution, but they do not want to fight the prostitution itself.

Another outcome those who are pro decriminalization expect from a change of the law is a decrease of trafficking. This since it would be easier to meet the demand for prostitutes with a decriminalization, and thereby the demand for trafficked people would decrease. This means that the supply would accommodate to the demand, thus prostitutes would accommodate to their customers. The sex buyers would be in charge of the sex industry and prostitutes would still have less power than them. The pro decriminalization group constructs prostitution as a normal occupation which would normalize the public image of prostitution. From this perspective the industry would be organized like service businesses always are and accommodate to their customers’ demand.

Construction of the prostitute

Those who are pro decriminalizing prostitution argue that prostitution is a profession. By saying that prostitution is a profession they try to construct a humanized picture of the prostitute by separating the act from the person. If the
law makes prostitutes viewed as victims who commit crimes, a change of the law would instead make prostitutes viewed as persons with professions. One argument for this is that prostitution might not be a first hand choice of profession, but not necessarily a bad choice for the person who makes it, even though it might seem like a bad choice from a viewer’s perspective. According to a social constructionism perspective, to understand a phenomenon it is important to be aware of in which historical and cultural context the person who is experiencing the phenomenon is (Burr, 2003). If the law is meant to protect the prostitutes, it should be based on prostitutes’ experiences of prostitution. Those who are pro decriminalization intend to understand prostitution from the prostitute’s view. Their intention is also to make the society realize that prostitutes might experience their occupation different than the society expects. According to Burr different contexts make people experience phenomena differently. By highlighting the differences among prostitutes, the pro decriminalization group constructs a more flexible picture of the prostitute.

According to social constructionism we do not experience things around us unless someone tells us that we can experience it. In this context words are very important and it is through words we experience our surroundings (Burr, 2003). The group that is pro decriminalization wants to remove the picture of prostitutes as criminals who are victims of social structures. If prostitutes would not be talked about as victims, they might not experience themselves as victims and neither would the public understand prostitutes as victims. The pro decriminalization group uses the term sex work instead of the term prostitution. With this they indicate that prostitution is a profession and should not be considered as a criminal act. By doing this they construct a picture of the prostitute as an independent individual who for unknown reasons has chosen to make a living by selling sex. By changing the word they change the definition, even though the phenomenon objectively is the same. The term prostitution contains a lot of prejudice and removing the term would possibly also remove the prejudice. Changing the term that is usually used, would ease the reconstruction that the pro decriminalization wants.

Construction of the sex buyer

The pro decriminalization group describes the sex buyer as a typical man of the South African society. What the client is doing is not desired but neither is it wrong according to the current norm of manhood in the society. The sex buyer that those who are pro decriminalization construct can be understood with help of Connell’s (1995) gender hierarchy. The sex buyer here would not be part of the hegemonic masculinity since the ideal probably not includes having to pay to get sexually satisfied. However this group’s description of the male norm includes being sexual active. The sex buyer would therefore instead of being part of the hegemonic masculinity be part of the complicit masculinity in which the participants benefit from the first masculinity mentioned. They benefit from that they have some of the qualities from the hegemonic masculinity, which gives them power in relation to people who do not, such as subordinated masculinities and femininities. The sex buyer might try to live up to the current male norm by being sexual active, and thereof receive more power. Those who are pro decriminalization could be understood as they are constructing an even more normalized picture of the sex buyer than the one that already exists, through decriminalizing the act.
According to social constructionism the words that describe things and phenomena help us to understand them (Burr, 2003). The person who sells sex is most commonly called a prostitute and everyone has a definition of that term and a particular picture of the person. The person who buys sex does not have an obvious name in the English language. The fact that the sex buyer does not have a certain name and thereby not a generalized definition might be why the sex buyer is not stigmatized in society. The client is not yet definite constructed by society. The group that is pro decriminalization seems to adapt this uncertain construction of the sex buyer as a person who is trying to conform to the hegemonic masculinity and thereby does not do anything wrong.

The argumentation and gender relations
According to the group that is pro decriminalization there is a common thought among men in South Africa that men have sexual needs that have to be fulfilled by someone else (mostly women). If they do not have anyone that can satisfy their needs they are entitled to go to prostitutes. The thought that men have the right to access women’s bodies for their own sexual pleasure can be understood with Connell’s (1995) gender hierarchy. The norm here is the hegemonic masculinity and women are subordinated to that. Those pro decriminalizing prostitution describe this masculinity as men should have many women at the same time, not have to take their responsibility of their children and prioritise their own material status in stead of supporting their families. This group does not consider this hegemonic masculinity as good, but they think it will take a long time to change it, and they therefore think the law should be based on it. The rape trial against the current president Jacob Zuma, which Lewis (2009) brings up, and which lead to that the woman who accused him lost her citizenship, shows that the inequality between men and women is still from the most powerful authorities fought to be maintained. This indicates why it can be difficult to hope for a change of the gender relations anytime soon. When men are living according to the hegemonic masculinity, women are left to take care of and support children, which sometimes is difficult in the South African society. These women would according to Connell’s (1995) gender hierarchy belong to the emphasized femininity since they exclude their own wishes in life and instead accommodate to men’s interests. One of the arguments to decriminalize prostitution is that women who are in these difficult situations need prostitution as a way to earn money. According to Connell’s gender hierarchy which she means is maintained by mass media and ideology, decriminalizing prostitution could be seen as the society is supporting the hegemonic masculinity. The society would from this perspective, by changing the law, maintain the gender orders that already exist.

According to Lewis (2009) the hegemonic masculinity is threatened in today’s South Africa, and this makes many people unconsciously trying to defend their decreased social power. The harassment that the police are exposing prostitutes to could be seen as a try to defend their social power. This could also be seen as a gender regime according to Connell’s (1995) theory about gender relations, where authorities are explained to be important parts of the construction of the gender orders of the society.

As assumed in a previous chapter prostitutes would gain respect and self control from a decriminalization. This since the law would no longer say that prostitution
is differing from the norm, and conforming to the norm strengthens people’s power. In this context sex buyers would supposedly also be stigmatized since buying sex is illegal, and with a decriminalization this stigma would be removed. However buying sex does not differ from the norm of manhood, as the group pro decriminalization describes it, and therefore the fact that buying sex is a criminal act does not affect the sex buyer’s status to a big extent. This must mean that the power that the hegemonic masculinity gives is stronger than the power that conforming to legislation gives. This implies that the sex buyer is a man and the sex seller is a woman, which most of the time is the case. A decriminalization therefore would change the status of sex sellers much more than the status of sex buyers. The group of the debate that wants this believes that the gender relations in society have an impact on prostitution, but they do not intend to change these relations. Changing the gender hierarchy is something they consider as being too difficult, instead they try to do the best for prostitutes along with the gender relations that are already given. Trafficking is expected to decrease with a change of the law since prostitutes then would be able to better meet the demand for prostitution. This argument indicates that the sex industry should accommodate the buyers, who mostly are men, and not the opposite. It thereby also indicates that the law, the debate and the society should conform to the current gender relations in the South African culture instead of modifying them.

**Christians against decriminalization**

*Predicted outcome of a decriminalization*

The anti decriminalization group thinks that it is easier to decrease the demand for prostitutes when both buying and selling sex is illegal. According to social constructionism people’s understanding of reality is different depending on earlier experiences and through social interaction we construct a reality of a phenomenon (Burr, 2003). By keeping prostitution illegal the society affects the reality of the public and constructs a norm that prostitution is something bad. Through the law society constructs norms that tell what is right and what is wrong. To the Christians the nuclear family is the preferred norm and prostitution is a threat towards the family structure. Keeping prostitution illegal is a way of controlling the public norm about sexual habits.

A decriminalization would reconstruct the moral values that the law creates, and construct the sex industry as something the society accepts. This would increase the whole sex industry including both prostitution and trafficking. More people would enter prostitution since this no longer would be against the norm.

A decriminalization would make prostitution more visible to the general public and create a vision of women as commodities that can be bought. This could, according to the Christian group against decriminalization, make the society less gender equal. According to social constructionism constructions of phenomenon are always in process and differ in time and in context (Burr, 2003). This shows how this group thinks that the values and the visibility of prostitution would have a negative impact on the construction of both prostitution and women in general.

**Construction of the prostitute**

According to social constructionism the words we use is a big part of how we construct our reality (Burr, 2003). When the Christian anti-decriminalization
group talks about prostitutes they use the word prostitute, this they do consciously because they do not want to normalize the phenomenon by using the expression sex worker. By keeping prostitute as a commonly used word by the public, they try to maintain a problematized picture of prostitution. Since the word prostitution has a negative tone to most people, prostitution is constructed as a social issue.

The Christian group that is against decriminalization thinks that all prostitutes are more or less forced or lured into the sex industry. They also have a vision of prostitution as sexual violence towards women and link this to the debate about men’s violence against women in a bigger perspective. With these ways of describing prostitution and by using words as “trapped” to describe the prostitute’s situation, the prostitute is constructed as a victim. Just like Allwood (2008) shows in the French prostitution debate the prostitute is constructed as a victim who needs to be saved. According to Burr (2003), “taken for granted knowledge” and social actions go together. What people take for granted constructs a reality that gives frames and within these people act. The way the Christians talk about prostitutes has a big impact on the construction of prostitutes as victims, which for many is the taken for granted knowledge. Victimization is a stigma that set the frames and for the prostitute this reduces the social status and the power over his or her own life and body. The construction of the prostitute as someone without self control makes the prostitute easy to take control over and easy to disrespect.

The Christian group questions if any woman could enjoy being a prostitute and enjoy having sex ten to fifteen times a day with different men. This questions the prostitutes’ own capability of defining what they want for themselves. In the French prostitution debate the abolitionists did the same thing by claiming that no matter what the prostitutes say, they all want to leave the industry (Allwood, 2008). This constructs the prostitute as incompetent and gives the prostitute’s own words no validity.

The prostitute is by the Christians constructed as a woman and a threat towards the family since she is not totally conforming to the emphasized femininity. By having sex with many men, she challenges the family norm that the Christians try to hold on to. However she emphasize the femininity by pleasuring men sexually.

**Construction of the sex buyer**

According to the Christian group against decriminalization prostitution is a threat towards the nuclear family. If a man goes to a prostitute he risks his marriage because this could make the wife jealous. This constructs the sex buyer as a man who can not help buying sexual favors when buying sex is possible. This puts the blame for the family issues on the prostitute and the wife. That women are blamed is something that Lewis (2009) brings up when she describes the strike in 2007 where mostly men acted violently but the women were blamed. The women did not act according to what Connell (1995) calls the emphasized femininity, which is the preferred femininity. The prostitute is blamed for putting herself out for the man who, according to the Christians, is not to blame for using the opportunity. This shows how the sex buyer is constructed as someone who is not able to control his sexuality, and is not responsible for its consequences.
The Christian group against prostitution describes the men that buy sex as the main problem and that they are the reason that prostitution and trafficking exist. They also describe prostitution as a form of sexual violence against women and think that men who buy sex need help, because they have problems. This constructs the sex buyers as violent men who use women sexually. According to Lewis (2009) people who are afraid to lose social power sometimes try to reinforce this loss by showing their power over someone else. This can be seen in how the Christian group against prostitution constructs the sex buyers as people who need help with coping with their issues. The sex buyers now handle these issues by showing their sexual power over women. This picture does not stand in line with the construction of the sex buyer that was presented earlier in this chapter, where the man was constructed as someone who did not make his own decisions in this matter but just followed his sexual needs.

The argumentation and gender relations
The Christian group against prostitution focuses on the nuclear family and its importance in constructing healthy moral values in the society. Connell (1995) describes the gender order as a hierarchy where men always come higher than women. The hegemonic masculinity is something that reproduces itself by being the kind of masculinity most men want to be a part of. Heterosexuality and marriage are qualities that Connell describes as parts of the hegemonic masculinity and these are also elements that are included in the Christian group’s definition of the nuclear family. The nuclear family is by Connell described as part of the aspects in society that establish and maintain gender relations. This indicates that the Christians by treasuring the nuclear family are parts of the construction of the hegemonic masculinity and emphasized femininity. According to Connell the masculinity is always on top of femininity in gender hierarchy, therefore the family is constructing an unequal gender order. The Christian group thinks that the nuclear family is one of the most important social establishments to construct moral values. The construction of the nuclear family is described as the only right way to create a family. The Christians are afraid of that if prostitution would be decriminalized and visible, women in general would be objectified, and according to the Christian group this would imply a threat towards gender equality. According to Connell the family is the threat towards gender equality. The women who stick in the family fulfill the qualities of the emphasized femininity. This could be interpreted as the Christians are afraid of that women would start recognizing their own sexualities, if the sex industry would be more visible in the streets. This could be seen as a threat by the Christians, since it might imply that women would be entering the “prime site of masculine entitlement”, as Lewis (2009) describes public areas that usually are male domains. By entering these domains women are, according to Lewis, threatening the masculine authority.

DA against decriminalization

Predicted outcome of a decriminalization
According to DA keeping prostitution illegal makes it easier to fight prostitution and to prostitution linked crimes. Harder control and more frequent raids on brothels are according to DA important to keep the organized criminal activity under control. Keeping prostitution illegal is therefore essential to lessen the number of men and women in prostitution. Since prostitution and other crimes
are connected and affect each other this would also lead to less petty crimes. The outcome of this is that a neighborhood where prostitution has decreased, the real estate prices has gone up and businesses has raised their profits, which benefits the general public. This picture that DA shows, constructs prostitution as a small part of a big criminal context. According to this construction, a decriminalization of prostitution would bring crimes and affect neighborhoods negatively. This would construct an image of prostitution as a dangerous threat and imply an economic loss for the whole nation.

**Construction of the prostitute**

The way we talk about a phenomenon is an important part of the construction of a phenomenon (Burr, 2003). The descriptions that DA respondent 4 gives, of prostitutes that have been arrested, construct the prostitute as a dirty and unattractive woman who the interviewee would not dare to touch. Respondent 4 explains that he is a heterosexual person with a libido, but still does not want to touch many of the prostitutes he gets in contact with. The fact that it is surprising to the interviewee that there are prostitutes that are unattractive to the extent that he would not want to touch them, and that he tries to defend his heterosexuality in this situation, shows an erotic and degrading picture of the prostitute. This picture of the prostitute can be linked to what Lewis (2009) describes happened during and still happens after apartheid. Public punishment and torture was common during apartheid to spread a degrading picture of the tortured. The tortured were often feminized and eroticized which degraded them even more. This kind of torture existed, according Lewis, to show of the torturers’ power. In the “new” South Africa she means that some men feel that their power is threatened by women and unconsciously they try to regain power in different ways. The degrading picture of the female prostitute and the defending of sexuality, that the DA respondent 4 show could be understood as an unconscious way to defend decreased gender power. The language that is used by respondent 4 to describe the prostitute constructs the prostitute as on the one hand erotic and on the other hand disgusting. DA also constructs the problem around prostitution in a wide perspective and pictures the prostitute as a small part of a big criminal context. This adds to the construction that the prostitute is a threat towards the society in a bigger perspective.

**Construction of the sex buyer**

DA describes the sex buyer as a man who is impossible to change. The reason for why the sex buyer is unable to change in this matter is that he does not experience what he does as something wrong. This indicates that, in this context, the sex buyer is not constructed as a part of the problems concerning the sex industry. According to social constructionism the understanding of phenomenon are affected by every person’s earlier experiences and the construction of these phenomenon happens in social interaction with other people (Burr, 2003). Since the sex buyer is not constructed as part of the problems concerning prostitution, he is not stigmatized or constructed in a degrading way. According to Connell’s (1995) gender hierarchy masculinity always ranks higher than femininity. This can also be one of the reasons why the sex buyers do not experience their actions as bad, because it is not unusual for men to control women. Lewis (2009) describes the rapes of homosexual women, as an expression of the patriarchal society. In these cases the men, who raped the women described the rapes as a way of teaching them a lesson and to make them heterosexual, this shows how
these men think they have the right and the power to control women’s sexuality. The way the DA describes the sex buyers, as having no actual responsibility to what happens in the sex industry, can also make this attitude a valid approach towards sex buyers. This means that there is an understanding that men have the right to control women’s sexuality and therefore buying sex is not associated with something bad.

DA explains that the sex buyers can be anybody, even rich good looking men who buy sex from prostitutes that are described as dirty and unattractive. This is something that respondent 4 is surprised about. Looks and economic wealth are factors that could strengthen social power and this constructs the sex buyer as a person with power on many levels. In this description the social power differs between the prostitute and the sex buyer and it constructs a relationship between the two that is disrespectful towards the prostitute. This could be understood as what Burr (2003) calls “taken for granted knowledge and social actions go together”. The taken for granted knowledge would be the direction of the social power between the two actors, and the social action would be the disrespect from the sex buyer and the acceptance from the prostitute. That respondent 4 shows that he is surprised by the looks and the economic wealth that some of the sex buyers possess, shows the public view of the sex buyer as the opposite to the respondent’s description. The description is the picture of the sex buyer that respondent 4 wants to construct. This could construct the sex buyer as a pervert who wants to have sex with dirty women with much lower social power than themselves. This could be a way for the sex buyers to strengthen their social power.

The argumentation and gender relations

DA describes the lack of gender equality in South Africa as a problem and means that this has a connection with the sex industry. That men buy the access to female bodies is an expression of an unequal society. In the description of the prostitute respondent 4 feels the need to declare that he is heterosexual and that he has a working libido. He declares this because he thinks it could seem strange that he does not want to have sex with these women. The respondent reproduces the constructed hegemonic heterosexual masculinity by defending his sexuality. Respondent 4 acts as if his masculinity is threatened because he does not want to have sex with some of the prostitutes. According to Connell (1995) this defensive behaviour shows how men should want to have sex when they get the chance, otherwise they adventure their masculinity. The loss of masculinity could imply homosexuality which according to Connell is beneath heterosexuality in the gender hierarchy. This forces the respondent to defend his heterosexuality to maintain social power. That men should want to have sex every opportunity they get is also shown when respondent 4 explains that it is hard to find policemen that want to arrest prostitutes, because they have to do it in the moment of the crime. That no policemen are willing to do this voluntarily is not what the respondent think is expected of men. Apparently it is expected of men to find this kind of experiences amusing or exiting. This image of men contributes to construct the sex buyer as a person who just follows his sexual needs and thereby does not have to take responsibility for his actions.

In the description of the television debate DA had with SWEAT, respondent 4 shows that he did not respect the woman he debated with, because she was a
former prostitute. The description of the television debate shows how gender is constructed by the way respondent 4 talks about the woman. Connell (1995) would describe the female prostitute as not conformed to the emphasized femininity, and she is therefore a threat towards the gender hierarchy. This could explain why respondent 4 feels the need to show his disrespect towards prostitutes, to defend the power that the gender hierarchy gives men.

DISCUSSION
In this chapter the groups’ aims, constructions of prostitution and gender structures are discussed and compared.

Aims behind the groups’ constructions
Both the Christian group against decriminalization and the pro decriminalization group construct visions of themselves as wanting to achieve an improved situation for prostitutes, but they have different proposals on how this would best be done. DA against decriminalization does not construct that picture, but instead it shows an image of intending to achieve an improved situation of the whole society.

In contrast to the two anti decriminalization groups the pro decriminalization group does not think that prostitution as a phenomenon is the main problem. Instead they think the construction of the prostitute is what needs to change to improve the situation for prostitutes. This is according to them best done by decriminalizing prostitution. The two anti decriminalization groups think that the main problem is the phenomenon itself. Therefore they want to fight prostitution as a phenomenon and not just the construction of the prostitute. This might make them even strengthen the current picture and raise the stigma of prostitutes.

The pro decriminalization group makes the impression that they want to improve the situations for prostitutes by a decriminalization. This might benefit the whole sex industry but the pro decriminalization group does not problematize if other parts of the industry than prostitutes might be the ones that benefit, such as brothel owners, pimps and sex buyers.

The Christian group believes that they know what is best for everyone and they base this knowledge on Christian values. This they try to hide by finding research that supports their arguments. By highlighting this research instead of Christian values, they reach out to more people than only Christians. They construct the prostitute as a victim of social structures and as a threat towards the family. This is not necessarily for the interest of the individual but could be a way of maintaining and spreading Christian values.

DA constructs two pictures of the prostitute. One is constructed from a structural perspective, where the prostitute is a part of a big criminal network and a threat towards public welfare. The other picture is constructed from an individual perspective, where the prostitute is pictured as filthy and not worthy of respect. These constructions are in contradiction to each other, since the first picture is of an active subject and the second one is of a passive object. However both these constructions give a negative picture of prostitution and give a public image of that with reduced prostitution the citizens’ safety and well being would increase.
DA is a political party which has to structure their work to create a trust among the citizens. The will to get elected could affect how the party tackles different issues. The party’s way to tackle issues does not always go in line with the single politician’s personal point of view. The single politician might also have an interest in making a career. The change in respondent 4’s approach towards prostitution might be a sign of adjustment to voters. Respondent 4 says that prostitutes need help instead of being punished. The way respondent 4 constructs the prostitute as not worthy of respect might make his image of wanting to help the prostitutes less trustworthy. That these two pictures might appear as contradictions could indicate that the DA’s opinion is dissimilar from respondent 4’s personal opinion.

**Gender relations and the debate**

All three groups picture the sex buyer as a man and that his actions are an outcome of an unequal society. The sex buyer is constructed as having no responsibility for the problems concerning the sex industry and he is not seen as a part of the solution. This is a sign of gender relations that the man is higher in the gender hierarchy and therefore is entitled of setting the rules. These gender relations might be affected by the gender discourse during apartheid. This can also be seen in the construction of the prostitute who all three groups describe as a woman. The men set the rules that create norms since they are higher in hierarchy than women. Women adjust to the rules to fit the norm. Fitting in the norm strengthen the social power.

All the descriptions of prostitution are based on the assumption that women have to adjust either to the law or to men. Prostitution as a problem does most often involve one man and one woman. Since the woman is lower in the gender hierarchy the natural way of dealing with the problem is to some how control her.

Although the groups describe the prostitute similar in some ways they all construct her differently. Why the pro decriminalization group’s description differs from the others’ is mostly because it does not describe prostitution as the main problem. Instead they think the main problem is the stigma that the law creates and the control over prostitutes that the law implies. However the risk with a decriminalization might be that the prostitutes would be controlled by men trough gender structures more than they would with prostitution kept illegal. In this way there would be no law to protect the prostitutes as the Christians say the law is doing. However the law controls women in other ways that are also based on gender structures. The fact that this group thinks women need to be protected shows that women need to be guided and to have a man to follow which is in line with the emphasized femininity. DA’s respondent 4 expresses disrespect towards prostitutes and this can be seen as a way of showing the power he possesses by being a man, which gives him the right to control women.

**CONCLUSION**

The purpose of this report was to look closely at the debate about decriminalization of prostitution in South Africa. There were three distinguished groups in the debate that were selected for interviews to explain the reasoning behind the arguments in the debate. One group was pro decriminalization and two groups were against decriminalization. The pro decriminalization group’s main
aims proved to be reducing the stigma around prostitution and to increase the security for the prostitutes. One of the groups that were against decriminalization was Christian and the main aims for this group were to maintain moral values in the society, to protect people from getting into prostitution and to decrease prostitution. The main aims of the third group were to reduce prostitution and increase the economy, safety and security for the whole society.

To achieve the aims that the groups had they suggested that the society should work around prostitution in different ways. The pro decriminalization group focused on changing the public view on prostitution and on decreasing the power that the police, according to them, are practicing over prostitutes. The Christian group suggested that the social work should be focused on helping prostitutes out of the sex industry by supplying safe houses and exit programs. They also wanted to inform the legislators, those who are in risk of getting into prostitution and the public in general about the dangers of prostitution. The third group wanted to increase the police work and to develop alternatives to prostitution.

The pro decriminalization group does not describe prostitution as the main problem for prostitutes. Instead the main problem is described as the stigma of being a prostitute and what that stigma implies. This is related to their main aims by focusing on decreasing the stigma instead of decreasing prostitution itself. The Christian group describes prostitution as a threat towards Christian moral values and as the prostitution industry takes advantage of people who are less fortunate. This is related to their aims to maintain moral values and reduce prostitution, which they do by rejecting prostitution and picturing prostitution as dangerous. This would also protect those who are in risk of getting into prostitution. The third group describes prostitution as part of a big criminal context and that prostitution has a negative impact on the society. By giving this picture they intend to make people understand that prostitution has a negative impact on everyone’s lives. The intention of this is to reduce prostitution and thereby increase public safety.

It is shown in the pro decriminalization group’s argumentation that they are conforming to structural gender relations by how they focus on changing the situation for prostitutes in a patriarchal society instead of changing the patriarchal itself. The Christian group shows how their arguments are affected by structural gender relations by picturing the prostitute as a female victim that needs to be protected. They also picture the family as the most important institution to reproduce moral values. Prostitution is described as a threat towards the family and a result of dysfunctional families. The family itself could be seen as a reproducer of gender relations. The third group shows structural gender relations in the way they describe the sex buyer as a man who does not have control over his sexual needs and therefore is not responsible for his sexual actions. It is also shown in the disrespectful description of the prostitute as an unattractive and filthy woman. All groups describe the sex buyer as a man who is unable to change and therefore women, and not men, should change to decrease the problems concerning prostitution.
PERSONAL REFLECTIONS AND SUGGESTIONS ON FURTHER RESEARCH

We are aware of that our earlier experiences affect our interpretation of the material that was used in this report. The fact that we are raised in a different culture might make us understand the issues that are in focus of this report differently than if we were raised in the same context as where the research took place. This can imply that we understand issues from a narrower perspective since we can not understand the issues in the same way as those who are living in that context do. However the fact that we live in a different context could also imply that we see the issues from a wider perspective since we as outsiders can notice other aspects of the issues. One example of when it became obvious to us that we have different perspectives is when we noticed the way many people in South Africa experience gender order. We found that gender order in South Africa was not experienced as a problem to the same extent as it is in Sweden.

In our report it some times has been necessary to generalize structures. It is more difficult to generalize people in South Africa than it is in Sweden because of the demographical diversity. Since South Africa contains many different cultures it would be interesting to study how the differences show in the decriminalization of prostitution debate. It would also be interesting to study the debate from prostitutes’ perspectives. How prostitutes experience the debate, what they think of a decriminalization and if they feel that they are heard in the debate would be interesting to investigate. It would also be interesting to know more about what prostitutes think about the social work around prostitution. If they think there is a need for such work, how should it be structured?
REFERENCES


Constitution of South African Law, Sexual Offence Act 23. Section 20(1)(aA)


Internet references

www.news.bbc.co.uk  published: 2008-07-16 read 2010-02-10

www.soccerlens.com  published: 2008-02-10 read: 2009-12-02
www.gov.za read: 2010-05-17

www.familypolicyinstitute.com read: 2010-03-15

www.sweat.org.za read: 2010-03-15