

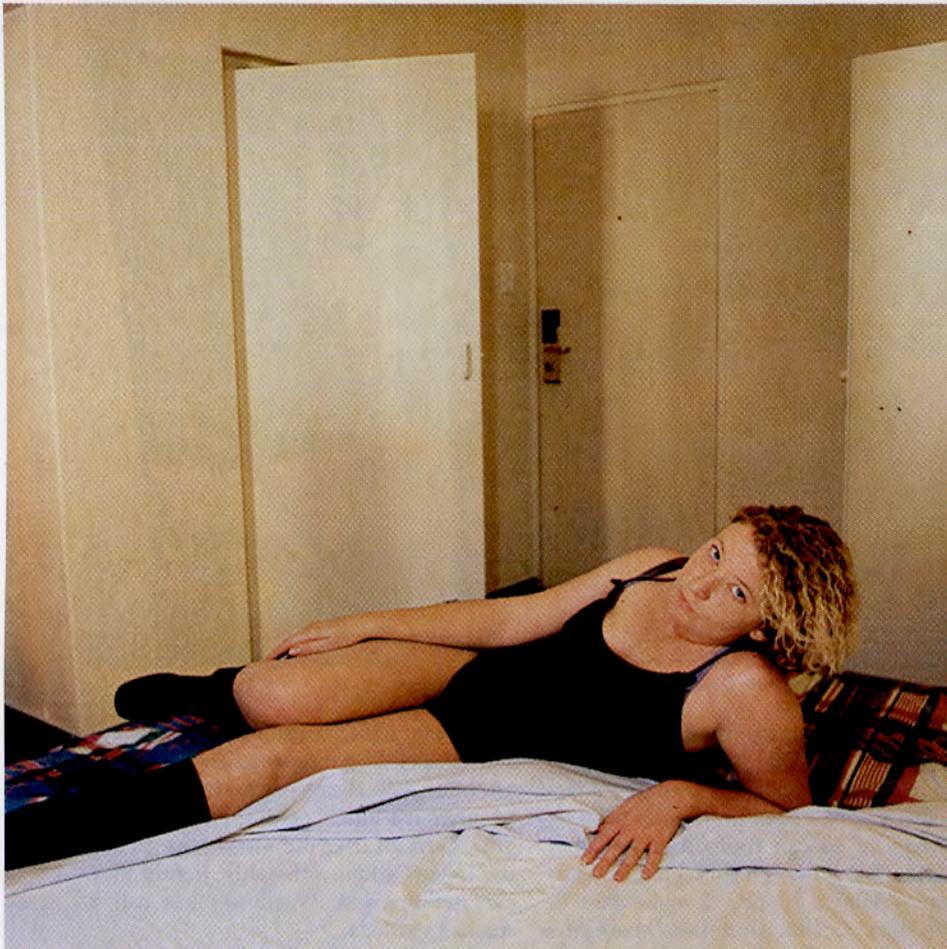


a legalised prostitution licence to thrill

In spite of the threat of AIDS, numerous other 'occupational hazards' and a thriving escort-agency industry, prostitution remains illegal in South Africa. Henriette Geldenhuys asks, just who is screwing who?

Table Mountain is becoming smaller in the rear-view mirror as I head west on the N7 highway out of Cape Town. The Caltex oil refinery, with its massive steel structures, is a grotesque landmark on the barren landscape. Signs of country life appear slowly – a stud farm advertises horse-riding trips, and in the distance, children of farm workers play around small brick houses.

At Van Schoorsdrift, a municipal park on the right, tall trees surround me, their branches forming arches above the road. Farm and factory workers, truck drivers, admin clerks, businessmen and off-duty policemen often stop here to visit prostitutes. As I drive through the postcard-pretty avenue, sex workers stand a few hundred metres apart, some in groups of two or three, others alone. Up the hill,



From left: Lip service at an escort agency in Cape Town; feeling blue in a Cape Town hotel room; Van Schoorsdrift's sex workers tout for business.

a police van is on patrol.

I have covered stories here regularly since first meeting Van Schoorsdrift's sex workers a few years ago, when bodies of several victims of a prostitute serial killer were found nearby. At the time, I had assumed that a directive issued by the serial killing squad to other police stations – to stop arresting prostitutes for petty crimes, while a serial killer was on the loose – could be taken seriously.

But I had hardly entered Van Schoorsdrift when the husbands of three prostitutes approached me, gesticulating wildly. They explained that their wives, the breadwinners of their families, had just been arrested by law enforcement officers. The women refused to pay a fine for being illegally in Van Schoorsdrift, and they ended up being driven around from police station to court the entire day before charges were dropped late that afternoon.

Recently, I heard of clashes here – prostitutes were being pushed out of the area – so I visited Van Schoorsdrift again, on a sunny morning in April this year. Close to the entrance, I find Melany perched on top of a stone, flanked by two other sex workers. A mother of two young sons, aged five and two, and a reg-

ular at Van Schoorsdrift who earns about R300 a week, Melany, like her co-workers, only works during the day. She hikes 20km from her home in Atlantis (aka the Lost City), a former apartheid 'coloured preferential area' notorious for its unemployment, poverty and illegal shebeens.

Melany, who is illiterate, tells her mother she is going to char 'and then I come here to get money for my two sons, because there isn't work. I buy food, and I pay electricity and rent.' Her youngest son was a year old when his father, her lover of seven years, was stabbed to death in a fight. She's worried about the continuing police harassment – she and six other sex workers were arrested two weeks ago for soliciting by policemen posing as clients, but she says, like before, charges are likely to be dropped.

Her main concern, however, is a short, burly, bearded farmer, CDD van der Spuy, who, with a few of the area's other farmers, is apparently on a mission to get rid of the street walkers. He drives straight at them at high speed, and has injured some of the women by bumping into them. 'The farmers also use bulldozers to drop heaps of sand in front of paths we follow among the trees to hidden spots where we can do business in private,'

Melany complains.

Van der Spuy's farm, Olifantskop, is a few kilometres away. He doesn't show his face, but his courteous secretary, Marie, is there, her feminine presence incongruous next to overweight khaki-clad farmers walking in and out. Seated behind her desk, she speaks her mind: 'The children (not her own) on the farm grow up to think that prostitution is normal. They see women selling their bodies every day on the way to school and back. The girls handle it, but the boys said the other day, "Wow, there were many whores on the road again today." It's unfair that they have to grow up like that. Ordinary farm folk have to use that road.'

Melany and her co-workers want some form of licence that could keep the cops off their backs, and provide some form of protection against vicious clients and farmers. Yet South African laws – the Sexual Offences Act which prohibits sex for reward and soliciting, and municipal bylaws against loitering (so often used against prostitutes) – are not applied with the same vigour when it comes to escort agencies.

Cecilia, 39, has been employed for the past six years at an escort agency in the busy main road running through Green

LAWS & WHORES – ACROSS THE GLOBE

Strict Laws (Similar to South Africa and the Islamic Gulf States)

- Thailand – It is illegal to be a prostitute or live off the earnings of a prostitute. The law is not consistently applied.
- Canada – There's near prohibition. Soliciting, living off the earnings of a prostitute, or operating a brothel, is illegal and strictly enforced.
- Kenya – Prostitution is not defined in the legal code. Frequent arrests and dangerous conditions prevail.
- India – Prostitution and related offences are illegal. There is a thriving underground industry where poor conditions prevail.

More Relaxed Laws

- The United Kingdom – Prostitution is not illegal, but related activities, including soliciting and running a brothel, are illegal.
- Peru – Licensed, government-regulated brothels are run by the state. Registered sex workers carry identity cards and submit to check-ups every two weeks.
- Australia – In some states, there are legalised brothels, but in others, prostitution is illegal and laws are strictly enforced.
- Brazil – Prostitution is not illegal, but it's illegal to run a brothel. There is acceptance of female prostitutes, but transgender and male sex workers are frequently arrested.
- Denmark – Prostitution is not illegal, but it's illegal if it is the main source of income. Street prostitution has ended since sex workers were allowed to advertise their services in the early 70s.
- Germany – Different laws are valid in every state, with legalised brothels allowed in some. Most sex workers work illegally. Police are generally lenient.
- Senegal – It's illegal to run a brothel, but sex workers have to register, carry cards, and submit to regular medical examinations. Most sex workers are unlicensed and work illegally.

Legal or regulated

- The Netherlands – Prostitution is legal and sex workers pay tax. Tolerance is better than in most countries, but the social stigma remains.
- Greece and Turkey – Sex workers are registered and have to attend regular examinations to avoid arrest. In Athens, one clinic sees 130 sex worker patients a day. Thousands still operate illegally.

Point and Sea Point, where escort agencies with names like Body Heat, Cupid, Romeo's and Karin's Classique operate adjacent to cafés, restaurants, hotels, bottle stores and supermarkets.

'The cops never give us problems. You won't believe how many of them come to the agency – whenever they have time off. The police won't arrest us for prostitution, maybe for drugs. Prostitution should have been legalised long ago. We are operating as if it's legal anyway,' says



From left: Tricks and threads of the trade.

Cecilia, while relaxing in a T-shirt, stretch jeans and high heels. She is seated next to her 15-year-old son, a self-assured teenager clearly at ease with his mother's job.

'Many of us can find other jobs, but they pay too little. A legal secretary earns about R3500 a month. I make that in three days,' Cecilia continues. 'Many guys come to the agency to talk about their marriage problems. They get horribly drunk, so they can't have sex in that state. You become a shoulder to cry on, you give advice, it's more like a counselling service than anything else.'

At The Hostess Club at the end of Sea Point, women in long black evening dresses surround manager Ian van der Merwe. Clean-shaven, 30-something and with a boyish charm, he confirms what Cecilia says about policemen – many are dedicated clients. He also says police 'arrive in minutes if clients give us problems and they don't come with the attitude "Oh, it's only prostitutes".' Ian says he transports the women himself to and from work, offers a safe environment to work from and makes sure the women are not abused. He also supports the legalisation of prostitution and compulsory medical tests 'because it will make the girls feel more confident and the clients will also feel safer'.

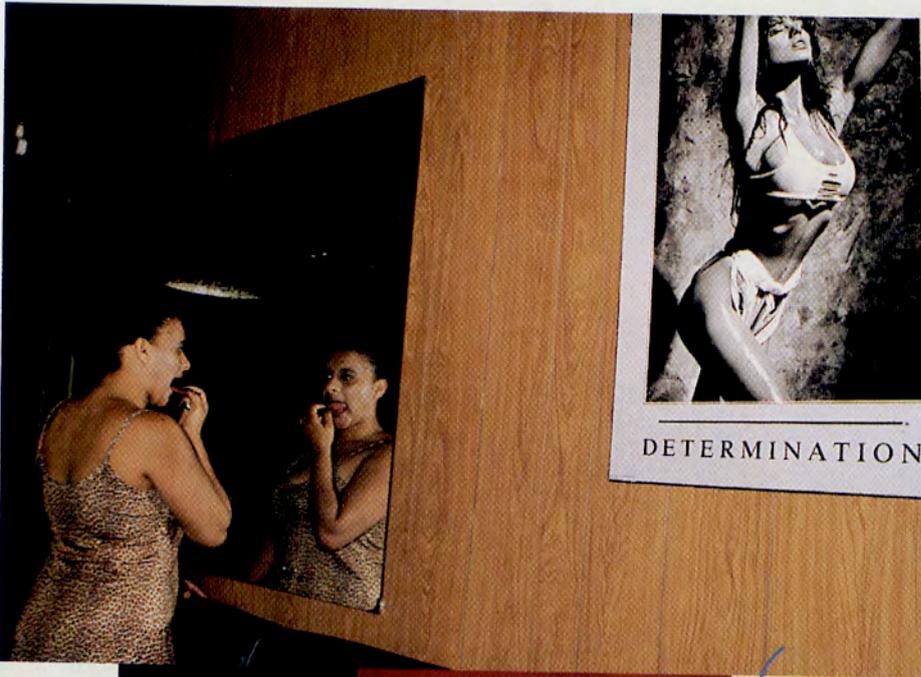
A high-profile young married lawyer, who lives in an upmarket apartment in Rondebosch and visits the Sea Point escort agencies regularly, begs me not to publish his name when he allows a telephonic interview. 'It's stupid of government to criminalise something that's so much part of reality, that happens all the time, everywhere. That's like trying to prevent another reality – me sleeping with my wife, or banning sex between gay

men.' He sighs, considering the downside of spending money to obtain female attention. 'We always pay for it in the end, whether it's lunch or dinner, flowers or gifts. Guys all over the world have to pay the in-laws, often with cattle, before they can get married. Prostitutes just call a spade a spade.'

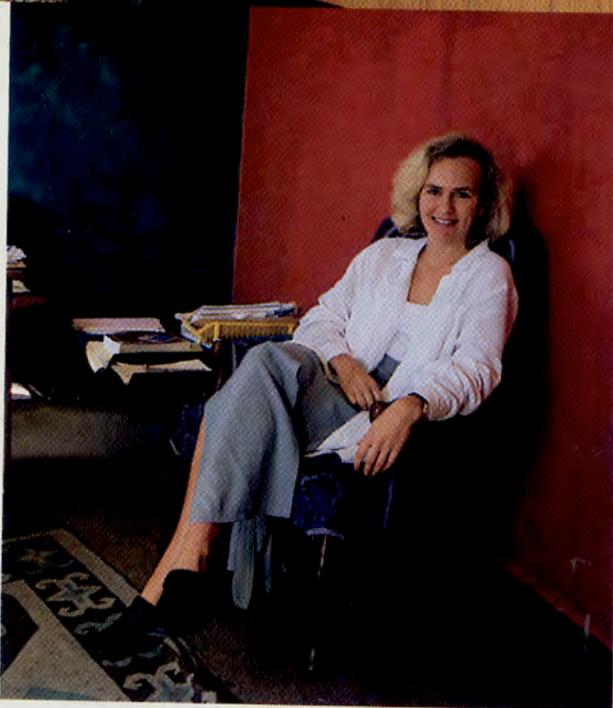
At night spots in Cape Town's centre, Japanese clients, who often pay thousands of rands a night, meet sex workers. At one of the clubs, I talk to Mamasan, a businesswoman who co-ordinates the contact between Japanese fishermen and local prostitutes. 'It will be a good thing if it's legal, if all the girls could be licensed and could go for regular medical check-ups so that everyone can know they are clean,' she says. Mamasan also believes there should be an age restriction – 'No under 18s. It's pathetic to see young girls – 14, 16, at school – coming into the business.'

Rumours are rife that prostitution is legal in Gauteng, but the truth, according to the province's safety council's deputy director-general, Mkhabela Sibeko, is that it's still illegal nationwide. He says the Gauteng government added its voice to the national debate late last year by proposing that prostitution be decriminalised and 'we are certainly influencing the direction of the debate'. Sibeko, who uses the politically-correct term, sex workers, says: 'We want to stop channelling police resources into looking for solicitors, so that police can concentrate on serious crime, things like car hijacking.' But Sibeko's against formal red-light zoning – 'Everyone should be free to operate where they choose,' he says.

However, not all in government share Sibeko's view. The Minister of Justice,



Clockwise from left: Puckering up in an escort agency; fast food and fast sex in a hotel room; Ilse Pauw from SWEAT.



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Dullah Omar, was caught off-guard a while back when a street prostitute unexpectedly turned up at an ANC meeting in Sea Point. Members of the audience wept as Salome, 36, mother of a seven-year-old boy, told of her abuse in children’s homes and begged for help to find a new job and support her son. Omar said Salome’s story had filled him with great sadness, but he told the audience ‘family values’ should come first in the ‘new South Africa’ and that because of his conservative background, he couldn’t support the legalisation of prostitution.

Three Pretoria women from an escort agency – a sex worker, the owner and the driver – are busy applying to the Constitutional Court to declare the Sexual Offences Act unconstitutional.

Workers Education and Advocacy Task Force, a support organisation for prostitutes in Salt River, Cape Town, will make a submission to support the challenge.

In line with the World Charter for Prostitutes’ Rights, SWEAT supports the decriminalisation of prostitution. SWEAT clinical psychologist, Ilse Pauw, a former journalist, is known as a compassionate, non-judgemental activist, and one often catches a glimpse of her rushing off somewhere. She’s a source of strength for many sex workers and through her mediation, has improved relations between street sex workers and police, especially in Goodwood and Sea Point.

Part of Ilse’s job is counselling HIV-positive sex workers (she describes HIV

infection as ‘one of the biggest occupational hazards’ of prostitution). She says HIV-positive sex workers will continue to operate illegally ‘because many have no other job to turn to. What we do is ensure they have enough information to have safe sex. We also suggest alternatives, for instance massaging.’ Ilse believes prostitutes, like anyone else, should not be subjected to compulsory tests, and going to the doctor or not should be up to them.

In Van Schoorsdrift park, the women still sell sex, despite the obstacles they face daily. Melany, once too scared to operate anywhere other than her safe zone for fear of being attacked by unknown clients, is now considering a change of scenery – maybe Woodstock ‘or moving to a different road nearby’.

The farmer’s secretary has a surprisingly enlightened point of view: ‘It would be great if this thing can be solved through talks. I think it should be legalised, regulated. It’s their trade, and was practised already in biblical times. Give them a place from which to operate where they won’t disturb families.’ □