Title:
Whore, mother, citizen?
The need for a re-definition of the citizenship of sex workers in Argentina

Degree Program: MA in Latin American Studies

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The Year of Studies: 2\textsuperscript{nd} Year
Submission Date: 30.05.2015
Pages: 66
Whore, mother, citizen?

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Photo Courtesy: Ammar Argentina.
ABSTRACT: In the subject of prostitution there has been a growing trend towards a sex work discourse, where the selling of sex and sexual services is regarded as a form of emotional and erotic labor. The discourse emerged in response to the self-organization of sex workers into labor unions and citizenship rights groups. In Argentina the first steps towards self-representation of sex workers’ interests were taken in the early 1990s. Gradually the sex workers’ social movement has grown into the labor union Ammar (La Asociación de Mujeres Meretrices de Argentina), which actively seeks recognition for sex workers’ economic rights, labor rights and social rights. Although the selling and buying of sexual services has been legal since the early 20th century prostitutes’ rights have been suppressed hitherto. In 2008 Argentina enacted the United Nation’s Convention to combat human trafficking, Palermo Protocol, as federal law 26.364. The law re-enforced the state’s abolitionist policies towards prostitution, which consequently further marginalized the sex workers' plight. Connecting their services with human trafficking schemes heightened the social stigmatization of sex workers. To contest the institutional violence and social discrimination Ammar presented a law proposal in 2013. The reform asks the state of Argentina to recognize sex work as a legitimate form of labor, thus insuring the sex workers’ labor and social rights. This paper contributes to the aforementioned sex work discourse by analyzing the self-agency of Argentine sex workers. Based on qualitative fieldwork studies I conducted in 2014 in Argentina and employing a feminist methodology my object is to study how sex workers’ counter hegemonic movement redefines their citizenship. To construct a theoretical framework for the case study I will utilize Giorgio Agamben’s paradigm of ‘state of exception’ and compliment Agamben’s shortcomings by advancing feminist- and queer theories, which have radically revaluated the concept of citizenship. The conclusion is that, even though Argentinian sex workers’ requirement for equal rights may be embryonic, it addresses an urgent inclusion of different kinds of sexualities and gender balances to the citizenship discourse.

Key words: Argentina, female sex work, female prostitution, Agamben, sexual citizenship, feminist theory, queer theory.
RESUMEN: En el tema de la prostitución, es cada vez más importante la tendencia hacia un discurso sobre el trabajo sexual, donde la venta de sexo y servicios sexuales se consideran como una forma de trabajo erótico y emocional. El discurso emergió como consecuencia de la organización de las trabajadoras sexuales dentro de sindicatos y grupos de derechos ciudadanos. En Argentina, los primeros pasos hacia la representación de los intereses de las trabajadoras sexuales, fueron a principios de la década de los 90. Gradualmente, el movimiento social de las trabajadoras sexuales ha crecido dentro del sindicato Ammar (Asociación de Mujereres Meretrices de Argentina) que activamente busca reconocimiento por los derechos económicos, laborales y sociales de las trabajadoras. Aunque la compra-venta de servicios sexuales es legal desde principios del siglo XX, los derechos de las prostitutas han sido reprimidos hasta ahora. En 2010, Argentina promulgó el Protocolo Palermo, como ley federal 26.364, en la Convención de las Naciones Unidas, para combatir el tráfico de humanos. La ley reafirmó las políticas encaminadas a la abolición de la prostitución, que sistemáticamente marginalizó la mala situación del colectivo. Relacionar sus servicios con el contexto del tráfico humano ha agudizado la estigmatización social de las trabajadoras sexuales. Para luchar contra la violencia institucional y la discriminación social, Ammar presentó un proyecto de ley el 2013. La reforma pide al Estado de Argentina que reconozca el trabajo sexual como una forma legítima de trabajo, asegurando así, los derechos laborales y sociales de las trabajadoras sexuales. Esta tesis contribuye al discurso mencionado anteriormente sobre el trabajo sexual, analizando la agnecia de las trabajadoras sexuales argentinas. Basado en estudios de campo cualitativos, llevado a cabo en 2014 en Argentina y utilizando metodología cualitativa y feminista, mi objetivo es estudiar como el movimiento contra-cultural de las trabajadoras sexuales redefine su ciudadanía. Para construir un marco teórico para el caso de estudio, voy a utilizar el paradigma de Giorgio Agamben sobre el “estado de excepción” y complementar sus aportaciones con teoría feminista, que ha reevaluado radicalmente el concepto de ciudadanía. La conclusión es que, aunque los requerimientos de las trabajadoras sexuales argentinas para la igualdad de derechos pueden ser incipientes, reclaman la urgente inclusión de diferentes tipos de sexualidad y articulación de género al discurso de ciudadanía.

Palabras clave: Argentina, trabajo sexual femenino, prostitución femenina, Agamben, ciudadanía sexual, teoría feminista, teoría queer.
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**Abbreviations**

**Ammar** - La Asociación de Mujeres Meretrices de Argentina (The female sex workers' association of Argentina)

**CABA** – Ciudad Autónoma de Buenos Aires (The capital area of Buenos Aires)

**CEPOC** - Centro de Estudios en Política Criminal y Derechos Humanos Argentina (Center for Studies in Criminal Policy and Human Rights)

**CEDAW** - Convention on the Elimination of all Forms of Discrimination Against Women

**CONICET** - Consejo Nacional de Investigaciones Científicas y Técnicas (National Scientific and Technical Research Council of Argentina)

**CTA** - Central de Trabajadores de Argentina (The Argentine Workers' Center)

**FPV** - Frente para la Victoria (Front for Victory, Political party in Argentina)

**IIEG** - Instituto Interdisciplinario de Estudios de Género (Institute of Gender Studies)

**IIGG** - Instituto Gino Germani (Institute Gino Germani)

**IOM** – International Organisation of Migration

**LGBT** - Lesbian, Gay, Bisexual, and Transgender Rights

**INECIP** - Instituto de Estudios Comparados en Ciencias Penales y Sociales (The Institute for Comparative Studies in Criminal and Social Policies)

**NGO** – Non-Governmental Organization

**ONCHR** - Office of the United Nations High Commissioner for Human Rights


**RedTraSex** – Red de Mujeres Trabajadoras Sexuales de Latinoamérica y el Caribe (The Latin American and Caribbean Female Sex Workers Network)

**UBA** – Universidad de Buenos Aires (University of Buenos Aires)

**UNODC** - United Nations Office on Drugs and Crime
I. Introduction

1.1 Rationale

Over the last two decades in Argentina there has been a robust social mobilization of sex workers. In the absence of adequate social, labor, and economic rights, Argentine sex workers founded an organization called Ammar (Asociación de Mujereres Meretrices de Argentina¹), through which the sex workers began campaigning for their equal citizenship status (Hardy 2010: 95). In 2008 the marginalization of the sex workers increased further, as a law reform fighting against the trafficking of women was adopted by the state of Argentina. What preceded the reform was that in the early 2000’s cases of human trafficking for sexual exploitation and the disappearances of young girls in the rural provinces of the country had garnered a significant amount of media attention. Campaigns against "trafficking in women" gained a growing amount of support in Argentina and subsequently, a social composition to combat human trafficking for sexual exploitation was put into action². Together, feminist- and anti-trafficking activists and organizations as well as governmental and international actors participated in the drafting of the federal law 26.364 (2008), which followed the guidelines of the United Nation’s Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, known as the Palermo Protocol (2000) (Varela 2012: 36-7).

Along with the enactment of the Palermo Protocol a discussion was prompted concerning whether prostitution should be regulated as sex work, prohibited, penalized, or abolished. The selling and buying of sex has been legal in Argentina since 1921, but third party prostitution has been defined as criminal act (Morcillo 2014b: 16). In Argentina the hegemonic discourse around prostitution has been abolitionist since the 1930’s (Daich 2012: 71). The abolitionist approach is grounded in the argument that legalized or regulated prostitution provides a breeding ground upon which the traffickers can operate. Hence, policies taken to eradicate sex trafficking end up targeting sex workers, thus push them into the clandestine territories of the society.

¹Literal translation: The female sex workers’ association of Argentina
²The most famous incident was the disappearance of Marita Verón in 2002, which triggered a nation-wide campaign and plight against trafficking of women (Varela 2012: 52).
When the Argentinian state committed itself to the eradication of human trafficking in 2008, it further reinforced its abolitionist position on prostitution. Sex workers experienced increased institutional violence, especially at the hands of the police and the suppression of their socio-economic and civil rights (Varela 2012). As a counter-act, the female sex workers’ labor union, Ammar, presented a law reform to the congress of Argentina. The law amendment, proposed in 2013, recognizes autonomous sex work as a form of labor like any other. It is to guarantee better social and economic security for the women working in the sex industry and advance their vulnerable and marginalized position against the institutional violence (Ammar website³). This paper engages with Ammar’s formidable example of legal action and active social campaigning as a counter hegemonic movement from the global south. By rejecting the stigma of a victim or a delinquent, the sex workers have become active pursuers in search of acknowledgement, equal citizenship⁴ and a sense of belonging within Argentine society.

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³ www.ammar.org.ar

⁴ In this paper the term citizenship is not only about political rights in a democratic state (such as right to vote). It is understood as the binding element between the state and its citizens. It is about the membership to a political community that confers rights and responsibilities as a result of such membership and creates transparency and equality amongst all citizens. Thus, whenever referring to “redefinition of citizenship” I mean a process for more inclusive social, political and economic practices within the space of national territory. This shall be discussed in detail in chapter IV.
1.2. Objectives and research questions

The perpetual debate around the trafficking-prostitution nexus has done very little in terms of advancing the situation of sex workers. If we want to make the experience of sex workers more visible, the dominant discourse on prostitution needs to be reframed. In this new framework we begin by viewing sex workers as legitimate workers, rather than as moral reprobates. We address their labor rights and include their voice in the debate. In the context of Third World sex workers, we grant them the same degree of self-awareness, autonomy, and agency that is now taken as self-evident for Western women (Doezema 2002: 22).

My aim is to contribute to “the reframing of the discourse” by using the example of the sex workers’ upheaval in Argentina. This paper draws on six months of fieldwork experience in Argentina during 2014, and on the collected in-depth interviews, participant observations, and meetings with sex workers, members of Ammar, field experts and activists. Inspired by the observations made during the fieldwork, this essay aims to identify the urgent need for the inclusion of different kinds of sexualities and gender balances to the citizenship discourse, in Argentina as well as academia. As for theoretical framework, Giorgio Agamben’s paradigm ‘state of exception’ shall be used to articulate the problematic relationship between the state and the sex workers. Although the paradigm is apt to expose the dynamics between citizenship struggle and state sovereignty, it fails to take into consideration gender and sexuality as defining components for a citizen’s status. In order to augment such shortcomings I will utilize approaches developed by feminist and queer theories, which have radically revaluated the concept of citizenship.

The paper unfolds through two research questions. 1) What is the marginalized citizenship of Argentinian sex workers? 2) How are the sex workers redefining a citizenship that accepts plural sexual and gendered identities?
1.3. Structure of the paper

I begin by examining approaches to study the subject and explain the methodology employed in this paper and present the key authors whose works I have chosen to utilize in my analysis. I then, move on to broadly outlining some of the main developments of the prostitution discourse within feminist scholarship, linking the subject to the notion of citizenship. In the fourth chapter I define the conceptual framework of citizenship and how it has been and continues to be redefined. After the theoretical part I examine the notion of sexuality and gendered citizenship in Argentina and include a historical outlook on prostitution in the country. Finally, this paper proceeds to analyze the results of the fieldwork, and in the discussion chapter it examines the results in light of the theoretical framework. I conclude by showing how Ammar’s struggle to end discrimination against sex workers is on its way to transforming attitudes and contributing to ever more plural understandings of citizenship, sexualities and various gender roles.

1.4. Terminology

The language describing prostitution is essential to feminist scholarship. Abolitionists view the terminology as an important part of making harm visible, whereas sex workers’ rights advocates wish to reduce the victimization of sex workers through language (Jeffreys 2009: 8-9).

**Sex work** covers a wide range of sexual services from sexual intercourse to pornography, phone sex, and live sexual performance, to erotic dancing and other kinds of sexual acting (Varela & Daich 2014: 1). Without a doubt, the work differs widely depending on its form and whether practiced in streets, private spaces or online. However, this study makes no distinction between the different forms of sex work, although the literature and the fieldwork employed in this paper predominantly focuses on sex, sold in streets or private places (not on pornography for example). The term sex work, referring to emotional or erotic labor, became prominent within the sex work discourse (Gall 2007: 70; Morcillo 2014: 43). This is important for two reasons. First, by referring to themselves as **sex workers** instead of prostitutes, sex workers could claim their self-presentation and agency. For them sex work is selling
sexual services and not their bodies nor persons per se. Second, the word *work* implies entitlement to labor rights. Viewing sex work as 'a job like any other' gives sex workers a moral and legal validity to practice their profession (Gall 2007: 76) **Pro-sex activists and advocates**, who support regulated and legalized prostitution, favor the term sex work.

**Prostitution** is probably the most widely used term describing the exchange of money for sex. The word *prostitute*\(^5\) indicates an external act, which implies that someone else, usually a procurer, has prostituted (read forced) another person to offer sexual services. **Abolitionists** prefer the term prostitution, and they suggest the term "prostitutors" for the clients. Abolitionist Sheila Jeffreys (2009:8-9) argues that even when prostitution occurs without a third party, the prostitutor subjugates the prostitute. According to abolitionist logics a sex worker’s autonomous choice to sell sexual services does not exist. In fact, abolitionists consider all forms of prostitution to be sexual exploitation, and those who claim their consent to voluntarily perform "sex work" are mere victims of coercion or victims of their socio-economic situation (Barbich 2010: 61-64; Jeffreys 1997; 2009). Although abolitionists’ objective is to eradicate prostitution, they do not support the criminalization of sex workers, but aim to reduce prostitution through various means such as social campaigning and restrictive or semi-criminalizing \(^6\) laws (Barbich 2010: 61). The biggest difference between **abolitionists** and **prohibitionists** is that supporters of the latter wish to penalize both sex workers and clients. Prohibitionist politics was advocated in the early 20th century, but due to its antiquated ethics and severe violence towards prostitutes it has become a rejected policy (with some country exceptions) (Ibid: 59). Therefore, in this context prohibition shall not be discussed further.

Because this study advocates sex workers’ rights I intend to use the term sex work and -worker regarding the members of Ammar or when abstractly referring to any adult person who voluntarily

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\(^5\)“The word derives from Latin *prostitutio* meaning someone exposes something to be sold in public” (author’s translation from Spanish) (Barbich 2010: 23).

\(^6\)For instance the “Swedish model”, which criminalizes buying sex but decriminalizes selling sex is an example of abolitionist politics (Barbich 2010: 62). Others could include anti-trafficking laws and policies when they are applied to concern legal sex commerce as well.
chooses to practice sex work. Inevitably the term prostitution shall be used, since a large part of the existing literature refers to sex work as such. However, the automatic assumption here is not that all prostitutes are or that all prostitution is forced (the exception being cases of minors in prostitution, whom I consider forcefully prostituted). Any reference to forced prostitution shall be explicitly referred to as a matter of human trafficking for sexual exploitation. Trafficking for sexual exploitation shall be discussed in further detail in reference to the Palermo Protocol.

\footnote{The concept of “free choice” is complex in terms of structural constraint. Following Kate Hardy’s definition: free choice distinguishes sex workers from those prostitutes of working due to force, coercion, trafficking, threats, or deceit (2010:94).}
3.1. Selection of the case study

In addition to Argentina, sex workers’ movements are thriving in many places in the Global South (Kempadoo 1998; Hardy 2010: 89). For instance, the neighboring countries Uruguay and Brazil have witnessed sex workers’ resistance movements as well. The rationale for choosing the case of Argentina is first due to its role as forerunner in the region. In Latin America Ammar is the first de facto trade union for sex workers (Radu 2013). Their mobilization has been resilient for the past 20 years (Hardy 2010: 95). Recently Chile, Ecuador, Peru, Paraguay and Colombia began considering the possibility of incorporating Ammar’s legal model into their legislations (Roxana 2015). Second, in Argentina the policy making over sexual citizenship has been contradictory, to say at least. The state has sometimes advocated for sexual citizenship and other times dismissed it. In 2010 Argentina responded to the demands of LGBT activists and legalized gay-marriage (Encarnación: 2011: 104; Friedman 2009: 431). Another, groundbreaking law amendment for the Catholic country was its adaptation of the world’s most progressive transgender law in 2012⁸. Despite the triumphs of trans and gay-rights woman’s self-determination over her body is still limited; reproductive right for abortion remains criminalized and the state’s policy on prostitution is outdated. I will delve deeper into the topic of sexuality later in the paper, but the aforementioned observation was central in choosing the case country. Gay and transsexual's rights have been redefined as human rights, but what are women’s rights if not human rights? Particularly, in the context of the paper, what are the rights of sex workers if not human rights?

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⁸The gender-identity law allows people to change their names and sexes on official documents without an approval from a judge or doctor. Argentina is the only country in the world allowing people to change their official identities based merely on how they feel (Warren 2012).
3.2. Qualitative methods

This study draws from various disciplines, most notably from feminist, political and queer theory. Apart from being interdisciplinary this research is also exclusively based on qualitative methods. Since I am reporting about the lived experiences of sex workers, I considered the narrative texture of their accounts to be most naturally captured by qualitative methods, such as in-depth interviews.

All interviews conducted were semi-structured. Choosing this style usually allows for people to respond in a more personalized manner than a standardized style would permit. Yet it provides enough structure for comparability and analysis (May 2001: 135). In the interview situations I informed the interviewees about the topic of my study and asked them to present themselves and their work and/or activism in the field. Everyone was asked about the present situation (the polarization between the anti-trafficking activists and pro-sex workers’ rights activists), otherwise questions varied depending on the respondent and the flow of the conversation9.

In the meetings and discussion seminars my intent was to use a participant method approach. This method is comparable to the ethnographic studies in social anthropology (Ibid: 162). Taking on the role of an observer or more so a “fan”10 as May (2001: 172) likes to call it (in the meetings I was named as “la compañera Finlandesa”11) fundamentally enhanced my understanding of the lived experiences of the subjects.

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9 All interviews were held in Spanish (except for one, see annex) and all meetings and events were here in Spanish. The author has translated all material from Spanish to English.

10 “Fan” is a position of an observer who promotes or advocates the cause of the subject but stays passive in the participant meetings.

11 Translation: Finnish comrade.
3.3. Feminist Methodology

The choice of methodology for the research was apparent, since the object is to promote a cause of a marginalized group of women. In my opinion, it was imperative to study the subject through a gendered lens, to which feminist methodology provides the most suitable means. Feminist methodology is designed to contest the "malestream" research in academia, which has overgeneralized findings based on men's experiences and lacked in explaining the impact of gender in socio-economic and political relations. Further, it challenges the usage of language, which continues to construct hegemonic power hierarchies. For instance using 'man' or 'he' as a description of a person universalizes experiences to belong to men only (May 2001: 24). Tim May suggests that some of the basic considerations in feminist study should include how women's reproductive role has been manipulated in the organization of social life; women's marginalization in the public sphere; women's contribution to cultural, political and economic life; and how heterosexist norms have been constructed within society (Ibid: 25). The fundamental base in a feminist approach is to breakdown the dominant power structure in the discourse. As Claire Ramazanoglu points out: "[commitment to feminist methodology entails] asking what we mean by knowledge, and why some forms of knowledge are seen as more valid than others." (Quoted in May 2011:25).

A trap to be avoided in a feminist study is a generalization of women. Judith Butler (1988: 529) acknowledges that the categorization of women as a group is necessary in exposing the historical subjugation of female sex, but stresses that no universal experience of women exists. Post-colonial feminist Chandra Mohanty (2003) also warns about the dangers of stereotyping women especially in the context of third world women. The experience of the southern women (which is not one experience) should be addressed further by offering third world women a voice within the feminist realm, which has long been dominated by a voice from the West.

My aspiration is to avoid to universalize the experiences or draw overall conclusions but to expose the power structures that limit the sex workers’ rights to full citizenship. Acknowledging the post-
colonialist approach here, sex workers or “the third world women” are not portrayed as victims but as their own self-agents. As discussed earlier in the paper the way of using terminology is intended to empower the role of the subject.

For the purpose of analyzing the power relations in the discourse I consider the intersectional approach proposed by Nira Yuval-Davis (2006) advantageous. Intersectionality has equipped me with the necessary knowledge to accurately understand how discrimination is experienced on various levels by taking numerous social variables into account. Here the focus shall be on how variables such as social class, economic status, sexuality and gender contribute to a sex worker's citizenship. Inevitably, these identities or social groups are interconnected and ever fluid. Hence, they overlap and impact one's status differently in disparate dimensions of time and place (Ibid: 201). A highly detailed analysis of Intersectionality would require a different kind of research. This paper employs Yuval Davis’ methodology merely as a guideline.

3.4. Fieldwork

The fieldwork conducted took place in Argentina in the cities of Buenos Aires and Córdoba Capital between the months of June and December of 2014. During my three months stay in Córdoba Capital, I collected preliminary background information on the subject whilst working for a local NGO. Through my work I was connected to various grass root organizations, women's organizations, Ammar de Córdoba (the regional office of Ammar) and other associations working with sexually marginalized people (such as HIV-infected women). Additionally, Córdoba served as a base for me to establish connections to people in the field and review national discourse in media and in the public on prostitution. My overall experience in Córdoba served to enhance my knowledge of how poverty and gender combined both constitute deep hierocracies in every-day Argentine society.

In September I began my data collection in Buenos Aires, where I had established a contact with professor Deborah Daich at the University of Buenos Aires (IIEG). Daich is a revered member of the research community within the field, and through this connection I was able to establish ties to other
investigators and to the sex workers’ labor union, Ammar. I later approached anti-trafficking activists and NGOs on my own.

The fieldwork material consists of participant observations on public discussions, in-depth semi-structured interviews and personal meetings and email correspondence with members of Ammar and members of Argentinian congress. The rationale for contacting the interviewees was purely based on their (high) public visibility and their willingness to be interviewed. Since the topic is politicized and sensitive in its matter, all names of the interviewees have been kept anonymous and been reinvented for the purpose of this paper. For detailed figures in regards to the interviews, meetings and discussions see annexes in the end of the paper.

3.5. Delimitations

Firstly, all fieldwork data was collected in Buenos Aires and as such it only serves as a representative of the situation in general across the country. The experience of sex workers varies according to locations (for example some provinces are more conservative and have their own Codigos de Faltas and Codigos Contravencionales regulating prostitution) Ammar CTA, however, advocates for the movement nationally. The union’s headquarters are located in Buenos Aires, but it has several other branches around the country. Secondly, non-member sex workers have not been included in the fieldwork study, although Ammar advocates for all sex workers rights in Argentina. Additionally, a wider scope and more in-depth research would certainly develop the argument further and provide better results. Time has been the greatest restraint in this matter. To observe the developments of the movement would require a relatively long period of time. Also, because the issue is rather sensitive and highly political gaining the trust of people working in the field demands a long period of time. At

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12 Provincial codes that enable the abuse of sex workers at the hands of police (Hardy 2010: 94) In Argentina, in addition to federal law, provinces can have their own municipal laws. In the case of prostitution, some more conservative provinces, have adapted codes that criminalize “inappropriate public behavior”, thus making selling sex on the streets difficult (Varela 2012: 60).

13 CTA is an umbrella union federation. It is the strongest alternative labor union alliance in Argentina (Hardy 2010: 94).

14 Ammar is present in the provinces of Entre Ríos, Córdoba, Rio Negro, Jujuy, Salta, Mendoza, Buenos Aires, Santa Fe, and the Metropolitan city of Buenos Aires (Ammar website).
the outset of my fieldwork, I committed myself to studying only female sex work. Inclusion of transgender and male sex work would be speculative and would require a more complex theoretical analysis of sexuality. Although race, homosexuality and migrant status are significant determinants in societal belonging, this paper will not examine these in details. Instead, I will focus on how class, gender and sexuality\textsuperscript{15} impact one’s citizenship construction.

\textsuperscript{15} Here I refer to sexual acting; not orientation (homosexuality) or identity (transgender).
CHAPTER III. Reframing the Debate

In feminist theory the sex wars\textsuperscript{16} have left a legacy of a deeply polarized discourse amongst scholars. Roughly put, feminism has divided into two clusters: radicals and pro-sex feminists. Amongst them, prostitution has been one of the most heated topics of debate. Radical feminists perceive all prostitution as a practice of slavery, which subjugates women and female sexuality and re-enforces patriarchal dominance in society. For them “sexuality is at the root of all forms of gender inequality and sexual objectification is the key to women’s subjection. It is for this reason that prostitution is "an inherently asymmetrical’ institution, to be sharply distinguished from other bodily trades or, more generally, from other forms of wage labor.” (Bernstein 1999: 95-6). Julia O’Connell Davidson (1995) and Kathleen Barry argue that prostitution could never be a voluntary choice for any woman. Not only does Barry condemn the practice, but also the prostitute herself, stating that when prostituting, the woman not only subjugates herself but subjugates all women through her sexual practice (Kontula 2008: 19, 24). The pro-sex feminists, on the other hand consider prostitution a form of work, and some regard it as the ultimate emancipatory gesture of women in a patriarchal society (Hubbard 1991: 1).

With the emergence of human trafficking discourse radical feminists gained a new impetus to advocate for their cause (Doezema 2000). From the sex wars the hegemonic discussion on sex commerce became framed around the prostitution-trafficking nexus debate. Donna Hughes (2000; 2004a; 2004b) and Sheila Jeffreys (1997, 2009) have written extensively against the legalization of prostitution. They argue that legal prostitution and brothel keeping\textsuperscript{17} create a heightened demand for prostitutes and in order to meet this demand, the supply is attained through illegal trafficking. By

\textsuperscript{16} Sex wars were born in the 1970-80’s feminist discourse. The debates were related to issues of (female) sexuality and sexual activity. The debates have been described as wars due to the deep polarization that “felt like a war” (Kontula 2008).

\textsuperscript{17} It is important to note, that not all regulated prostitution equals legalizing brothel keeping. For example, in the Argentinian case sex can be sold and bought directly but not prosecuted through a third party (such as a service provider in a brothel). Ammar proposes a model where sex workers work independently or as in cooperatives with their colleagues but not through a third party.
regulating the business, collecting tax revenues from prostitution and normalizing the sex industry, states contribute to the sex trafficking industry.

The global concern about prostitution industry and trafficking is not a modern phenomenon. It has its historical precedent in the anti white-slavery campaigns that occurred in the beginning of the 20th century. Radical feminist activism has played a central role in both past and present day campaigns abolishing prostitution (Doezema 2002: 20-22). Along with the third wave of feminism18 sex workers’ rights activists and pressure groups started contesting the hegemonic discussion of prostitution (Gall 2007). Jo Doezema (2000; 2001; 2002; 2006), Elisabeth Bernstein (1999) and Kamala Kempadoo (1998) have critiqued abolitionists for victimizing all women and depicting them as vulnerable subjects without their own agency. Additionally postcolonial feminists have accused white-middle-class feminists of obsessing over the “the injured bodies of third world women”. From a postcolonialist perspective the global anti-trafficking campaign tends to marginalize third world women as helpless and voiceless objects, thus re-enforcing mainstream neocolonialist and Eurocentric feminism (Doezema 2001: 17). On their mission to eradicate human trafficking, western feminists have fostered anti-prostitution policies worldwide. The US, in particular, has adopted its role as “the global sheriff” to fight against modern day slavery. Accordingly, Jane Chuang writes how

neo-abolitionists have succeeded in characterizing trafficking as primarily about, if not limited to, prostitution (both “forced” and “voluntary”). Rather than a complex phenomenon driven by deep economic disparities between wealthy and poor communities and nations, and by inadequate labor and migration frameworks to manage their consequences, neo-abolitionism constructs trafficking as a moral or social problem driven by social deviance or entrenched male patriarchy. (2010: 1683)

In light of Chuang’s observation of human trafficking as a manifestation of unequal global politics, the new trend has been to disconnect the prostitution discourse from trafficking. Academia has slowly

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18 Third wave of feminism is continuity to the first and second waves of feminism. In short, the first one introduced women’s struggle over civil and citizenship rights (the suffrage movement); the second wave alleviated women’s rights in the economic and labor spheres. The third wave of feminism aims to represent different kinds of sexual, racial and non-western women’s identities in feminism (Krolokke 2005).
started catching up to the phenomena of sex workers’ global self-organization to promote their self-agency. Gregory Gall (2007)\textsuperscript{19} has studied the first wave of sex workers organizing in the West, which he describes as the third wave of labor workers unionizing. Kamala Kempadoo (1998) and Katy Hardy (2010) investigate the subject, focusing on labor mobilization in the Global South, Hardy specializing in Argentina. According to Hardy (2010: 89), “[alongside the] two first waves of sex worker organizing, a third appears to be emerging from countries in the Global South, which has largely been neglected in academic commentaries.” The authors situate sex workers as a part of a greater spectrum of working class laborers facing the challenges of capitalism. The abolitionists’ attitude towards sex workers is viewed futile due to its stigmatization of sex workers. Often sex workers’ self-esteem is compounded by relatively poor economic and social backgrounds. Thus, viewing their labor as immoral and degrading only subordinates their status quo. Gall (2007: 82) argues that as an objection to abolitionism the sex work discourse offers an increase in sex workers’ self-confidence and awareness of their rights and entitlements, which can provide a sense of societal belonging and community.

Prostitution in Argentina has been part of the global discourse since the early days of white slavery. Donna Guy has written extensively about the sex commerce that occurred between Europe and Argentina in the early 20\textsuperscript{th} century. Her book “Sex and Danger in Buenos Aires” (1991) is a detailed historical survey about the politics of regulating prostitution in Argentina, hence it will be cited as a historical reference in this paper. In the present day discussion abolitionism has dominated the forefront of the discourse. When conducting my research, I most often came across literature that connected trafficking in Argentina to prostitution. My observation was that not only was the discussion deeply polarized, the voice of anti-trafficking activism was much more prominent in popular publications\textsuperscript{20}.

\textsuperscript{19} The first wave of labor unionizing was named as blue collar (workers) and the second as white (professionals) collar unionizing. The third wave (erotic and sex workers) has been called “red collar unionizing” (Gall 2007:71).

\textsuperscript{20} See, for example, María Lourdes Molina (2010) and Isla M. de las Mercedes and Laura Demarco (2009) and Sonia Sánchez (2007) “Ninguna mujer nace para puta”.

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Santiago Morcillo, Deborah Daich and Cecilia Varela have tackled the task of representing the plight of sex workers in Argentina. Morcillo (2014) conducted an extensive empirical research in the cities of Buenos Aires, San Juan and Rosario examining an identity construction of sex workers as whores and/or mothers. Varela (2012; 2013; 2014) and Daich (2012) have studied the legal framework in post-Palermo protocol Argentina. Based on two years of anthropological fieldwork the investigations by Varela and Daich exposed the increased vulnerability of sex workers in the aftermath of the Palermo protocol. At present the scholars work alongside Ammar promoting sex workers’ social, legal and laboral recognition. The work of these aforementioned scholars has been influential in directing and cultivating insights for my research.

It is apparent that the current towards sex work discourse in academia is strong and as the literature expands, more niches are created. Consequently the dedicated scholars have succeeded in disconnecting sex work from the trafficking-prostitution nexus. Pro-sex activists and academics have contemplated labor violations and the marginalization experienced by sex workers as part of a larger capitalist dilemma. Since the emphasis of this paper is not on the labor movement per se, but rather on the process of redefining citizenship, the inclusion of some political and sexual theorists is imperative. Next, we shall move on to the theoretical discourse over citizenship.
CHAPTER IV. Conceptual Framework

4.1. Defining citizenship

What is citizenship, and to whom it belongs, are questions that have been contested over centuries. The process of redefining citizenship is in a perpetual state of transition as new groups emerge to challenge the existing hegemonic definitions of citizenship (Craske 2003: 34). In Argentina, sex workers are contesting the current model of citizenship by requesting legal recognition of their status. Through their request, sex workers are urging for an ever more inclusive and pluralized citizenship, which is more sensitized to different experiences in Argentine society.

I believe that sex workers in Argentina face three obstacles in their quest for full citizenship. Firstly, they face institutional violence from the state in the shape of continuous police arrests; their second obstacle is gender norms and their social position as women, while their third obstacle is sexual norms, which they contest by the open expression of their sexuality and sexual behavior. The theoretical framework I have chosen to use in order to analyze the case study consists of political, feminist and queer theory perspectives. I believe these three approaches (which are naturally not entirely separate and overlap in an important way) will help us tackle and understand the three obstacles faced by Argentine sex workers more clearly.

The academic discussion of the notion of citizenship in the aforementioned theoretical approaches is immensely ample and will not be covered in this paper in its entirety. For the purpose of the case study, I will first scrutinize the paradigm of 'the state of exception', coined by political theorist Giorgio Agamben (2005), which articulates the sovereign state’s usage of power and the dynamic between the citizen and the state in ways that are apt to describe the dynamic of oppression in the case study. I will then use writings from feminist and queer theorists, such as Judith Butler and Rubin Gayle, whose works are pertinent in politicizing the marginalization of Argentine sex workers. Feminist theory allows us to see how citizenship is gendered, whereas queer theory exposes sexual normativities that have created exclusionary strategies in defining citizenship.
4.2. Agambenian notions: citizenship, the state of exception and *homo sacer*

The reconstruction of the global order in the post-Second World War era gave birth to the modern idea of human rights and citizenship. New frontiers and the aftermath of the Holocaust left millions of people without state protection. The universal declaration of human rights (Geneva Convention 1948\(^{21}\)) was designed to safeguard a global and a local citizenship. In this context, human rights provide a framework for citizenship rights to be implemented inside a certain space – the modern state. As Hannah Arendt states, "human rights can only be recognized within a national polity and can only be realized alongside citizenship or membership within an established political community" (quoted in Lechte and Newman 2013: vii). Thus, citizenship rights are embedded in nation-states' sovereignty. Ironically, sovereignty itself has proven to be the principal drawback for the implementation of human rights – an irreconcilable tension lies between human rights and state sovereignty, since human rights implies a limitation to the state's absolute power (Ibid: vi-vii).

In the 21st century, the issues of citizens’ repression and stateless rights have become particularly relevant around the globe. For many scholars, Giorgio Agamben’s literature has served as a well-suited model for studying the current crises of human rights and the contradiction between citizenship rights and state sovereignty (Ibid; Amar 2014: 268). What Agamben claims is that modern states through the creation of exclusionary and inclusionary zones, granting some people citizenship and others not, manage to maintain their sovereign power to rule. Arendt’s notion is central to Agamben’s idea of citizenship – only by being part of public political life, collective affairs and the public community does one fully become human (Lechte and Newman 2013: viii).

In his book ‘Homo Sacer’ (1998), Agamben suggests that the defining characteristic of a sovereign state is the ability to create a *state of exception*, inhabited by *homo sacer*, man stripped of his humanity and citizenship, placed outside the law, and reduced to *bare life* (Eisenhammer 2014: 102). To demonstrate his theory, Agamben uses the Nazi state as an example. In Nazi Germany, Jews were

stripped of any citizen rights, reduced to a merely biological existence – to bare life, and were thus converted into homines sacri (Ibid). What is crucial in Agamben’s theory is that the space inside the state has been divided into two. First, we have the political terrain, in this example the state of Nazi Germany. People inhabiting that space are entitled to their citizenship and legal recognition. They are not mere human beings in a biological sense but political beings, members of the German state. The second space is the state of exception, in this case the concentration camps, inhabited by Jews deprived of their political rights, yet they remain under the rule of state authority (Ibid).

Homo sacer is a Latin term, which Agamben defines as a “person that is simply set outside human jurisdiction without being brought into the realm of divine law” and someone “who may be killed and yet not sacrificed” (Agamben quoted in Eisenhammer 2014:102). By its nature, homo sacer is exposed to violence, and if this violence occurs, neither a person nor the state needs to take responsibility for it. Being a recognized, “fully human” citizen inside the political terrain does not, however, guarantee state protection; rights can be taken away at any given moment (Lechte and Newman ix). It is here where the modern idea of human and citizenship rights are problematic. In principle the implementation of human rights is an ultimatum to include everyone inside the political space.

Agamben’s theory, however, is not without objection. His notion of absolute sovereignty, where exception becomes the rule, is troubling, since it leaves no space for negotiation (Amar 2014: 270). A common critique of Agamben’s work is that he neglects the possibility of resistance, in other words, he neglects an active agency of homo sacer (Amar 2014, Eisenhammer 2013). When considered in the light of subaltern citizenship, Agamben’s idea of a passive homo sacer is not so unequivocal. Bonaventura Santos (2005) and Nancy Fraser (2008) have postulated a discourse about citizenship from below. Around the world, counter-hegemonic movements are being created in order to reimagine and reconnect the legal system, politics and key institutions ‘from below’. Although subaltern citizenship does not center on the technical question of citizenship, it creates a demand for
the recognition of difference, contesting a history of sameness in the citizenship debate (Pandey 2006).

Further, it has been argued that the lack of gender in Agamben’s analysis makes his theory defective since the composition of citizenship is a lot more complex than just a notion of political rights or deprivation – "gender, class, sexuality and race are formations of rule and subjectivity that constitute critically important and essentially differentiated political bodies and authorities, even, or especially, in the most authoritarian or repressive regimes where bodies are targeted for violence, detention and degradation.” (Amar 2014: 268-9) Determinants, which dehumanize a woman, differ from those that dehumanize a man. Moreover, the manner in which men and women respond to being dehumanized is not identical. "Indeed, if bare life is understood as the reduction to purely biological parts, the difference of sex is one of the few distinctions that remains". (Eisenhammer 2013:107-8).

4.3. Citizenship through feminist and queer theory perspectives

Gender and sexual partialities do, indeed, have a significant impact on one’s inclusion and/or exclusion in society. Feminist theory has pointed out that the implementation of full citizenship amongst all members has been neglected by states and that rights and responsibilities have especially been denied in regards to women. This gendered exclusion from citizenship is linked to the division between public and private spheres, which identify men’s roles as being in the public sphere of politics and paid employment, and women’s roles as located in the private sphere of home care and child-rearing (Meer & Sever 2004: 17; Barton 1997:156). Not only has this division impacted women’s ability to act as political agents, it has affected the creation of sexual citizenship. Women’s sexuality has been tied to private space, thus to their reproductive role as mothers, whereas male sexuality has been connected to public space and active virility (Chant & Craske 2003: 132-3). Simply put, this dichotomy has facilitated unequal rights between men and women, such as the criminalization of abortion and unequal marriage laws.
Sex as a vital source of power has been a popular explanation for the existing hierarchies in society. The radical strand of feminist theory (recall the sex wars) views sexual citizenship as closely connected with gender inequality and hierarchy in society. From a radical approach, the act of sex is not only problematic because it reflects women’s subordinate positions, but also because it reproduces it. As Catherine MacKinnon writes, “sexuality is the dynamic of control by which male dominance – in forms that range from intimate to institutional, from a look to a rape – eroticizes and thus defines man and woman, gender identity and sexual pleasure.” (1989: 137) She continues coarsely stating that: "Man fucks woman; subject verb object" (Ibid: 124). A prostitute’s citizenship in this radical feminist realm is troubling because women are always seen as objects of sexual subordination.

Sex-positive feminists, on the other hand, have opposed this narrow view of female sexuality and assert that women's exercise of their sexuality can be liberating, resistance to hegemonic gender norms and most importantly, a valuable source of women's pleasure (Gayle 1984, Kontula 2008: 29-31). Since radical feminist theory focuses merely on gendered repression, sex-positive feminism began to study sexuality as a separate element of gender, which then resulted in the emergence of queer theory.

Queer theory has managed to reveal the heteronormative and hierarchical power structures maintained in society. Differentiating from feminist theory, queer theory does not see female sexuality automatically suppressed. Queer theorists, such as Judith Butler, explicitly avoid the stereotyping of women. The experience of being a woman and a sexual woman is not universal (Butler 1988). The central question in queer theory is how we perceive sexuality, how we normalize and denormalize certain kinds of sexual behaviors, and what the impact of that process is on people’s inclusion and exclusion in society. Queer theory scrutinizes the marginalization of sexual minorities.

We can roughly categorize discrimination according to three bases: sexual identity (alternative gender identities), sexual orientation (alternative sexualities), and sexual behavior. The latter lens of sexual
behavior is the most useful one for the case study, since sex workers have been stigmatized on the basis of their sexual activity, and therefore targeted by police arrests around the world. As Rubin Gayle, an influential sex theorist, accurately points out: "Sex law is the most adamantine instrument of sexual stratification and erotic persecution. The state routinely intervenes in sexual behavior at a level that would not be tolerated in other areas of social life... [The legal persecution of sex workers] is justified by an elaborate ideology which classifies [sex workers] as dangerous and inferior undesirables who are not entitled to be left in peace." (Gayle 1984: 18-19)

Below is Gayle’s famous “Charmed Circle” (1984: 153), which effectively demonstrates the division into normal and abnormal sexual identities, acts and orientations. If we situate a female sex worker in this circle, she will most likely fall on the outer margins of the scale. The more an identity fits within the circle, the more included it is in society, and vice versa – the more one falls on the outside, the more he or she is excluded. Since citizenship centers on membership and belonging, these normatives become highly important factors to the notion of citizenship.
4.4 Concluding the theories

Observing the notion of citizenship in relation to the theoretical perspectives discussed above, we can see one similarity: they all place emphasis on the politics of exclusion. However, the how and why of this exclusion occurs through different means and reasons. According to Agamben, the state creates a state of exception in order to maintain its sovereign, indisputable authority. What this theory lacks is the view from below, from the position of homo sacer and his bare life. Agamben simplifies how power is distributed in society. Subaltern citizenship challenges this arbitrary powerhouse of the state. Further, the feminist approach illuminates why and how gender and sexuality play into the exclusion from full citizenship. Despite some revealing observations, classic feminist theory has failed to study the full diversity of sexual citizenship. Through queer theory, we can approach sexual citizenship from a plural point of view, and separately from gender. Of course, sexuality, gender and politics conflate with each other and together they establish even more complex forms of oppression.

Feminist theorists have managed to re-theorize sex and gender as social constructions and as outcomes of social disciplinary practices. Such theoretical framework is, however, far from reality, particularly in Latin America, where the definition and division of male and female sexuality and its role in society remains somewhat adamant (Chant & Craske 2003: 128-130). To fully comprehend the marginalization of sex workers in Argentina, one must look beyond the theory and also observe the local historical and cultural context in terms of gender and sexuality. The process of sexing and gendering citizenship in the context of Argentina will be discussed in the following chapter.
CHAPTER V: Context – the Case of Argentina

5.1. Private and public citizenship

Traditionally, women have been viewed as the bearers of an authenticated culture. The idea of women as ‘mothers of a nation’ has resulted in the idea that women’s honor is the reflection of a nation itself. Therefore, the control over women’s sexual behavior and sexual rights operates as a significant landmark, not only to control social order, but also to maintain morality (Crawley 2000:18).

The contemporary articulation of sexuality in Argentina is in strong continuity with the country's colonial history. In his study about race and sex in colonial Latin America, anthropologist Peter Wade observes how Iberian cultures placed a tremendous amount of emphasis on the notions of honor, shame, and sexual reputation and integrity. In the new world, men of European descent created a sex and race-based social order, where honor was a concept attached to white men only, thus marking their superior economic, political and social positioning (Wade 2009: 62). Non-European men and women were the lower class of society, considered primitive and savage-like, and therefore naturally lascivious and lustful in their sexual behavior. Middle- and upper-class women, on the other hand, were sexually restricted subjects. Their sexuality was tied to reproductive performance, morality and chastity (Ibid: 132-3).

In addition to colonial heritage, the Catholic Church has shaped sexual representations significantly in Argentina, as in the rest of Latin America. The value of the family unit is a core value to Catholic belief, and therefore tremendous emphasis is placed on gendered roles and heteronormativity. Marianismo, a practice that represents women as la Virgen María (Virgin Mary), has idealised femininity and limited women’s sexual expressions. Catholic references such as ‘madrecita santa’, ‘el sagrado deber de ser madre’ and ‘la mujer sufrida y sacrificada’ make it difficult for women not to see motherhood as destined (Chant & Craske 2003: 9, 135). Consequently, their sexuality is tied to the domestic, private sphere and most importantly, to their reproductive tasks. In other words, a respectable woman

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22 Translation: Holy little mother; the sacred duty of being a mother; the suffering and self-sacrificing mother.
is passive, virtuous and abstinent (in pre-marital relations). The household (the private sphere of society) remains as an arena, which creates gendered familial ideologies and facilitates women’s sexual subordination (Ibid: 144).

The contrast to the image of la Virgen María is the image of la puta (the whore). The whore represents corrupted morality and publicly sinful sexuality. Hereby, female sexuality is divided into two constellations – virgins and whores. Male sexuality, on the other hand, takes on duality of forms. The sexual relations men have with their wives and the mothers of their children is sexually conservative but emotionally charged, whereas the sexual intercourse men have with “whores” (as in prostitutes) is carnal and absent of any sentiment (ibid: 135). This dichotomy of female sexuality not only subordinates women but also makes the marginalization of women who publicly expose their sexuality acceptable. The Catholic Church has presented the wife or the mother as the reproductive object and the prostitute as the recreational object. The imagery of these two is so strong that the biggest insult in Latin cultures is referring to a man’s mother as a whore – “el hijo de puta” (Ibid).

Studies on working women in Argentina and Latin America have demonstrated that women have difficulties in integrating their work roles and those linked to the traditional family (Morcillo 2014b: 22). For women working in prostitution the duality of identities is even harder to amend. In his ethnographic study, Santiago Morcillo observes that for women working in prostitution intertwining the role of mother and the role of sex worker was difficult because the stigma deriving from commercial sex further complicated the idealized motherhood (Ibid). The same notion transpired from my fieldwork as well: sex workers were critiqued as bad mothers due to their sexual and ‘immoral’ behavior, not because of their ability to take care of their children.
5.2. Building Argentina: women and citizenship

In Argentina, the process of nationalization saw gender segregation as a fundamental framework retaining the class structure of society. While women were the bearers of authenticity and honor, men took on their roles as protectors of the nation. Essentially, this meant that men protected women's sexuality (Wade 2009: 131). Because women’s social and economic casting was so strongly linked to the nation and family, anyone who existed outside the normative structure was considered an immediate threat to the nation (Guy 1991: 2-3). Prostitutes presented such threats. Donna Guy provides an example of such politics:

Prostitution ordinances reaffirmed this view because they removed civil and hence patriotic rights from women who sold sexual favors in the public arena. And by interlinking improper female labor with cash wages, politicians declared that lower class women were as dangerous as prostitutes to the imagined Argentine national community. After all, according to the 1871 civil code, the role of good women was to marry and bear future generations. Mothers ... were to obey the male patriarch who would select their occupations, thereby linking the family to class and ultimately, through birth to nation... **Through prostitution ordinances the councilmen were merely classifying the permanents of family and citizenship** (Guy 1991: 3, emphasis added).

In post-colonial Argentina, the upper and middle classes were considered the maintainers of chastity and moral behavior, whereas lower class women and men were considered immoral and sinful. The middle class role, specifically in regards to women’s duty, was to protect moral and upright behavior. Nevertheless, in comparison to other countries in the region, women's political participation has been relatively active in Argentina. Throughout the 20th and 21st centuries, women's social movements have enhanced the redefinition of citizenship in social, political and economic stands23 (Craske 2003: 41; Maier & Lebon, 2010: 3). However, because the point of this chapter is to understand how

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23 Argentina was one of the first countries in Latin America to give women suffrage (1947) and has progressive quota laws. Hence, it ranks high in a global scale, having a high proportion of female legislators in the government (Craske 2013: 41). Furthermore, Argentina has committed to the most important international agreements (such as CEDAW) for equalizing women’s economic, social and political citizenship (Chant & Craske 2003).
marginalization exists due to a certain kind of sexual and gendered oppression, it is important to note that the role designated for women in the Argentine public has been rather limited. The 20th century politicization of motherhood idealized the representation of women. Motherly and wifely duties outside women’s private spheres were acceptable only when women deployed themselves for altruistic or national causes\textsuperscript{24}. Peronismo, the dominant political ideology in Argentina, is rooted in the values of the traditional nuclear family. The national, patriarchal rhetoric is marked in the words of Eva Perón, who once called herself: “the loyal wife of the great leader and mother of the great Peronist nation” (Molyneux 2001: 169). The division of female sexuality into two opposing extremes could be seen as a norm of governing all women in the modern state of Argentina.

To conclude, the public role of women has often been a mere extension of their role in the private sphere, re-establishing the imaginary of women as mothers (or mothers of the nation). Women who rejected their designated roles have been considered a threat to the national social order. Because women’s sexuality has been tied to national honor, prostitution has been seen as tarnishing female sexuality and the nation’s purity as a whole. The social marginalization of sex workers in current-day Argentina is the result of a nationalist and Catholic value system that is embedded in Argentine society. By demanding their legal recognition, Argentinian sex workers are resisting the hegemonic cultural, sexual and gendered conceptions connected to women. Next, we take a closer look at prostitution in Argentina.

\textsuperscript{24} A famous example is the rebellion of Madres de Plaza de Mayo (Mothers of the Plaza de Mayo), in which mothers of the disappeared children demanded justice from the military government during the Argentinian dictatorship in the Dirty War of 1977.
5.3. *Trata de Blancas* – White slavery and the idea of prostitution

Today’s discourse on prostitution in Argentina is influenced by the legacy of early 20th century politics of prostitution. 'White slavery', or *trata de blancas*, refers to the abduction and transport of European women for prostitution within Europe and/or the Americas. Likewise today, the issue emerged in public discourse and was widely covered in newspapers. Horrific stories about kidnappings of European girls taken to foreign lands and locked up in brothels spread around Europe. Indeed, human trafficking did occur in the early days of 20th century but historians have stated that the magnitude of white slavery was vastly exaggerated. For decades hitherto European feminists and abolitionists had pushed for legal measures to eradicate prostitution. Hence, the emergence of the white slavery discourse served as an adequate platform for anti-prostitution campaigns. Before the First World War, abolitionists achieved an increased regulation of prostitution and explicit condemnation of trafficking, which led to the assembly of international organizations and diplomatic negotiations to combat white slavery. In 1922, the League of Nations appointed an international anti-trafficking committee (Jeffrey 1997:12).

At the time, Buenos Aires had a terrible international reputation as the capital of sin. In Europe, the city was described as the new *El Dorado*, a port of missing European virgins, who unwillingly had to sell their bodies and dance the tango. As Guy (1991: 5) describes, “the very name of Buenos Aires caused many a European to shudder.” At the turn of the century, Argentina became one of the great immigrant nations of the modern world; between 1869 and 1930 it welcomed more immigrants in comparison to its native population than any other modern state (Archetti 2007: 214). The heightened

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25 A Spanish word for 19th century sex trafficking, literally meaning “trade of whites”. The term is wildly used even in today’s Argentina, referring to current-day sex trafficking.

26 Abolitionists’ victory was the enactment of the Contagious Diseases Act in 1864, which controlled prostitution by allowing the police to arrest prostitutes for compulsory checks for venereal diseases. The law was repealed in 1886.

demand for (male) labor permanently shaped the demographics of Argentina (Kent 2006:313). Especially in the city of Buenos Aires, European migration fluxes led to a decreased proportion of women in society. The gender imbalance in demographics, together with the modern urban setting, created prosperous conditions for the growth of sexual commerce; places for sexual excitement such as cabarets and brothels became popular (Archetti 1007: 215). In 1921 Argentina, prostitution and brothel keeping were legalized (Morcillo 2014b: 16). In the late 1930s, the country started adopting more abolitionist lines (prohibition of brothels) as a result of the conservatives’ moral panic over deviant and overtly sexualized behavior (Daich 2012: 71). In the fear of losing social order, prostitution became more strictly regulated. The Venereal Disease Act (implying the medical control of prostitutes), and other procedures for the state to control its citizens mainly targeted the free movement of women (Guy 1991). Much like everywhere else in the world, abolitionists aspired to rescue innocent women and girls from depravity. In the case of fallen women, it was society that needed protecting from their immorality (Doezema 2002: 22).

5.4. What is Palermo Protocol?

Since the 1930’s, abolitionist politics in Argentina have followed the international current concerning the eradication of prostitution (Daich 2012) (recall chapter III on global feminist politics of prostitution). In the end of the 2000’s, Argentina signed the agreement on Palermo Protocol (2000), which is a United Nation’s Protocol to Suppress, Prevent and Punish Trafficking in Persons, Especially Women and Children (2000) (The Trafficking Protocol) (UNDOC29). It is viewed as the world’s most recognized legal instrument to combat human trafficking30, and is in continuity with its predecessor, the 1949 UN Convention31. Negotiations for the Protocol began two years prior to Palermo, and in the process of the Palermo Protocol ratification, the feminist lobby-movement split into two camps due to

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28 At the time, Argentina practiced an immigration policy which allowed predominantly men, and very few women, to come to work in the country for seasonal labor (Bertola 2012)
29 http://www.unodc.org/unodc/treaties/CTOC/#Fulltext
30 CATW (http://www.catwinternational.org/WhoWeAre)
a debate about how to define **trafficking** and **prostitution**. One of the facets, led by the Coalition Against Trafficking in Women (CATW), wanted to define prostitution *per se* as a form of sexual slavery. The abolitionists "considered all forms of prostitution to be a violation of women's human rights" (Doezema 2002: 20). The group insisted the definition of trafficking to include all settings in which a person both consented to travel and complied to exercise sexual services, even when no force or deception was involved. This approach presumes that woman's consent is always meaningless and trafficking in women is comparable to the definition of trafficking in children (Ibid: 21).

The other cluster, led by an organization called the Human Rights Caucus\(^{32}\), consisted of sex workers' rights activists. They viewed voluntary prostitution as legitimate labor and sought to differentiate the terms between prostitution and human trafficking for sexual exploitation. The alliance led by the Human Rights Caucus was worried about how the legal instruments would impact the lives of sex workers. Historically, anti-trafficking measures had been employed against sex workers and immigrants\(^{33}\). Instead of assuring prostitutes' safety or protecting victims of forced prostitution, the police had been repeatedly reported to limit young women's migration through means such as the confiscation of migrant women's passports and arrests of "suspected victims of trafficking" for prostitution (Ibid; Ditmore 2006: 688).

> Obviously, by definition, no one consents to abduction or forced labor, but an adult woman is able to consent to engage in an illicit activity (such as prostitution, where this is illegal or illegal for migrants). If no one is forcing her to engage in such an activity, then trafficking does not exist... The Protocol should distinguish between adults, especially women, and children. It should also avoid adopting a patronizing stance that reduces women to the level of children, in the name of 'protecting' women. Such a stance historically has 'protected' women from the ability to exercise their rights (Human Rights Caucus quoted in Doezema 2000: 21).

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\(^{32}\) An alliance which consisted of various anti-trafficking and pro-sex workers' rights NGOs and activists. International Human Rights Law Group (IHRLG) and The Global Alliance Against Traffic in Women (GAATW) took the leading role in the group (Ditmore 2006: 688).

\(^{33}\) Recall health check-ups implied by the Venereal Disease Act and the control over young women's free movement to limit trafficking.
Doezema (2002:24) argues that there is a lesson to be learned from history, and it is that “increased state power to repress prostitution ends up being used against prostitutes themselves”. The final definition of trafficking in the Protocol includes force or coercion as an essential element of trafficking. Thus, the international definition of trafficking has advanced from the strictly abolitionist stance from the 1949 Convention, and recognizes the difference between voluntary and forced prostitution. The final interpretation of the Protocol, however, is left for states to decide. Although the regulation of prostitution depends on the state’s labor standards, the Protocol offers very little in terms of human rights protection. “If the Protocol leaves the way free for governments to treat sex work as labour, it also in no way prevents governments from persecuting, criminalising, and denying equal protection of the law to sex workers in the name of fighting ‘trafficking’” (Ibid: 24). This is precisely what happened in Argentina – legitimized sex workers became victims of persecution in the name of ‘la lucha contra la trata’.

5.5. Argentinian federal law 26.364

Contrary to the case of drafting the Palermo Protocol, in the Argentinian process of enacting law 26.364, there were no two opposite lobby groups negotiating the outcome. Instead, sex workers’ rights advocates had no partaking whatsoever; the law only conformed to the policies abolitionists had been promoting for decades. The law was heavily supported by not only international abolitionist groups, but also by the Unites States, which, as we have learned earlier, has acted as a global sheriff abolishing prostitution in the name of the eradication of trafficking for sexual exploitation. It was in 2007 when Argentina became classified as a significant source, transit and destination country for human trafficking (US Report 2007; Varela 2012). What was left for individual states to decide, according to the Protocol, was the definition of a victim of trafficking. In the Argentinian case, the article 10 in law 26.364 defines victims as persons in a vulnerable situation. We shall discuss the implementation of the term in the next chapter. But for now, as one can imagine, the situation of vulnerability is so ample

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34 An expression used in Argentina meaning ‘the fight against human trafficking for sexual exploitation’.
that it leaves the interpretation fully to the authorities, risking to become completely arbitrary. What is more, the penal codes 127 and 145\textsuperscript{36} for the law 26.364 enable the criminalization of sex workers whenever they are working in pairs or in groups. The partner becomes the trafficker just by his or her status as a colleague (in this case it mostly refers to women: this is also discussed in the next chapter further) (Varela 2012: 58). The commitment of the Argentinian state to the eradication of human trafficking of any sort or forced prostitution is an unquestionably noble goal. However, the laws, which can be arbitrarily interpreted by the institutional authorities, in this case the police, often become mechanisms for increased corruption and end up violating the rights of the sex workers.

5.6. Conclusion

This chapter has outlined the general developments of the articulation of sexuality in Argentinian culture, as well as its historical background. Without a doubt, the arguments exposed are mere generalizations, however, the historical and cultural traces help us understand the hegemonic presentation of sexuality and the division between private and public in the Argentinean political space. The observations have been, first, that the construction of sexual norms has indeed been employed to build social order. In a societal construct, that situates women and the working class at the bottom of the hierarchy. It is inevitable that women working in prostitution become the most oppressed. What pushes them to the lowest level is their gender, class and sexuality. Secondly, abolitionist feminist campaigns have, since the era of white slavery, been running "rescuing operations of prostitutes". They have been justified through public health control and through the furthering of the idea that prostitutes are always victims of trafficking. Finally, particularly in the 21\textsuperscript{st} century, the fight against trafficking for sexual exploitation has pushed abolitionist measures to a new level everywhere in the world. In Argentina, abolitionist policies became reinforced with the adoption of the Palermo Protocol, which restricted the regulation of prostitution. Next, bearing in mind the theoretical conceptions and general historical and political developments concerning prostitution in Argentina,

we delve into scrutinizing the case of Argentinian sex workers and their current situation in the country.
CHAPTER VI. Fieldwork Analysis

6.1. Sex worker’s movement in Argentina

Until now, this paper has provided a theoretical and context-based framework to conceptualize the articulation of sexual citizenship in Argentina. We have also taken a brief look at the legal and historical outlook of the situation of prostitution in the country. This has given us a general idea about the base for the marginalization of sex workers. At this point of the paper the focus will shift toward scrutinizing how the marginalization is experienced and executed in present terms. Moreover, the paper will discuss what Ammar, the sex workers’ union is doing to contest sex worker’s marginalization. Before studying the fieldwork material, a brief introduction of Ammar’s history and work is in order. In the analysis part I refer to my interviewees from the fieldwork. All the names have been changed and a detailed summary of the interviewees, time and place can be found in the annex at the end of the paper.

Despite the end of the Argentinian dictatorship in 1983 with the fall of the military junta, institutional cruelty against sex workers continued at full pace (Hardy 2010: 94). Police harassed sex workers, subjecting them to regular bribes and illicit arrests by using local provincial codes to detain women for up to thirty days. In the begging of the 1990s, in Buenos Aires, sex workers started organizing themselves to revolt against the police’s arbitrary maneuver. Ammar, the female sex workers’ association of Argentina (la Asociación de Mujeres Meretrices de la Argentina) was founded in 1994. Later, through a rocky path Ammar became a union member of the CTA, (Central de Trabajadores Argentinos) the Argentine Workers’ Center. CTA is the largest alternative umbrella union for workers’ associations. In 2007 Ammar was legally recognized as a non-profit organization and gained the status of Personería Jurídica37 (Hardy 2010: 94-96). Today around 6,000 sex workers from ten different provinces have registered as members of Ammar (all affiliates are over eighteen years old and work on the streets or in private houses independently and of their own free will) (Ammar).

37 In English: a legal status; a right to appeal in front of law.
Although Ammar’s initial goal was simply to repeal against the arrests and twenty-four hour detentions, their demands since inception in 1994 have expanded to include putting an end to institutional violence, and discrimination to their social, legal and labor rights. Ammar has actively contested the Argentinian state for turning a blind eye to numerous homicides of sex workers. Many of the sex workers’ murders or disappearances have been left unresolved. For instance, in the 2000’s thirty-two sex workers were murdered in La Plata (a sea-side city in the province of Buenos Aires) and none of these cases were solved nor gained public attention (Ibid: 99) The face of the ignored homicides includes the death of Sandra Cabrera, who was a militant activist, a member of Ammar and a sex worker in the city of Rosario (Ammar website: 9 años del crimen de Sandra Cabrera). In 2004, the year when Cabrera was murdered, nine thousand people marched in a public demonstration to demand justice for Cabrere. History was made in 2008 when Carlos Garcia was the first person ever to be convicted for the murder of a sex worker in Argentina (Hardy 2010: 100).

CTA has been a significant partner and supporter of Ammar and its plight against injustices. By becoming a member of an umbrella labor union, sex workers have gained public visibility and have identified themselves as part of the working class in general (under the same union function associations as nurses, miners etc.). CTA has supported Ammar in the creation of social and political networks and enhanced Ammar’s legal struggle through institutional support as well as the added public respect and recognition that Ammar has gained as a member of CTA. As a practical example police receive a formal call from CTA whenever a member of Ammar has been illegally arrested (Ibid: 100-4).
6.2. Institutional violence

In 2008 Argentina enacted the United Nation’s Convention to combat human trafficking, Palermo Protocol, as federal law 26.364. The law re-enforced the state’s abolitionist policies towards prostitution, which consequently drove sex workers into more clandestine territories to practice their business. The police began closing whiskerias and cabarets. Massage parlors became targets for police raids and were shut down. Authorities would do this on the grounds of missing fire exit signposts and such.

Though the trafficking law (penal code 127 and 145) Argentine police gained increased authority to harass sex workers, arrests them, and confiscate their possessions under the suspicion of their connection to human trafficking. In arresting “traffickers” older sex workers became the major targets. Having fewer customers, they traditionally moved on to handle administrative tasks for their younger colleagues. These women became prosecuted as the ‘traffickers’. Some provinces adapted far harsher policies than others, enacting their Provincial codes that provided legal means for police to arrest sex workers on the basis of immoral public behavior (Andrea, field expert).

As the institutional violence and corruption heightened sex workers became more vulnerable in front of the law than ever before. Ana, a sex worker and a militant activist and a member of Ammar says that there was no political space for them to participate in the discussion:

They presented the law and in a few days we became victims of trafficking… Everything changed so fast and there was really nothing we could have done. There was no period for a transition for us to organize ourselves amongst our comrades… In a few months many of the provinces prohibited whiskerias, cabarets and we were on the streets… (Ana, sex worker)
6.3. Public discourse

Over the last two decades sex trafficking scandals and the abduction of young girls for sexual exploitation has gained a large amount of attention in Argentine media. The famous case of Marita Verón (2002), a young woman from the Northern Province who went missing, later became a victim of trafficking for sexual exploitation. Her mother Susana Demarco started a nation-wide search for her daughter. Since then, more NGOs and campaigns emerged, dedicating themselves to the fight against trafficking (Event 11.11.2014\(^{38}\)). Emilia, a legal advisor and coordinator for a well-known anti-trafficking organization, says that it was the case of Marita Verón that pushed the civil society actors to move (Emilia). The rest is history. Emilia confirms how the anti-trafficking organizations together with legislators of the government participated in drafting the federal law, which was an enactment of the Palermo Protocol.

The biggest victory for the anti-trafficking campaign was the addition of the article, which ignores the consent of a person who is in a vulnerable situation (Article 10). Emilia explains that the definition of vulnerability had to be widened, because vulnerability is always a mix of economic and social deprivations. Therefore, whenever a person is prostituting herself out of ‘vulnerability’ she becomes the victim of forced prostitution- trafficking for sexual exploitation. The logic is that there is another person taking advantage of her situation: if not a procurer then a client.

Andrea, a field researcher, who has been investigating the protocol and its implementation since the ratification, questions the definition of vulnerability. Indicators such as poverty, social status and/or immigration make the majority of women in Argentina vulnerable subjects. “For me the idea of vulnerability [in this context] is quite problematic. It reinstalls the stereotypes of gender. A female immigrant, for example, is always a defenseless victim.” (Andrea) When investigating the use of the concept of vulnerability in implementing the trafficking law she discovered that there were lots of

\(^{38}\) See annex for Public Events.
contradictions. There were cases when one day someone was in a situation of vulnerability and another day she was not.

The polarization between sex workers and anti-trafficking activists escalated quickly. The latter group took an extremely strong position against the sex workers and their organizations. "Before [in Argentina] there was not really a feminist position towards prostitution...in the 90’s the biggest theme in feminism was legalizing abortion and the concern over violence against women..." says the field expert, Andrea. The Argentinian state’s prevailing position on prostitution had been abolitionist for decades. With the international convention on trafficking activist groups gained new grounds for the eradication of prostitution.

The public opinion is a lot more biased with the abolitionists who drive the anti-trafficking movement. "Of course they sympathize with them, who wouldn’t be against trafficking? " says Ana and confirms Ammar’s strict condemnation of illegal, forced prostitution. Yet she thinks, that the laws are unjust towards voluntary sex work because abolitionists rule the country. "They have the power within the congress and legislative boards," (Ana). Andrea adds by explaining that investigating the media reports in the cases of trafficking and sex work, it is clear that the abolitionists control the news. "You cannot even use the word sex work," says Andrea. The message sent to the public through abolitionists’ campaigns and the media has been that the sex workers’ profession is depraved and immoral. The sex workers are constantly being alleged for reasserting patriarchal normativity in Argentina.

Numbers and statistics about trafficking in the press are often inaccurate. When asked Emilia, she hesitates to give me any numbers on the scale of trafficking. Andrea, on the other hand, states that what she discovered in her investigation was that the numbers the NGOs were using were estimated figures from IOM regarding trafficking in general, including trafficking in domestic, agricultural and sweatshop slavery. Without a doubt, trafficking does exist in Argentina and when it occurs it is a crime
against humanity. Scandalous press and inaccurate presentations however, provide little help for the victims and instead burden the sex workers as the moral reprobates and respondents of the situation.

6.4. Violence against women and social marginalization

A reoccurring theme throughout all the meetings, public events and personal interviews was the question of prostitution as a form of work or slavery. "Here we don’t believe in free prostitution. Prostitution is always a form of slavery, not work. Certainly, in a long run, if there was no prostitution, there would be no trafficking either," says Emilia, the anti-trafficking activist. Furthermore, she - like many abolitionists - believes that legalizing prostitution sends the public a message of normalizing violence against women.

Violence against women or 'violencia de género' was a term that transpired often in all the interviews and meetings. Abolitionists defined it as a general objectification of the female body in public, and gendered hate crimes such as femicides (Emilia; Raul; Event 11.11.14). “Trafficking for sexual exploitation is the worst form of gendered violence,” says Emilia as she argues that all prostitution equals trafficking.

In a meeting with members of Ammar (Meeting 4.12.14) women told me that they heard the term "gendered violence" used up against them all the time. By practicing they profession they were reassuring patriarchal norms by letting men to exploit their bodies. Ana continues:

For me gendered violence has nothing to do with work. It has to do with vulnerability. We all, women, are victims of gendered violence but the lower class women take the biggest hit. The working conditions for the lower class women are poor in general, but at least all other types of jobs [apart from sex work] have been regulated and secured. For me it seems a lot of hypocrisy that we are being called victims of

39 Literal translation: gendered violence.
40 Femicide is a term, used in feminist literature to describe violence against women and homicides of women that are committed simply for the sake of their gender (Chant & Craske 2003).
41 See annex.
gender violence and yet, at the same time the same people deny us those rights from us, which would secure our working conditions. Criminalization of sex work - that for me is violence. It is the police harassing us on the streets, the police confiscating our phones, our belongings and raiding our apartments. We have comrades who have been evicted from their houses. All that is violence.

Furthermore, sex workers saw an immediate connection from gender violence to class violence, ‘violencia de clase’. “It is the middle class women, who want to limit our sexuality. It has been the same with abortion [as a reference to the criminalization of abortion]. In Argentina women can only be seen as mothers and since Papa Francisco [accession of the Pope] the view has been strengthened.” (Meeting 4.12.14). Field researcher, Matias says that the stereotype of a mother as completely a-sexual and a whore as obscenely sexual is still alive and well in present-day Argentina. Women who work in the sex industry inhabit dual roles, one as a mother, and one as a sexual worker. The stigmatization that derives from the dichotomy makes women extremely vulnerable, especially in more conservative communities, where they cannot seek any legal or social help.

Argentina is still very religious country. See today for example, we are celebrating the virgin (8th of December). Culturally and historically speaking, women have stayed at home and men have provided for their families. In 2001 there was a big economic crisis in Argentina and it broke the pattern a little bit. Women went to work outside their homes. The hypocrisy is that women are objectified everywhere in the media. We have a newspaper, which always displays a half-naked girl posing in the cover page. All this has to do with the definition of sexuality. Sex is permitted when it is the context of love but if a woman uses her sexuality to have a personal gain it is perceived degrading. (Ana)

In contrast to Ana’s thoughts Emilia argues that: “if women were given a choice of something else, another means to provide for themselves and for their families, they would never choose prostitution.” However, the concept of choice is very different for the middle class in Argentina, then that of the sex workers. In my meetings with members of Ammar they complained of being tired of constantly having to defend the truth of their consent since it is never perceived as true. The victimization of sex workers strips them of their dignity and self-determination. Like most of the women in Ammar, Ana told me
she was proud of her profession, and especially proud of the achievements as a union with her comrades.

The law initiative, which Ammar presented in 2013 started as an idea of cooperatives and small business associations amongst female sex workers. The initial idea was to "get rid of the pimps" and to disclose the informality and the criminal stigma associated with the work the sex workers. Furthermore, sex workers wanted to achieve equal social standards. In Argentina, the government provides social healthcare and security ("obra social") for registered workers. As the sex workers explain, most of them are single mothers and breadwinners for their children (Meeting 4.12.14). If they or their children get sick they have nothing to fall back on. At the age of retirement they have no pension. "To work without getting exploited is very difficult in the today's laboral conditions that neoliberalism has created", affirms Andrea. What the sex workers at Ammar are aiming for is to reduce the exploitation. "It was two years ago when we started really planting the seed. Since then we have gained a lot of attention in public. These days the press calls to us. The group who listens to us has grown bigger. Now we go from province to province to present the law and show them [the provincial government members] how the law applied to trafficking ends up marginalizing our rights." Says Ana.

42Means social security system in Argentina.
6.5. Law proposal for regulating independent sex work

In November 2014 I participated in the Second National Board at the House of Congress of Argentina (La II Mesa Nacional de Incidencia Política), where Ammar accompanied by RedTraSex (The Latin American and Caribbean Female Sex Workers Network) and CTA, discussed the law initiative for regulating independent sex work. Georgina Orellano, the young, charismatic leader of Ammar gave an opening speech where she stated that:

It has been approximately two years since we sex workers and our comrades took the initiative to propose a law that would recognize sex work as a form of labor that would put an end to the institutional violence, a law that would guarantee us rights like any other citizen and guarantee us our pension. First the proposal was opposed, but today we are not alone and [those who oppose our initiative], they don not respect our liberty, our self-determination over our bodies, that we have chosen this profession and that we are proud to be sex workers. Unfortunately, in our society there is a role of femininity that we are supposed to fulfill: that is for a woman to stay at home, for a woman to take care of the children. And we, by exercising this work, we are violating that fulfillment and the female sexuality. That is why we are being questioned and that is why the debate of whether sex work is work or not exists. We are not here to be rescued, but to reclaim our rights. (Georgina Orellano. 14.11.2014)

At the center of Ammar’s proposal on the Regulation of Autonomous Sex Work (2013) (Regulación del Trabajo Sexual Autónomo) is a formal recognition of autonomous sex work as a legal form of labor like any other and sex workers’ equal access to social, economic, legal and political rights. In the proposal Ammar outlines the main points of the law reform:

• Sex worker is defined as an adult who exercises the selling of sexual services out of their own consent and for their own personal financial gain.

• Sex worker has a right to establish cooperatives where sex workers can offer their services together or with their colleagues. For older sex workers, who receive fewer customers, the
cooperatives would enable execution of administrative tasks for their younger colleagues, without police prosecuting them for trafficking.

• The law clearly distinguishes between sex work and illegal activities such as illegal trafficking for sexual exploitation, trafficking of children and third party prostitution (procuring).

• The law abolishes the articles in local provincial codes (Códigos Contravencionales) that limit the freedom of sex workers’ rights to sell their services and enables police harassment and abuse against sex workers.

• The government ends the discrimination and stigmatization of those who exercise sex work and thus guarantees their free and safe exercise of their profession within the national territory of Argentina.

• The government forms a legal counsel that consists of members from Argentinean government and civil society. The council shall supervise the legality of the work and act as an advisor for the workers.

• The government re-enforces sex workers’ rights for social security, healthcare, pensions, and other benefits (maternity leave etc.) and accordingly obligates sex workers to pay taxes from their income as sex workers.

• The government provides sex and health education for sex workers and training that ensures sex workers’ awareness for the equal citizenship rights. (Ammar)

In the national board it is evident that Ammar has established a robust support network. Apart from CTA, they work together with other NGOs (for instance RedTraSex), academia (CONICET) and members of Congress (FPV). At the board the Argentinian state was criticized for its contradictory policies. Despite it being a forerunner in the whole region in recognizing citizenship rights such as equal marriage laws and transgender laws the law for sex work is stagnant. UNAIDS representative,

43 See legal references: Law Initiative by Ammar (La Ley de Trabajo Sexual Autonomo). Translated by the author.
Alberto Stella, remarked that through institutional recognition and law reforms we can start accepting and understanding different ways of living and different articulations of sexuality. Pleading to the United Nation’s Universal Declaration of Human Rights he stated that the law reclaims the dignity that belongs to every human being.

Alongside its legal battle, Ammar has been well organized at promoting social programs44, campaigns and healthcare education45 to sex workers. The movement has been resilient at disclosing their issues to public campaigns and has been more visible in popular media, such as Pagina 12 (a popular Argentinian magazine). One of the famous campaigns is graffiti art painted on the streets of Buenos Aires with the slogan “86 % of sex workers are mothers” (“el 86% de las Trabajadoras Sexuales somos madres”). Through the artwork Ammar wanted to demonstrate to the public that sex workers are also mothers and breadwinners for their families. Their identity is not only as a sex worker, nor as a mother but also as a common laborer just as any other Argentinian citizen.

To conclude, my fieldwork results revealed that since the state of Argentina adapted the new trafficking law, anti-trafficking activism increased and sex workers took the biggest hit. Connecting their services with human trafficking schemes heightened the social stigmatization of sex workers. Moreover the political discourse on the topic was extremely heightened. Despite the great difficulties that the sex workers have faced they have not relinquished their struggle. Instead, in the last years they have been increasingly active in their mobilization: Ammar initiated a law proposal, established support networks and gained publicity through civil society campaigning. In Argentinian society they have become a voice and inspiration for plural citizenship that acknowledges different articulations of sexuality.

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44 Programs to increase the awareness of sex workers’ rights and to increase their self-esteem through public talks, meetings etc.
45 Programs include information about women’s sexual health, HIV/Aids prevention, distribution of condoms etc.
CHAPTER VII. Discussions

Throughout this paper I have traced the reasoning for sex workers’ marginalization in Argentinian society. As stated in the theory section, I observed Argentinian sex workers facing three obstacles (or at least I was inspired to scrutinize the situation from these perspectives) in their quest for full citizenship. Accordingly, my goal was to examine these obstacles through three theoretical concepts, whilst bearing in mind that all of them intersect and interplay with one another. I will now discuss how the theory could be applied to the case study. First, I will examine the institutional violence through ‘Agambenian lens’ and claim that the sex workers are dismantling the paradigm of ‘state of exception’. Second, I will study how the sex workers contest gender and sexual normatives by utilizing feminist and queer perspectives. Since the relationship between gender and sex is almost inseparable, the analysis of the two is combined here.

7.1. Redefining political citizenship

At first glance, Agambenian framework appears to be an apt framework to explain the situation of the sex workers in the Argentinian state. The sex workers inhabit a ‘quasi-legal’ space in society. Selling sex is legal, but it has become increasingly restricted and moreover, the legal reforms have enabled state authorities (read police) to criminalize sex workers and exercise their arbitrary power over the latter group. As a result of the ongoing institutional violence the sex workers have become marginalized homo sacer, who have been pushed to the ‘space of exception’. After a closer look at the case study we can observe, that the construction of power is not as two-dimensional as Agamben’s framework would claim. “Within the category of homo sacer exists a tension between production and destruction” (Eisenhammer 2014: 106). The homo sacer (a sex worker) is capable of claiming rights and by doing so her persistence becomes the undermining power of the state. Sex workers’ social mobilization and requirement for legal change is a demonstration of how their actions invert and, in the end, substitute for Agambenian notions of ‘state of exception’ and ‘bare life’.
To put Ammar’s counter-hegemonic action into theoretical perspective, they present what a ‘subaltern citizenship’ movement is all about. Nancy Fraser argues that in order to urge for such citizenship, there must be an establishment of subaltern counter public spaces or parallel discursive arenas. What she means by these terms is that subordinate groups need to create safe public arenas where their members can equally debate, discuss and invent strategies to include more equal and inclusive citizenship for everyone (Bell & Binnie 2000:10). I argue that this is precisely what Ammar has done. Not only have they contested the institutional violence (the state) but also, formed meeting groups and educational programs amongst themselves; they have created visibility for plural sexual identities in the streets of Buenos Aires, in the national media and in the Congress.

7.2. Redefining sexual and gendered citizenship

In chapter IV we learned that ‘bare life’ is always gendered and sexed. Women's exclusion from full citizenship has been linked to the division between public and private spheres, where man's role is identified as a political agent and woman's role as a caretaker of the domestic and private space. Feminist theory has claimed further that female sexuality has been subordinated by male sexuality and therefore, prostitution for instance demonstrates the ultimate violence against female sexuality.

We observed, that in Argentina a woman's role in the public space has been idealized as a mother of the nation (merely an extension of woman's motherly duties into the political arena). The fieldwork results have, indeed, asserted that it is due to the idealization of a certain kind of motherhood that sex workers feel stigmatized. Woman's behavior in public spaces, when not reaffirming the traditional family values is perceived as an instant threat to the social order. The mere fact that the members of Ammar have stepped into the political arena and redeemed their rights radically questions the traditional notion of gendered citizenship.

From a sexual citizenship point of view, the sex workers have so far, been view through two differing lenses: from the institutional perspective their sexual behavior is a criminal activity and from the abolitionist perspective they are seen as victims (even if unconsciously) of forced prostitution. To
contest these sexual norms the sex workers have openly and publicly expressed their own definition of sexuality. They don’t want to be deemed as criminals, stigmatized as depraved whores or as passive victims waiting to be rescued. Instead, like all other citizens they aspire to have self-determination over their own bodies and to their sexual needs, fantasies and desires.

In Argentina over 90% of the sex workers are women. Suppression of sex workers’ rights, viewing their ways of articulating sexuality as depraved and excluding them from the public only endorses the hegemonic patriarchal structure, which limits female sexuality and conceals women to private spheres of society. I view Ammar’s slogan “we are mothers, sex workers and workers” as a manifestation for the need of a redefinition of citizenship. Here three identities interplay with one another: plural articulation of sexuality, gendered identity and status as a political agent, as a worker. The only way to respond to the need for redefining citizenship is to start by formally acknowledging sex workers’ status as equal citizens who are entitled to the same political, social and sexual rights as anyone else.
VIII. Conclusions

The two questions I proposed in the beginning of this paper, were 1) What is the marginalized citizenship of Argentinian sex workers? 2) How are the sex workers redefining a citizenship that accepts plural sexual and gendered identities?

I started the paper by outlining the hegemonic debate on the subject of sex work and argued that the perpetual juxtaposition on prostitution to trafficking has done nothing more than marginalized sex workers, both in academia and in practice. Therefore, this study has first and forefront, aimed at contributing to the emerging literature in feminist scholarship, where the voice of sex workers is heard and where they are considered as active agents. In this context, the reframing of the discourse is at the very least, a basic requirement when searching for plural and inclusive redefinitions of citizenship.

In chapter IV I scrutinized the concept of citizenship from theoretical perspectives, and argued that first: seeing the relationship between the state and the citizens, as two-dimensional power structure where a citizen is mere *homo sacer* is limiting and inaccurate. This has been proven in our case study observations - the emancipation of Argentinian sex workers. Although Agamben’s framework is apt at remarking states’ arbitrary decision-making and usage of power, it has not explained the marginalization of sex workers in gendered and sexual terms and has not offered us a view from below.

Instead, my conclusion was that feminist and queer theorists could offer us variety of viewpoints to first, punctuate the marginalization and second, means to dismantle such norms. Sex workers’ societal belonging has been restricted due to a rather narrow public space reserved for women, where only certain kinds of articulations of sexualities and presentation of women are allowed. In the case of sex work these normativities have not only led to social discrimination but to institutional violence and criminalization of their citizenship.
In chapter V I studied the process of sexing and gendering citizenship in the context of Argentina. I argued that the social marginalization of sex workers in current-day Argentina is the result of a traditional patriarchal and Catholic values that are deeply embedded in Argentine society. Women's sexuality has been tied to national honor and therefore prostitution has been seen as tarnishing female sexuality and the nation's purity. The idealized femininity and motherhood have further enhanced the social (whore) stigma and burdened the sex workers as the reprobates of morality.

The chapter V continued to analyze the notion of sexuality and gendered citizenship in Argentina by providing a short political and historical outlook on prostitution, and to the abolitionist politics. In the light of the legal framework it became clear how sex workers' marginalization has been continuously reaffirmed.

Yet, despite the numerous challenges that Ammar, the sex workers' union, faces the struggle continues as resilient as ever. Persistently they are demanding the Argentinian state and civil society to acknowledge them as workers, citizens and women. In Argentina the sex workers are one their way at making 'the world's oldest profession' as the newest one.

Nancy Fraser has stated that: "we live in a time of intense contestation concerning gender, sexuality, and sexual difference. Far from being monolithically patriarchal, the interpretation of these terms is at every point subject to dispute." (1997: 234) That is exactly what the sex workers in Argentina have done: they have contested the state and revolted against the hegemonic gendered and sexed norms and by doing so they are urging for the inclusive and plural redefinition of subaltern citizenship.
Final Words and Acknowledgements

I would like to take this opportunity to express my deep gratitude to everyone who supported me in completing this work. First, I would like to thank my interviewees, the people in Argentina who participated into the meetings and all those countless people who provided me with help, and direction when I was lost with my research. Especially, I would like to express my gratitude to the sex workers at Ammar. As a feminist, I could not imagine anyone to inspire me more than you do. You taught me a new way to look at the world. You showed me strength and persistence in an unseen ways. Your work is a manifestation for feminist sisterhood. Second, I wholeheartedly appreciate the guidance of my professors at the Institute of Latin American Studies, especially that of my tutor Maria Luisa. My fellow students, Dani, Piotr, Maria Isabel and Aldo, your encouragement and your friendship have helped me tremendously. My mum and my dad, my sister and my brother, your patience and your unconditional love are irreplaceable. Thank you for always believing in me, even in those moments when I don't believe in myself. For Lindsey and Djurdja, I have no words to express my gratitude to you. Without your exceptionally sharp minds this work would not be what it is now. Finally, a praise to my friends, whose emotional support has carried me through to the hardest moments.
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Annexes

Figure 1. Interviews

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Figure 2. Meetings

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<td>Ammar</td>
<td>5.12.2014</td>
<td>The headquarters of Ammar, Buenos Aires</td>
<td>Staff members of Ammar</td>
</tr>
</tbody>
</table>

Figure 3. Public Events

<table>
<thead>
<tr>
<th>Name of event</th>
<th>Organizer</th>
<th>Time</th>
<th>Place</th>
<th>Discussants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jornada: Seguridad Publica-Violencia y Sistema Penal, Parte II Criminalización de Mujeres</td>
<td>CEPOC and Universidad Nacional de San Martin</td>
<td>16.07.2014</td>
<td>University of San Martin, Buenos Aires</td>
<td>Morcillo, Santiago (IIIG, UBA); Daich Débora &amp; Varela Cecilia (UBA, CONICET); Orellano Georgina (Secretaria General de Ammar)</td>
</tr>
<tr>
<td>El Encuentro interdisciplinario contra la trata de personas, desaparición de personas y violencia de género</td>
<td>Mente Jurídica Digital</td>
<td>11.11.2014</td>
<td>Hotel Lafayette, Buenos Aires</td>
<td>Fabiana Tuñez (la Casa del Encuentro); Silvia Paola La Ruffa (Ministry of Justice, CABA); Marcelo Romero (Prosecutor, La Plata); Liliana Rubino (Federal Police); Guillermo Luis Bargna (activist); Analía Monferrer (Supreme Court)</td>
</tr>
<tr>
<td>II Mesa Nacional de Incidencia Política de Ammar</td>
<td>Anmar CTA, RedTrasSex, el Fondo Mundial, CTA.</td>
<td>14.11.2014</td>
<td>Cámara de Diputados, Congress of Argentina, Buenos Aires</td>
<td>Gastón Haríepse (Congressman, FPV); Georgina Orellano (General Secretary, Ammar); Martin Muñoz (FPV); Alberto Stelia (UNAIDS, Cono Sur); Cecilia Varela &amp; Débora Daich (Conicet-UBA); Aldana Romano (INECIP); Cristal Barraza (Representante del Grupo Transparencia de Mar del Plata)</td>
</tr>
<tr>
<td>Jornada “Trabajo sexual y violencia institucional</td>
<td>UBA</td>
<td>19.11.2014</td>
<td>Buenos Aires</td>
<td>Daich Débora &amp; Varela Cecilia (UBA, CONICET); Orellano Georgina (Secretaria General de Ammar)</td>
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</tbody>
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