



## Navigating Risk: Lessons From the Dockside Sex Trade for Reducing Violence in South Africa's Prostitution Industry

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**Abstract:** The diversity of South Africa's prostitution industry exposes sex workers to varying levels of violence. The street, truck stop, hotel, agency, brothel, and dockside trades are characterized by different structural features that determine the prevalence of client, police, and third-party abuse against prostitutes. Comparing the structural elements of each sector allows not only gauging the likelihood of violence within a given niche but also devising more precise policy instruments to reduce violence at an industry-wide level. This article focuses on the dockside prostitution sector, showing how its structural features enhance the women's power vis-à-vis their clients and discussing 5 key variables that influence the likelihood of violence: the social and legal status of the client, the location of the negotiation, the location of the sexual act, the level of discretion in the solicitation process, and the role of third-party involvement. Detailed policy recommendations conclude the argument.

**Key words:** sex workers; prostitutes; sailors; clients; abuse

Sexual violence has reached epidemic proportions in South Africa, which has one of the highest rape rates in the world (Statistics South Africa, 2000). In many communities, men use rape as a tool of social control (Moffett, 2006). For some urban youth, gang rape is a form of recreation—an occurrence so common that it has entered the national lexicon through the term *jackrolling* (Clayton, 2005). A burgeoning literature on township and rural sexuality (Abrahams, Jewkes, & Laubsher, 1999; Delius & Glaser, 2002; Hunter, 2002; Jewkes & Abrahams, 2000; Jewkes, Penn-Kekana, Levin, Ratsaka, & Schreiber, 1999; Leclerc-Madlala, 2003; Mitchell, Smith, & Larkin, 2001; Wood & Jewkes, 1998; Wood, Maforah, & Jewkes, 1996) suggests that aggressive masculine identity formation, transactional (commodified) sexual relationships, and unprotected promiscuity lead many women to believe that coerced sexual relations are normal. Although many women complain about this state of affairs, such gender violence is maintained by a patriarchal social order, females' financial dependence

on males, and a social and legal regime hostile to women's complaints of physical abuse.

Prostitutes' exposure to sexual violence is even greater than for other women. Most hail from communities in which sex and violence intertwine, many also coming from unhappy domestic circumstances characterized by adult gender violence, childhood sexual abuse, and adolescent peer pressure for sexual experimentation with boys. Prostitutes are especially vulnerable to sexual violence because they are stigmatized by their communities and criminalized by law enforcement. They face assault and rape from clients, harassment from police, abuse from pimps, and gang rape from gangsters. The literature on South African prostitution (Fick, 2005; Leggett, 2001; Pauw & Brener, 2003; Wojcicki, 2002) has shown that sexual violence in this industry is more than epidemic: Such violence is endemic to the trade.

However, the many prostitution sectors are all structured differently, creating great diversity in the experiences women have as sex workers. In fact, the structural

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differences in sectors determine the likelihood of violence within them. For instance, compared with agency escorts, streetwalkers face greater risk from the police. Similarly, *beer prostitutes*<sup>1</sup> in upcountry taverns face greater risk from clients than do urban brothel women. And hotel sex workers face greater risk from extortionate third parties than dockside prostitutes. Indeed, it is difficult to generalize about prostitution when most women face very sector-specific experiences. It is also difficult to generate reasonable industry-wide policy recommendations without comprehensive studies that take account of the trade's diversity. Although sexual violence against prostitutes derives from the same contextual base as gender violence, the structural properties of each sex sector influence the likelihood that women will experience such violence.

Currently, the South African prostitution literature has three major lacunae. First, virtually all prostitution research concerns streetwalkers (Fick, 2005; Pauw & Brener, 2003), truck stop women (Ramjee & Gouws, 2002; Varga, 1997), tavern prostitutes (Luiz & Roets, 2000; Wojcicki, 2002), hotel sex workers (Wojcicki & Malala, 2001), and brothel workers (Fick; Leggett, 2001). None deal with dockside<sup>2</sup> sex workers except in passing. Second, few articles explicitly compare the various sectors, leaving gaps in an understanding of the industry as a whole. Third, the social policy recommendations that conclude many articles are either insufficient (brief bullet-point lists) or based on policy models from completely different occupational environments (such as trade unions). A comparative approach that includes the distinctive dockside sector can illuminate structural factors affecting the likelihood of violence against prostitutes in different sectors. Such an approach allows for developing organic policy recommendations that not only derive from prostitutes' own experiences and strategies but also diminish violence at an industry-wide level.

This article focuses on a neglected prostitution sector—the dockside sex scene—and shows how certain structural features of the dockside trade enhance the women's power to evade violence. Through a comparison of different sectors, I argue that whether a sex worker is vulnerable to violence depends on five key structural factors: the social and legal status of the client, the location of the negotiation, the location of the sexual act, the level

of discretion in the solicitation process, and the role of third-party involvement. After discussing how each of these variables affects violence in the different sex sectors, I then provide policy recommendations for industry interventions that could improve prostitutes' safety.

### Context

Three nightclubs in Cape Town and one in Durban cater to foreign sailors. Located in downtown areas, they operate between 8 p.m. and 4 a.m. and resemble other local nightclubs except that they are peopled exclusively by female prostitutes and international seamen. Sailors learn about these clubs through maritime rumor networks, dockside cab drivers, and port personnel. For returning sailors, the clubs represent spaces of familiarity in an otherwise alien city—they may know some of the women from prior visits and look forward to reuniting with them. For first-timers, the clubs offer safe places for vulnerable sailors in otherwise dangerous cities—places where they can drink alcohol, enjoy male bonding, and gain access to female companionship without interference. Club managers discourage local men from entering these clubs.

Women interact with the sailors for 4 to 8 hours each evening, dancing, drinking, smoking, shooting pool, singing karaoke, chatting, and sitting with the men. These solicitous activities comprise the bulk of the women's labor because many seafarers seek nothing more than in-club companionship. The men usually reward the women for their time with drinks, cigarettes, food, taxi money, and tips. The women, after spending time with the men at the club, will initiate negotiations for sexual trysts outside the club. If an interested sailor and a woman agree on terms, they take a taxi to her flat, to a pay-by-the-hour hotel, or to a suburban house owned by an ex-prostitute where they can rent a room for the night. The sailor and the prostitute typically spend 2 to 4 hours together, bathing, caressing, having sexual congress, and sleeping. In the morning, he departs to his ship and she to her abode. In many cases, the seafarer leaves the same day, although sometimes he may stay for 1 or 2 weeks, depending on the type of vessel he is on. If the man sails, the prostitute will return to the club the following evening looking for a new mark. If he remains in town, she will make plans to meet with him again, either at the club or elsewhere.

This routine characterizes the movement of dockside prostitutes with their seafaring clients. In every context of their interaction—at the clubs, in taxis, at hotels, or in their rooms—the women have superior knowledge, power, and resources compared with their foreign clients. This aspect of the prostitute-client relationship is one of the key reasons why almost none of the women I

1 Beer prostitutes are sex workers in upcountry taverns who consent to having sexual relations with a man by accepting a beer or other gifts from him.

2 By *dockside*, I do not mean a literal space at the harbor, but rather solicitation that is focused exclusively on transient foreign sailors in port city nightclubs.

interviewed reported being abused by sailors during their work as prostitutes.<sup>3</sup> Although the majority had experienced sexual violence at some time during their lives, they said their abuse came at the hands of relatives or local township men. Sailors, they claimed, are not in a position to act aggressively with them—nor are police officers. In fact, the women told me they work at the clubs precisely because they understand how much safer it is for them than working in other, more exposed sex sectors, such as the streets.

### Method

During research on a larger project concerning dockside social relations, I spent 9 months interviewing sex workers and sailors at seamen's nightclubs in Cape Town and Durban. Through numerous conversations with the women, I pieced together the outlines of their life histories, glimpsed how they approached their interaction with the sailors, and considered what impact the work had on their lives. I also learned how the sailors—the clients—approached their relationships with the ladies. I gathered information on the dockside sex trade through ethnographic participant-observation at dockside nightclubs, plus a combination of casual conversations and intensive interviews with prostitutes, sailors, club owners, and cab drivers. I used an open-ended conversational approach to elicit information, allowing informants to explore issues at their leisure, often over the course of multiple encounters.

Because I am a middle-aged White American male, the women initially assumed I was a foreign sailor and potential client, an idea that inspired them to approach me for business. Within a week at any particular club, I was able to meet all of the women as they introduced themselves and gauged their options with me. From the outset, I declared my scholarly intentions, which most found strange and amusing. Some were skeptical because they had never encountered an academic conducting research at the clubs. Others were keen to share their stories, believing they could provide me with greater insights into the business than their rivals. In either case, obtaining reliable data in this context was difficult and time-consuming. With each woman, I had to build rapport, establish trust, and leverage that trust for information.

The first stage of my interaction with interviewees was characterized by light, casual conversations in which I tried to build rapport with them. I asked noninvasive questions, allowing the women to construct their identities as they wished. They usually started by offering rehearsed cover stories—dubious personal narratives—similar to the ones they tell the sailors. They proffered stage names and grandiose resumes that were calculated to heighten their prestige. At this introductory stage, I merely listened.

To get beyond the cover stories, I worked on establishing trust. Over time, I demonstrated trustworthiness through consistent visits to the club, discretion with the women's stories, financial generosity (for taxi fare, drinks, cigarettes, food, family emergencies), personal integrity (exhibiting loyalty to my wife by not engaging the women for sexual services), and a nonjudgmental attitude. I also resisted taking sides in feuds between the women so as to remain neutral. In this way, the sex workers came to see me as harmless, allowing me join them in conversation when they were not soliciting clients.

In the final stage, I leveraged the trust I had established by asking interviewees deep, personal questions about their lives, work, sexual histories, experiences of violence, and so on. The tone, quality, and descriptive detail of these long interviews convinced me that the revelations I elicited were honest. Unlike the self-aggrandizing postures of the cover stories, these narratives were ambivalent, tinged with regret, longing, and pathos. Afterward, many confessed that they found it therapeutic to speak candidly with someone who was not part of the prostitution business. From then on, I was able to interact freely with the women, asking sensitive questions without worry.

For everyone's comfort and privacy, I did not use a tape recorder at the clubs, nor did I reduce interviewees' words to writing in front of them (which would have been impossible given the circumstances). I took extensive notes afterward when I was alone. I also conducted interviews with them—and other club personnel—outside the clubs during the daytime. For these interviews, I used a tape recorder while taking notes.

From August to September 2006, I spent 4 weeks (150 hours) researching at the sole seafarers' club in Durban.<sup>4</sup> I spent 5 hours per night at the club, talking with the women

<sup>3</sup> The dockside women said that the only time they were vulnerable to potential violence by sailors was when they enacted sexual contracts on the ships, in the sailors' space of control. Older workers reported that if they stole something from the sailors or annoyed them in some way, they were liable to be thrown overboard into the harbor or slapped across the face. Enhanced port security measures established since September 11, 2001, have put an end to shipboard sex.

<sup>4</sup> In the early evenings, before going to the clubs, I met with foreign sailors at the Mission to Seafarers, a church-sponsored center for social, recreational, and spiritual enjoyment near the harbor. There, I conducted one or two in-depth interviews each evening, plus joined in on numerous group conversations. This environment allowed sailors to talk about a range of issues—sex, prostitution, family, work, money, and so forth—without the distraction of loud music or solicitors.

and observing their behavior. During the day, I met with prostitutes, club staff, and cab drivers, interviewing and conversing with them in a mix of English and Zulu, code-switching between the languages when necessary.

From December 2006 to August 2007, I went to the three Cape Town nightclubs 10 to 20 times per month for 5 hours per night (600-plus hours). At each visit, I typically conducted a single long interview with a woman who was not busy. I also engaged in numerous shorter conversations with others throughout the evening. I conducted interviews in English and Afrikaans, often code-switching between them as the women did.

In total, I interviewed 74 women (plus one gay man) and 24 club owners, managers, bouncers, bartenders, waitresses, and cab drivers. To ensure confidentiality, I have altered the names, descriptions, and identities of all interviewees cited in this article.

### Participant Profile

In Durban, most of the 80 women who solicited from the seamen's nightclub hailed from upcountry towns in KwaZulu-Natal. Very few came from Durban itself. In addition, many had migrated from other southern African states, such as Mozambique, Angola, and Zambia. Sixty African women worked alongside 16 Whites and four Coloureds (of mixed race) and Indians who came from the interior. Most were between 18 and 29 years old, with one quarter who were 30 to 40 years old. Most spoke Zulu as a first language, though all had some facility with English, the language of solicitation.

In Cape Town, 60 women solicited from three downtown nightclubs that cater explicitly to foreign seafarers. Almost all of the women were mixed-race Coloureds from the metropolitan area, although five Whites also participated. Two thirds of the women were in their 20s and the remaining third were in their 30s. Most spoke a Cape Town-based dialect of Afrikaans as a first language, but all of them also spoke fluent English. Most of the women also spoke an Asian language—Chinese, Japanese, Korean, Taiwanese, or Indonesian—they had learned through interacting with Asian trawlermen, their primary clients.

### Factors Affecting Violence in Sex Work

To determine which structural features most influence the likelihood of violence in a given prostitution sector, I relied on two major sources of comparative data. First, because many of the women I interviewed had worked in the street, brothel, or agency trades before working at the dockside clubs, I was able to compare their personal experiences in each sector. Second, I compared my dockside data to research conducted by scholars of other sectors. Through

this comparison, I found five key structural variables that affected the likelihood of violence against prostitutes. This section discusses the five features as they relate to each sector, as well as their implications for violence.

### *Social and Legal Status of the Client*

Most prostitution sectors are structured based on the needs and constraints of male clients. The transience and foreignness of international sailors determines the character of the dockside scene (Trotter, 2007); the low wages and dangerous manual labor of mineworkers shapes the work of beer prostitutes in upcountry taverns (Campbell, 2000; Luiz & Roets, 2001; Meekers, 2000; Wojcicki, 2002); the periodic relaxation needs of long-distance truckers determines the opportunities of truck stop sex workers along major transport corridors (Marcus, Oellermann, & Levin, 1995; Ramjee & Gouws, 2002); and the wealth, cyberspace connectivity, and discretionary needs of traveling businessmen influence the strategies of *courtesans*—high-priced escorts—who advertise through the Internet.<sup>5</sup> Each prostitution niche derives its quality from the temporal, financial, social, and behavioral properties of an occupationally similar clientele. But the difference between local and foreign men is crucial. Their differing social and legal status affects how comfortable they feel in asserting violence over women.

In general, the more social stature and legal recognition a man enjoys vis-à-vis the sex worker, the greater his freedom to act violently. In almost all sectors, the client's status is far superior to the prostitute's. According to the Sexual Offences Act of 1957 (unreformed since apartheid, although currently under discussion by Parliament), the solicitation, sale, or procurement (pimping) of sex is illegal. Anything related to the supply side of prostitution is punishable with fines or imprisonment. However, because buying sex remains legal, clients can move in and out of relationships with prostitutes with complete comfort. The criminal status of the prostitute renders her legally impotent in relation to abusive clients. Her illegal activities bar her from convincingly claiming injury during the performance of her criminal acts. Courts around the world have shown that judges believe "rape is part of her job and that she deserved or even asked for the rape" (Farley, 2004, p. 1096); Cape Town sex workers complain that the police tell them "you can't be raped, you're just whores" (Pauw & Brener, 2003, p. 473).

<sup>5</sup> Elaine, an elite escort (or courtesan), maintained a website where she advertised her companionship availability and prices. She charged about 10 to 15 times the rate that streetwalkers charge for comparable durations with clients (Elaine, personal communication, Cape Town, May 5, 2006).

In the exposed trades, streetwalkers and truck stop women are highly vulnerable to this gendered status imbalance. Local clients—and especially police officers, who enjoy the greatest status differential with the women—know what they can get away with. They realize the constraints facing prostitutes in appealing for assistance and they understand how patriarchal social norms protect them in their engagement with sex workers. These women have almost no recourse against violent clients because, if they raise a complaint, they merely expose themselves to legal problems of their own or risk further abuse at the hands of the police. According to Wojcicki and Malala (2000), the hotel and street sex workers they interviewed said “they would not feel comfortable approaching the police for help in the instance of assault or any type of violence from clients or security/managers” (p. 105).

For brothel and agency women, their social and legal status is complicated by the fact that they claim to be providing legitimate services. These women call themselves masseuses or escorts and say that if sex occurred, it was done between consenting adults and not for a fee. These efforts significantly protect the women’s social and legal status. Unlike streetwalkers, who hide behind no ruse, these women maintain a certain degree of social and legal credibility. Although their clients tend to be local regulars and international tourists who retain a status advantage over them, the clients cannot be certain of impunity if they pursue violence.

In contrast, dockside sex workers’ clients are foreigners to South Africa, strangers to the country and its law. Although they may come from societies as patriarchal as South Africa, they feel much less comfortable asserting certain masculine prerogatives in places where they do not know the rules, nor have much social standing. A man who can beat his wife without disturbance in his own country does not have that assurance as a transient in South Africa.<sup>6</sup> Moreover, the social status of most foreign

sailors—from places such as the Philippines, China, Indonesia, Pakistan, Croatia, and Russia—in South Africa is quite low. The sailors are easy targets for criminals because they lack social networks to fall back on if they get into trouble. Hence, they rarely seek to draw negative attention to themselves and tend to frequent clubs that cater specifically to them, places where they can expect a modicum of safety and security.

Sailors are granted shore leave by South African authorities as a courtesy to the shipping community. Many nationalities are not vetted by a visa application process, but are allowed liberty time as long as they respect the law and do not pose a health or security risk. Sailors who embarrass their employers through dubious behavior abroad—such as raping or beating a woman, for example—face incarceration, deportation, and a ban on working at sea again. This knowledge, coupled with a vague understanding of their minimal social and legal status in the country, dissuades sailors from asserting violence against local prostitutes.

Thus, men who feel socially and legally secure enough to commit abuses against prostitutes are more likely to do so than clients who are uncertain of impunity. The foreignness, low social status, and relative legal ignorance of sailors militate against their pursuing violence against local women.

### *Location of the Negotiation*

The location of negotiation for sexual services determines whether the prostitute can assess a potential client’s character and whether she can maintain the right of refusal. In all sectors, the locations rarely allow sex workers to ascertain reliable accounts of clients’ character, but the differences between sectors influence whether the women are able to refuse sex.

On the streets, prostitutes tend to solicit from curbs and negotiate through lowered car windows, so they have little time to judge how a customer might act with them. According to Cape Town streetwalkers, they have to rely on immediate clues and intuitive indicators: a man’s vibe, his level of cleanliness, the condition of his car, the look in his eye, the tone of his voice, his smell, the style in which he conducts negotiations, and so on (Fick, 2005). The situation is similar for truck stop women, who conduct negotiations at the side of the road, in parking lots, standing next to trucks, or in passenger seats. In these highly exposed contexts, a sex worker must make complex judgments about her potential safety with strangers within a matter of seconds. As long as she remains outside the vehicle, she can usually refuse sex. But she relinquishes much of her ability to assert herself once she enters the vehicle, a space controlled by the client.

<sup>6</sup> Eight interviewees spent time with sailors in their home countries in Asia, where the women experienced an immediate erosion of their social status. Knowing the women were prostitutes, the sailors’ families tended to treat them poorly and the men adopted an aggressive stance with them. Most of the women were beaten, abused, or neglected—experiences that encouraged them to return home. For instance, one woman married a Japanese sailor and moved to his country. Although the man had treated her with respect in Cape Town, he began beating her and pimping her out when they arrived in Japan. This scenario lasted for 6 years until she fled. Back in South Africa, she continued to engage in sex work, but she was never again mistreated by the sailors. While in Cape Town, the foreign seamen acted with restraint, but in their home countries, they felt comfortable acting violently toward the women.

For beer prostitutes in upcountry taverns, the location of negotiation may be owned by a single proprietor, but the women's actions are determined by the community within that space—a significant variable in the tavern environment. According to Wojcicki (2002):

Regardless of the social relationship between men and women in the taverns, there is an expectation that if a man buys a woman a beer, he is entitled to have sex with her that evening....If women accept beers and do not agree to sex, they risk being raped or beaten by men in the tavern. If a woman accepts a beer or other gifts from a man in a tavern, then it is understood that she has consented to a sexual relationship. If she then unsuccessfully resists a sexual relationship after accepting beers, it is not considered rape (defined as sex without consent between partners) because it is understood that she consented to sex by accepting drinks. (pp. 275–276)

In upcountry taverns, a woman can glean something of a man's character through conversation, but her right of refusal radically diminishes the moment she accepts a beer from him. The community of patrons enforces this bargain—violently—if she reneges on the implied deal.

For brothel workers, the location of negotiation coincides with the location of sex in a place that is owned and operated by a third party. Neither she nor the client controls the space, so both of them must trust the owner to put their interests first. In some cases, owners watch out for their employees by mandating condom use, providing security personnel to handle uncooperative clients, insisting on hygienic practices, seeing to women's medical health needs, and allowing sex workers the right of refusal.<sup>7</sup> Considering that the brief negotiation period in the front room allows little time to assess a client, such rules can be quite helpful—but they also can disrupt business. If a worker exercises the right of refusal too often, she risks alienating customers and negatively affecting the brothel owner's profits. According to brothel workers interviewed by Fick (2005), this situation puts pressure on them to accept virtually anybody who walks through the door. Therefore, even if a brothel worker senses that a man might be aggressive, she may not feel able to refuse him because she works not only for herself but also for the owner.

<sup>7</sup> Such was the case for one woman who left brothel work in favor of the dockside clubs in Cape Town. Although she was not unhappy with brothel conditions, she moved to the dockside because she thought she could make more money (Moena, personal communication, Cape Town, March 6, 2007).

In contrast to street prostitutes, beer prostitutes, and brothel workers, dockside sex workers who solicit from nightclubs catering exclusively to foreign sailors typically spend hours with a man before initiating negotiations. In this public environment, a woman assesses a man during their initial greeting, as they converse together, as he chats with his mates, while he speaks with her colleagues, as they drink together, while they dance together, and as they flirt through physical contact. Over time, she observes him in multiple social registers, seeing how he handles himself and others. The women told me that once they confirm a man's generosity and decency, only then do they initiate negotiations for price, duration, and complexity of sexual services for a rendezvous outside the club.

The fact that women often isolate rude, drunken men highlights the fact that the women have substantial power in the club environment. By conducting negotiations in a safe public setting, dockside sex workers can assess the character of potential clients while maintaining the right to refuse.

### *Location of the Sexual Act*

Sex workers typically negotiate the details of a contract in one space and then go to another to fulfill it. This spatial distinction usually allows them to reject potential clients if they cannot agree on terms. But in reality, negotiations continue up until the moment of (and during) sex itself. Once in bed, a client may refuse to wear a condom, demand sexual services that fall outside the contract, or pay a lower fee than he agreed to earlier. According to Campbell (2000), mine hostel<sup>8</sup> prostitutes report that some clients even threaten them with knives after sexual congress so as to get their money back. The location of sex has a major impact on whether such clients feel comfortable using violence to achieve noncontractual desires. In general, the more control a prostitute has over the location of the sexual act, the less likely it is that a client will use physical force against her.

The most vulnerable sex workers in this regard are streetwalkers and truck stop women, who typically enact the sexual contract within a client's residence or vehicle. As Wojcicki and Malala (2000) suggested, the prostitute is a stranger in these spaces and so is at heightened risk. Especially in a client's residence, she lacks information on reliable escape routes, does not know what surprises might await her, and may be socially isolated by the location of

<sup>8</sup> Mine hostels are residential compounds housing mineworkers near the mines. Sex workers often congregate in open fields near the hostels, offering their services to the passing miners.

the house. Meanwhile, the terrain is completely legible for the client. His comfort level with asserting demands will be higher in his space.

Brothel women do not control the space where sex occurs, but they enjoy some rights within it because they work under an employer who presumably has some interest in their welfare. However, because the owner's concern coexists with a desire for profit, the advantage may at times tilt toward the client. Many prostitutes have reported how unsettled they feel when they do not trust the brothel owner to protect their interests first (Fick, 2005). The women wonder, for example, whether anyone would bother to assist them in an emergency. Typically, though, the client is surrounded by people who support the sex worker. Although the space may not belong to her, neither does it belong to the client: He is just a guest with qualified rights.

Escorts who publicize their services through newspaper ads have a number of options for pursuing their business. Some prefer going to the client's place; others use a neutral hotel or go to their own abodes. High-priced independent escorts—also called courtesans—often add an extra layer of security by hiring drivers to drop them off at their rendezvous points. One Cape Town courtesan I interviewed has a chauffeur who drops her off and picks her up from work engagements. She makes sure that the client sees the driver before she enters his residence. Although she typically allows the chauffeur to depart after a suitable period, he provides a level of surveillance in her favor. The client understands that people know where she is and care for her well-being. With this arrangement, the courtesan told me, she has never had any trouble with clients.

In the relationship between dockside women and foreign sailors, the women are the locals, the ones who choose where sex will be enacted. If the client ships out the next morning, a hotel is preferable; if he will be in town for a few days, then the intimate space of a woman's flat may be more appealing. In both situations, the women are relatively safe because they have superior knowledge of the environment and they can call on a potential network of contacts within the vicinity (which the sailor can only guess at). Past experiences in particular spaces allow the women to gauge their level of security beforehand. When the woman chooses the space of intimacy, she commands greater control than the man.

### *Level of Discretion in the Solicitation Process*

Discretion is a highly valued commodity in the sex industry, for both clients and sex workers. Because prostitution still invites moral opprobrium and social

embarrassment for both parties, clients typically reward discreet solicitation with greater fees (Leggett, 2001). Discreet solicitation practices also allow prostitutes to protect their reputations, allowing them to go about their work without being stigmatized by the community and criminalized by law enforcement. A woman's social and legal status—derived from her public reputation—establish her level of power relative to a client. In general, sex workers who protect their reputations through discretion enhance their power. This power directly affects the quality of their experiences with clients and the law.

Women who solicit openly are more likely to experience violence than those who solicit discreetly. Open solicitors receive almost no social or legal protection because they have taken on a public identity as criminals, with all of the risks this role entails. A client can abuse a streetwalker with virtual impunity because she cannot mobilize social or legal support for her complaints. Streetwalkers are easy targets of abuse because they have little recourse to the institutions and networks that should bring them redress.

Escorts, however, often lead double lives and are not publicly known as prostitutes. Their discretion allows them greater flexibility in constructing their public identities. Ads in the newspaper or on the Internet do not expose them to communal surveillance networks. Their anonymity protects them from permanent stigmatization and they are able to mobilize legal resources if they get into trouble with sexual partners. Clients know and appreciate this fact. They also understand that a woman's credibility, maintained through discretion, gives her greater social and legal power because she is not irrevocably branded.

In the dockside sector, solicitation is relatively discreet because it takes place off the streets in downtown nightclubs. Solicitation activities are not only complex but also are similar to flirtations that occur in normal clubs: dancing, drinking, singing, talking, listening, and mild touching. Because solicitation is indistinguishable from normal dating behavior, the women can claim a powerful alibi: They can say that they were just partying. Although the sailors know that the women are sex workers, they lack the means to leverage this information. Sailors have almost no social impact beyond the dockside nightclubs and so pose no threat to the public reputations of the women.

Perhaps most important, dockside clubs are essentially off limits to local men—not because their business would not be welcome, but because they threaten the comfort of the foreign transients. In their interviews with me, managers of dockside nightclubs complained that

locals tended to try to take over clubs, acting disrespectful to foreign seamen and presuming the women to be theirs. Local men also threatened the anonymity of the prostitutes, many of whom work in the dockside sector precisely because of the discretion it offers. Keeping out local men allows dockside prostitutes to lead double lives because local surveillance and rumor networks can never gain access to the clubs. Thus, the women's secret remains safe and they escape stigmatization, negative legal attention, and client abuse.

### *Role of Third-Party Involvement*

Although many South African sex workers are independent agents, most prostitution transactions involve third parties who have a direct or ancillary financial interest in the women's business. Pimps, gangsters, and brothel owners act as gatekeepers in certain sectors. In other sectors, nightclub owners, cab drivers, and hotel proprietors are important players. These third parties often play a decisive role in exacerbating or reducing the likelihood of violence for prostitutes.

In the streetwalker and brothel trades, pimps, gangsters, and brothel owners have a direct financial interest in a prostitute having as many clients as possible so they can enhance their own profits. These parties can apply subtle or overt pressure on a prostitute so that she will accept new clients despite her reservations. Pimps, gangsters, and brothel owners usually claim to provide a service to the prostitute that justifies her payment to them. Pimps might provide protection, companionship, a place to stay, or drugs; gangsters might provide an alternative family unit to belong to, protection, or drugs; and brothel owners might provide a place to work that is safer than the streets (Fick, 2005). These provisions, which can involve physical coercion or chemical dependency, allow the third party to claim a percentage of the prostitute's earnings. Pimps, gangsters, and brothel owners all get their cut of her business, the breach of which can be devastating for the prostitute. Of course, not all such characters are abusive or controlling: Pauw and Brener (2003) described how some of them stand near the streetwalkers for protective purposes, write down license plate numbers of drive-by clients, and accompany the women home after work. Many prostitutes describe these men as boyfriends. Although this arrangement is preferable to an abusive relationship, the pimp still relies directly on the prostitute's earnings for his livelihood (Leggett, 2001). This pressure may lead the third party to inflict violence on a woman or force her to go with a client she does not trust.

For dockside prostitutes, who are independent operators, a number of third parties have a vested interest in

their safety. The nightclub management, cab drivers, and hotel owners all derive ancillary commerce from prostitution activities. Through their interaction with prostitutes, these third parties form part of an informal surveillance network over the women and their clients. In Durban, for instance, the nightclub owner notes which sailors the women go with. When sailors enter the club, they sign a registry listing their name, nationality, ship, and employer. If a woman has a problem with a client, she can call the club owner, who will talk with the port authority or shipping agent concerning her complaint. In the dockside sex industry, sailors are confronted at every turn by allies of the prostitutes, allowing the women to make sexual decisions without much threat of violence.

Moreover, because these third parties derive only ancillary business from the labor of the prostitutes, they seek to provide a decent service so that the sex workers will continue to bring their business to them. The clubs' success rests on the continued presence of sex workers because they encourage the sailors to spend lavishly there. Club owners typically try to keep the women happy so that they will keep soliciting from their clubs. The same goes for taxi drivers and hotel owners, who rely on the women to bring them customers. These people have no incentive to pressure the women into choosing bad clients because if they did, the prostitutes might respond by taking their business elsewhere—to another cab driver, to another hotel. The informal commission that the sex workers earn from these third parties is a casual surveillance and concern that allows them to move around safely. All of these people form part of a dockside sex worker's milieu, whereas the clients remain merely guests in her world.

### **Recommendations for Reducing Violence in the Sex Industry**

The fact that dockside prostitution is safer than sex work in most other sectors is no accident: Its relative safety is a product of the structural logic of a sex-work niche that answers the needs and constraints of maritime transients. Based on this knowledge as well as on lessons learned in comparing the dockside trade with prostitution in other sectors, I propose five policy recommendations for making the South African prostitution industry safer for sex workers. Although replicating the structural features of the dockside sector in other sectors is not possible, implementing indirect policy measures could curb male clients' propensity toward violence in these sectors. In this section, I discuss how legal, social, linguistic, commercial, and procedural strategies can decrease the likelihood of violence in the more dangerous sectors so that they approach the safer conditions of the dockside scene.

### *Legal: Criminalize the Purchase of Sexual Services but Decriminalize the Sale*

In the dockside sector, the social and legal status of sex workers' clients is low. Even though South Africa furthers patriarchal gender norms and criminalizes sex work, the transience and foreignness of seafarers bars them from having more status than dockside prostitutes. In other sectors, clients have a much higher social and legal status than sex workers. This inequality heightens women's vulnerability to violence in these sectors because prostitutes lack the credibility to approach institutions of redress, such as law enforcement.

In South Africa, the patriarchal social order and Christian moral outrage targets prostitutes more than clients, resulting in low status for sex workers. Furthermore, the law punishes only the sale, not the purchase, of sex. Thus, female sex workers are socially and legally disempowered vis-à-vis their male clients. In the nondockside sectors, clients can get away with egregious breaches of personal conduct because prostitutes have virtually no recourse against them. The socially sanctioned nonenforcement of rights for female sex workers gives clients virtual impunity to treat them violently. Moreover, the generally patriarchal environment ensures that, even with a gender-neutral legal code, male prerogatives are socially sanctioned.

One way to turn this inequality around is to reverse the legal rights of the participants, to create a positive double standard in the law such as is the case for racial affirmative action. The premise behind affirmative action in South Africa is that the legacy of racism continues to structure social and economic opportunity and that therefore a legal double standard is necessary to help previously disadvantaged groups succeed despite that legacy. The law is used as an instrument to overcome a prevailing social norm—White privilege—that would otherwise remain unassailable through a strictly nonracial legal code.

Such a policy might be useful for the protection of sex workers. Given that patriarchal norms continue to structure unequal gender relations and denigrate female sex workers relative to male clients, applying *positive discrimination* to the sex industry could decrease gender violence. Positive discrimination would be achieved by criminalizing the purchase of sexual services and decriminalizing the solicitation and sale of sexual services. This strategy has recently been enacted in Sweden, with the predictable result of reducing client violence toward prostitutes (Ekberg, 2004).

Such a legal double standard would destroy the impunity that clients currently have in their dealings with

sex workers by redistributing power away from clients, thus granting sex workers greater leverage during solicitation and sex. Essentially, this policy would mimic the situation foreign sailors face in South African ports as transient, low-status visitors. What would be the effect of such a legal reversal? First of all, clients would demand greater discretion from sex workers and encourage drive-by clients to seek prostitutes indoors rather than on the streets. Such a reversal of power also would create a new bargaining relationship between clients and sex workers: For clients who behave themselves and follow a prostitute's rules, she would honor the men's desire for discretion; if a man abused or threatened her, however, the prostitute could raise the issue with the police. With a legal double standard favoring sex workers in place, such a client would be charged not only with the criminal purchase of sexual services but also with counts of assault, battery, attempted rape, or rape. The sex worker's position within the relationship would be enhanced to the point that she could move around in greater comfort and ease (both legally and physically).

Although this strategy has been beneficial in Sweden, some scholars insist that all aspects of prostitution should be outlawed. Abolitionists believe that the sex industry cannot be reformed because it promotes child prostitution (O'Connell & Davidson, 1996), human trafficking (Ekberg, 2004), sexual slavery (Raymond, 2004), and symptoms similar to posttraumatic stress among women who engage in sex work (Farley & Kelly, 2000). Better to find a means to rehabilitate the prostitutes by reintegrating them into the formal economy by empowering them with new skills, they suggest. At present, however, the South African state lacks the administrative capacity, financial resources, and political will to confront the sex industry: Abolition in this context is just not practical. Even the apartheid regime, with its law-and-order ideology, could not dismantle the sex industry in South Africa—and prostitutes themselves do not call for it.

Other activists have suggested that prostitution should be decriminalized. Cape Town-based organizations such as SWEAT (Sex Workers Education and Advocacy Taskforce) view the criminal status of sex workers as the greatest impediment to their safety health, and livelihood. These organizations argue that prostitutes should be treated the same as workers of any other industry—protected by law, with access to health care and social benefits—and call for the formation of a sex workers' union so prostitutes could collectively demand their rights, work to decriminalize the industry, and enforce safeguards for sex workers. This ideal holds out the hope that once their status was decriminalized, prostitutes would be

able to gain access to legal, financial, and health services, as well as finally be free of the endless police harassment to which they are currently subjected (Leggett, 2001). Such changes would mark an important beginning, but the sex industry in South Africa would continue to be structured by patriarchal understandings of gender inequality. The high levels of domestic abuse, rape, and violence against South African women in general (Moffett, 2006) shows that legal equality would not be enough to protect highly vulnerable prostitutes. Rather, sex workers would need greater legal protection than clients so that, in reality, they could operate as equals.

### ***Social: Periodically Name and Shame Male Clients of Vulnerable Sectors***

In the dockside sector, sailors safeguard their reputations so that they remain employable. Sailors are vulnerable to the negative attention a local prostitute can bring if she complains about them to the ship's captain, the police, the port authority, or the ship's agent—so they have financial incentives to behave properly overseas. However, clients of prostitutes in other sectors face no threat to their reputations based on their actions: They can abuse sex workers without worrying about their social, financial, or legal standing.

By periodically naming and shaming male clients who purchased sex in nondockside sectors, law enforcement would give teeth to the criminalization of client purchases. Such a practice would warn clients of the risks that they, not the sex workers, were taking on by pursuing sexual services and would let clients know that law enforcement was no longer on their side—a change that would be revolutionary for streetwalkers. According to Fick (2005), as well as many of the former streetwalkers I interviewed, the male-dominated police force in South Africa has long been complicit with male clients, with some officers reputed to be the biggest (ab)users of prostitutes.<sup>9</sup> As Leggett (2001) stated,

A police member has complete discretion in deciding whether to arrest a sex worker—no one will question him if he does, and no one will question him if he doesn't—and this discretion allows him to extort money, drugs and sexual services from the women on the street. (p. 165)

Professional incentives must be created at the local law enforcement level to inspire police officers to care

<sup>9</sup> Although most dockside sex workers are not exposed to high levels of police abuse, older women who used to combine streetwalking with dockside club solicitation complained that they were the targets of intense police harassment when on the streets.

about the naming process. Relevant stations or special task-force units could be given a quota of arrests to make, all of which would be accorded media attention through an official police spokesperson. Toll-free hot lines, staffed by concerned activists and former sex workers, could be established to assist prostitutes who complained of client abuse. Names, photos, and details of transgressing clients could be published in the newspapers, discussed on TV talk shows, and reported in investigative journalist programs. Tabloids such as *The Voice* and *Die Son*, which specialize in local scandal and enjoy a mass readership, would offer enthusiastic coverage of such shame parades.

It would not take many of these examples to put sex-buying clientele on alert. The effects of publicly shaming transgressors could be quite severe, perhaps resulting in the loss of a man's job, breakdown of his intimate relationships, banishment by his church or community, a permanent mark on his legal record, and so on. The point is not to be unnecessarily vindictive, but to create a new set of incentives for male buyers who might be tempted to use violence against prostitutes. As in Sweden, "the main purpose of the Law is normative" (Ekberg, 2004, p. 1209)—in other words, the law is meant to alter the power dynamics currently enjoyed by male purchasers in their relationships with sex workers. If men were worried about public exposure, they would be more likely to seek discretion in their prostitutional relations and less likely to engage in violence because they would not want to raise the ire of the legally protected prostitute and, therefore, their likelihood of being reported.

If the likelihood of violence is premised on clients' ability to escape public exposure, then naming and shaming would radically alter men's incentive structure. To avoid such embarrassment, men would hesitate before pursuing an aggressive course of action. Thus, clients' reputations represent a crucial point of leverage in achieving safety for prostitutes.

### ***Linguistic: Equate the Moral Position of Buyer and Seller Through New Terminology***

At dockside nightclubs, the men are called sailors, seamen, fishermen, or guys. More possessively, women may refer to them as boyfriends and husbands. The term *client* is uncommon. The women are called club girls, women, chicks, or ladies; the term *prostitute* is rarely used. These euphemistic terms make dockside relationships seem legitimate because they draw from a socially acceptable vocabulary. They help cover the fact that material exchange is at the heart of these interactions.

Social discourse about prostitution relies on a similar lexical deception to reinforce unequal gender relations.

Currently, only sellers of sexual services are stigmatized by their involvement: They are called *prostitutes*, a term that irrevocably sets their identities within conceptual boundaries that are morally, socially, politically, and legally debilitating. (The term *sex worker* is a welcome corrective, but it is little used among sex workers themselves. Moreover, *sex worker* is as overdetermining an identity marker as the term *prostitute*, even though many of the women are quite transient to the business.) Buyers of sexual services have no comparable stigma, being referred to by bland, amoral terms such as *client* and *john*. So whereas the people on the demand side of this moralized industry remain free of taint, the people on the supply side are marked for life. This inequity contributes to the gendered power imbalance between the two parties. Through a public linguistic shift, this imbalance could be tipped a bit more in favor of the suppliers. Just as language identifies sellers (prostitutes) with their business (prostitution) it should identify buyers with their actions by labeling them *prostitutors*—a term showing the agency, complicity, and participation of male clients in this business, acknowledging their portion of responsibility for the trade.

Dictionaries define a prostitutor simply as a prostitute, offering yet another redundant name for the seller. Because the term *prostitutor* is almost never used to actually talk about female sex workers—*prostitute* remains the norm—I propose adapting it to refer to the other party in the transaction. Under this definition, a prostitute is a seller and a prostitutor is a buyer. Both are complicit in the creation of commodified sex, neither existing without the other.

This type of linguistic change would add a moral dimension to male behavior in public discourse, making prostitutors approach their illicit relationship bearing a burden of moral and social risk comparable to that of prostitutes. At the moment, South African communities rarely penalize men for sexual purchases. However, I believe that a campaign for substituting the label *prostitutor* for the vacuous term *client* in the media, law enforcement, and government would serve to raise awareness about how these gendered supply-and-demand identities are unequally constructed, threaten the assumed moral and social impunity that prostitutors enjoy in their sexual dealings, and enhance the moral position of prostitutes vis-à-vis prostitutors.

### **Commercial: Promote Ancillary Third-Party Involvement**

In the dockside trade, ancillary third parties help protect prostitutes due to their reciprocal commercial relationship with them. Through this entanglement, club owners, taxi drivers, and hotel owners form a casual surveillance network for the women. Sailors cannot help

but note how many local people acknowledge and affirm their relationship to the sex workers before the clients are able to pursue sexual gratification.

The other sectors in which sex work occurs have few such ancillary third parties: The women either work alone or are burdened by third parties (brothel owners, gangsters, and pimps) who have a direct financial interest in their business. Although the Sexual Offences Act (1957) criminalized direct profiteering from prostitution, brothel owners, gangsters, and pimps face little legal threat. Aside from the occasional arrest prompted by civilian complaint, police usually turn a blind eye to vice profiteering. Although some of the services that these parties provide are helpful, such as a safer work environment (in a brothel) and protection (on the streets), they also can entail drug peddling and virtual sex slavery. A preferable option would be if these third-party agents provided such services for a standard fee so that the women could take or leave such services without coercive obligations.

Admittedly, it is difficult to add new parties to existing niches that are already structured based on the existing needs of clients. After all, street cruisers and truckers do not need the services of cab drivers, hotels, or nightclubs. However, if such clients are criminalized and occasionally named and shamed, they would seek discretion and alibis in their sexual purchases. As I mentioned previously, when solicitation is incorporated into regular recreational environments such as nightclubs or bars, the women automatically benefit from third-party surveillance. The more prostitution activities are incorporated into larger fields of legitimate (as opposed to illicit) commerce, the safer the industry will be for sex workers.

### **Procedural: Enhance Complexity, Value-Added Services, and Discretion**

In the dockside trade, sexual engagements follow after extensive social interaction at the clubs, including hours of drinking, dancing, companionship, and conversation. Such legitimate activities shroud the connection between solicitation, sex, and money, masking the work of prostitution and usually protecting sex workers from negative legal attention.

Indeed, in sectors where sex is one of many components of solicitation or interaction, prostitutes are rarely targets of the law. When brothels advertise themselves as massage parlors or sex workers market their services as escorts (suggesting that they do not sell sex, but some other service), they add a veneer of legitimacy to their otherwise illegal operations that provides the women with useable cover stories and offers greater discretion, both to prostitutes and their clients.

Thus, police officers target only those prostitutes with no plausible cover stories, such as streetwalkers and hotel prostitutes (Fick, 2005; Leggett, 2001). Legally, these women have no defense, no cover that they can offer to the charge of loitering with solicitous intent. If they merely moved their business indoors to a tavern or a nightclub, they could avoid much legal scrutiny and achieve greater stature in negotiating with clients. As it stands, the streetwalker, truck stop, and mine hostel trades cater far too much to the convenience of clients.

Rather than forcing clients to seek socially complex engagements, or forcing women to move their business indoors, incentives must indirectly encourage these changes. Criminalizing clients and shaming selected purchasers in the exposed sex work trades would be a start, encouraging clients to take their purchases indoors, to seek discreet providers of sexual services, to involve third-party agents, to relinquish the power and comfort that they currently hold, and to engage in more complex service arrangements that elevate sex workers' status and enhance their cover story. As Fick (2005) stated in her comparison of streetwalkers and brothel women, "[S]ex workers who worked outdoors had experienced higher levels of violence than those working indoors" (p. 2). Decriminalizing sex work would also allow the women to stop worrying about having cover stories to protect themselves. Such measures would not necessarily destroy the exposed trades, but they would at least alter the bargain between prostitutes and their clients within that sector.

### Conclusion

South African prostitutes may be restricted by patriarchal gender norms, stigmatized by their communities, and criminalized by the law, but their exposure to violence is heavily dependent upon the sex sector in which they work. At one extreme, streetwalkers are highly vulnerable to client, police, and third-party abuse due to the structural characteristics of the street trade. Their clients enjoy a higher social and legal status than they do, the location of negotiation militates against reliable assessments of clients' character, clients control the location of the sex act, the women solicit openly and so offer no discretion for themselves or their clients, and streetwalkers are surrounded by third parties who have a direct financial interest in their work. At the other extreme, dockside prostitutes face little danger of sexual violence due to the structural logic of their sector. Their clients have low social and legal status in the country, the location of negotiation allows for deep assessments of clients' character, the women control the location of sexual liaison, prostitutes' solicitation activities are relatively discreet

because they occur indoors and mimic normal nightclub behavior, and sex workers' relationships with third parties are characterized by mutual beneficence.

These different experiences have little or nothing to do with the personal qualities of the prostitutes: Their race, ethnicity, education level, and class background have little bearing on whether they experience violence within a given sector. These characteristics certainly affect which sector a given woman might choose to work in but, once there, sex workers confront irresistible structural forces that determine their likelihood of encountering violence. From a policy perspective, then, the most effective interventions in the sex industry may not revolve around modifying sex workers' behavior (e.g., through workshops or counseling) but around altering the structural conditions of the sectors in which they work so as to provide disincentives for male abuse of prostitutes.

In this article, I have tried to counter the image of the typical comfortable client with that of the uncomfortable one to show how clients' comfort level relates to the probability of their abuse of sex workers. In South Africa's dockside sex trade, clients feel socially and legally insecure and do not control the spaces of intimacy. As a result, they rarely threaten or execute violence against prostitutes—but they are nonetheless able to achieve their contractual goals with the women. This insight should encourage the consideration of strategic interventions that help equalize power in the prostitute-prostitutor relationship. Focusing on the structural features of the different sectors in which sex work occurs allows for formulating policies with greater precision and providing external support for the women who navigate risk within this industry.

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