

Prostitution: A case of bad women or bad laws?

*Seeing emerge a man he knew,
'That's the proper thing to do!'
was Cato's well-considered view,
'When your veins swell with brutal lust,
the brothel is the place to trust.
Girls await your pleasure there,
so other people's wives you'll spare'.*

Horace quotes Cato in one of his "Satires"

This essay focuses on the world's arguably oldest profession – prostitution. It seeks to examine whether it is merely a case of bad women or bad laws that are regulating the current “flesh trade”. The discussion would be from the perspective of the prostitutes - the reasons why they venture into this profession and the social control agent namely the country's laws and policies. For the purpose of this essay, the research is limited to prostitution in Singapore with a brief comparative observation of three red-light areas in Singapore.

History of Prostitution in Singapore :

Modern Singapore founded by the British in 1819 attracted many immigrants from India, China and also from the Southeast Asian countries. Everyone was eager to seek new opportunities in the new trading port situated at the heart of Asia. The population grew tremendously, males outnumbering females. The meagre wages did not enable these men to support a family or to return home to marry. Legally, the British government allowed women's

entry into Singapore for the purposes of prostitution, provided that they did so out of their “*own free will*”.¹ However, increasing profits from prostitution and the increasing awareness of exploitation pushed the colonial authorities to step in. Immigration rules became tighter. In 1927, brothels were declared illegal although prostitution was not. From 1939 until 1959, instead of eradicating prostitution, the authorities emphasized on control and formal containment. Eradication would only drive the brothels “underground” under the control of the secret societies. This would complicate efforts to monitor the movements of the prostitutes. The law remains until today. The government defines the parameter of prostitution. The challenge entails the maintaining of the present form of control that has been reasonably effective in controlling the spread of sexually transmitted diseases, the exploitation of women and other criminal activities.

Prostitution : Is it a case of bad women ? :

Prostitution is defined as “*the act of a female offering her body for promiscuous sexual intercourse for hire, whether in money or in kind*”.² The main motivation is cash and hence prostitution could be regarded as a deviant occupation. The term “*deviance*” as defined by the Concise Dictionary of Sociology is “*a formal property of social situations and social systems*” which has the properties of norm violation and stigma construct.³ What can be characterised as deviance depends upon the firm understanding of the norms and the labelling

¹ Ong Jin Hui, “Singapore” in Nanette Davis (ed) *Prostitution : An International Handbook on Trends, Problems and Policies*, Westport, Connecticut : Greenwood Press, p. 245

² Singapore Statutes, Cap. 47 : Section 2

³ Marshall Gordon, *The Concise Dictionary of Sociology*, Oxford, Oxford University Press, 1994, p. 120

process in particular social context.⁴ Stereotype also implies that all members of that group are said to possess the alleged characteristics. For example, men publicly generalise all prostitutes as “bad” women and that they enter prostitution for the same reason.

In Europe, prostitutes are fighting for their rights and are not ashamed to declare themselves as prostitutes. They used to be secretive but nowadays they are challenging conventional judgements and publicly demanding their rights to institutional resources.⁵ In Singapore however, prostitutes try to avoid public scrutiny. They are involved in the management of their “spoiled” identity.⁶

Mimi, a transvestite prostitute interviewed, said that work place discrimination and society’s emphasis on being able to be financially independent have caused most low-educated women like herself to take the easier way out by prostitution. Like many other transvestites, Mimi wants to work in a “legitimate” office environment but no employers will want to hire a “Bapok” (transvestite). This is supported by the study of **Robert Merton’s** *Structural Strain Theory*. He explains how deviance is a result of a “discrepancy between societal expectations and opportunities”⁷ and how this limited availability of opportunity cause the transvestite to turn to prostitution and make them deviant in the eyes of society.

The economic development of Singapore has virtually eliminated poverty and hence prostitutes can no longer cite it as the main reason why they enter into the profession. Some females have acknowledged that prostitution will provide them with a much higher

⁴ Ibid. p.120

⁵ Kitsuse, John I, “*Coming Out All Over*”, *Social Problems*, 1980, Chapter 28 p. 1-3

⁶ Goffman, Erving, *Presentation of Self in Everyday Life*, New York : Anchor Books, 1959

⁷ Calhoun Light Keller, *Sociology*, The McGraw-Hill Companies, Inc., 1997, p. 155

income⁸. It is perhaps the lure of easy money that entices a normal worker into prostitution. After all, according to *Christine*, a full-time prostitute, “*Why work a 12-hour shift in a factory, standing all day and earning \$30 a day when I can get a \$300 for an all-night session !!*”.

Although the prostitutes’ initial entrance to prostitution is best understood as “*an act of resistance to the experience of poverty*”, their continued involvement occurs when anomalies and contradictions of the lives of the prostitutes are resolved and rendered coherent in a fashion which permit such involvement to be plausible.⁹ Therefore, in Singapore’s context, perhaps prostitution is a case of “bad women” who want fast money and live the easy life. However one could argue that legalisation on prostitution contributes in condoning an otherwise deviant act and it is these laws that encourage these women to continue being “bad”.

A case of bad laws ? :

The various legalisation of prostitution might actually contribute to its perpetuation.¹⁰ There is no official definition of legalised or decriminalised prostitution. Most references to law reform in the media and in other contemporary contexts use the term “legalisation” to refer to any system that allows some prostitution. Legalisation often restricting prostitutes to working in brothels or in certain zones, licences, registration of prostitutes and government records of individual prostitutes, and health checks, often resulting in punitive quarantine. From sociological perspective, the term legalisation usually refers to a system of

⁸ Chan, Jasmine , *Prostitution and Stigmatization : Perspective on Deviance*, Academic Exercise, Department of Sociology, National University of Singapore, 1987

⁹ Joanna Phoenix, “*Prostitutes identities*”, *The British Journal of Criminology*, Vol. 40 No. 1 Winter 2000, Oxford University Press, p 40

¹⁰ Erikson, Kai T, “*Notes on the Sociology of Deviance*”, *Social Problems*, 1962, Chapter 9, p. 307 – 214

criminal regulation and government control of prostitutes, wherein certain prostitutes are given licences that permit them to work in specific and usually limited ways.

In his writings, "*The Division of Labour in Society*", **Emile Durkheim** argued that society is based on common moral order. Criminal laws (being one indicator of morality) express the common will because they provide the punishment of those who disobey them. When a crime is committed, there is a widespread of public outrage. The outrage at the criminal and his deviant behaviour reaffirms the underlying principles of society. Morality, Order and Protection promote social solidarity. Hence as Durkheim argued, crimes serve a positive function of society by holding it together. And it is precisely upon such principles that the Singapore's law policies are enacted to uphold the morality, order and protection.

The Singapore's criminal provisions relate to several policies :

1) *Preserving public order and decency*

Persistent soliciting in public places is prohibited as the public needs to be protected from unwelcome soliciting. As the majority of Singaporeans has a poor opinion of prostitutes and regard brothels as an eyesore, prostitution has to be kept at a low profile.

The "Designated Red-Light Areas" (DRA) where all brothels and prostitutes are grouped together would give the women the opportunity to learn skills and coping strategies of prostitution. Although this reinforces their sense of alienation and they feel "removed" from society, there is however, a high degree of control of public manifestation of prostitutes.

2) *Providing safeguards for the protection of prostitutes against exploitation.*

The Women Charter creates offence for anyone who sells, lets, hires or imports or exports any woman or girl for the purposes of prostitution.¹¹ The Women Charter also makes it an offence for those living on the earnings of prostitutes.

There is an unwritten law that operates on the basis of a “contract” among the prostitutes, brothel-owners and the Anti-Vice Enforcement Unit (AVEU). The AVEU offers not to enforce laws on the brothel operators within the DRA. However the brothel owners must ensure that the prostitutes are not below 18 years old and are free from sexually transmitted diseases. They must be interviewed by the authorities who want to make sure that they are working out of their own volition. Such trade-offs benefit the three parties concerned and this indirectly protects the prostitutes against exploitation by the brothel owners or their pimps. In this respect, it is submitted that there is no defect in the law but its enforcement is questionable.

3) *Preventing exploitation and corruption of the young*

Section 159 of the Women Charter empowers the Director of Social Services to remove a girl under the age of 21 involved in the prostitution trade to a “place of safety”. The rationale is that young people might not possess the maturity of thought and are unable to make rational decisions.

Therefore, the problem of public manifestation of the prostitution trade is reduced due to concessions given to prostitutes working in the DRA brothels. They are less likely to be exploited by brothel operators or pimps. The prostitutes are also issued with “yellow cards” - a

kind of medical card that required them to go for their compulsory bi-weekly medical check-up. The cards are connected to the notion of the “dirty” nature of the profession. The yellow card system serves as a way to control sexually transmitted diseases. If the prostitutes do not register, then they risk the chances of being arrested. However, the authorities by keeping the list of the prostitutes’ names and addresses, indicated control over them. We can argue that the yellow-card system “legitimises” the profession and serves as a selling point for clients who are afraid of the sexually transmitted diseases. In addition, the card is essential for working in the brothel, and this indirectly legitimises the brothel. In the end the prostitutes see the yellow card as an official document to “licence” their activities. We could say that in this case, the laws help perpetuate prostitution.

A brief comparative observation of three red-light areas :

Geylang Red-light District

This is the most popular red-light district situated amidst residential area (where families and foreign labourers live) and restaurants. Many of the brothels have large red numberplates signifying the nature of the activities in the cathouses or battered terrace houses. However in the past few years, many budget hotels have mushroomed within the vicinity. One could not help but wonder that perhaps the budget hotels such as Accord Hotel, Darlene Hotel and the chains of Hotel 81 with rates as low as \$10 per hour and \$30 onwards for overnights, are catering to the thriving prostitution business. The Geylang prostitutes (mostly from Malaysia) do not street-walk. They are normally kept in the brothels and their pimps would be out on the

¹¹ *The Women Charter*, Sections 140-142

street, inviting prospective clients in, just to “have a look”. Westerhout Road in Lorong 16 is particularly interesting with the newly built 3-stories terraces with big aquarium of fishes in the waiting room. However, the red-lanterns and barricades in front of the door as well as the ubiquitous Chinese altars illuminated with electric candles, are still in fashion. The glimpses of the prostitutes in Geylang being driven to their workplace by their pimps in brand-new Rovers, make the curious minds wonder why such beauty is wasted on prostitution. These girls are beautiful enough to enter the modelling world. Beauty comes with a high price of S\$50 to \$150.

Orchard Towers

The “unlicensed” prostitutes in Orchard Towers include foreign prostitutes from neighbouring countries as from as far as Laos and the Philippines. Transvestite prostitutes street-walk along this stretch of Orchard Road. Patronised mainly by Caucasian tourist, the nightclubs such as Ginivy’s and Club 392 in Orchard Towers are littered with prostitutes. Rates here are slightly higher (from S\$50 to S\$300) than the rates in Geylang as many of the prostitutes are on social pass visits and would be deported back to their home country if caught by the AVEU. Opportunity costs thus dictates the rates per night. Competition is keen in Orchard Towers and the rows of taxis queuing on the road outside shows just how lucrative business is.

Desker Road

This is a classic low-end red-light district. All the action takes place in the back alley between Desker Road and Rowell Road with many men walking up and down the alley, looking inside the rooms checking the “available selection”. Inside the doorways, one would find some bored-looking 1 to 4 prostitutes seated on cane chairs in the bare room. The dingy-looking

room glowed further by the red light from the mini altars housing the Chinese Gods prayed to by the brothel owner who are perhaps asking for a more prosperous business. The prostitutes in Desker tend to be has-beens, older (from 40 years old onwards), uglier than those in Geylang and Orchard Towers. Rates ranged from S\$20 to S\$60. Along the alleys, one is spoilt for choice by a wide selection of pornographic video compact discs sold on makeshift stands. One could also buy various virility oils, lotions and sex-toys or sex aids to enhance one's sexual experience.

There is a certain hierarchy within the prostitution world. The Geylang area caters to a richer clientele whilst the Desker area caters to the public having less money but nevertheless need to satisfy their lust. Foreign construction workers too frequent the Desker area. In Geylang, the prostitutes are hidden from the public eye. It is the pimps who canvass business for them or by the men themselves who seek pleasure by visiting the whorehouses. Desker Road differs slightly as the women are seen "parading" in the open doorways, allowing the men to ogle and select their sex partner for the night. Orchard Towers on the other hand, is a form of "laissez faire" business. Women seduce the men, the men bargain on the rates and off they go to a private apartment or a hotel for a few hours. Orchard Tower-like activities are controlled from sprouting up by virtue of the legalisation of prostitution. Although Orchard Tower is an anomaly, the activities in Geylang and Desker are more or less controlled. Officials recognise that prostitution is a necessary evil. They believe that the eradication of prostitution would result in the rise of rape and other sexual offences. This reasoning is based on the notion that men cannot control their sexual urges. The rationale of prostitution from this perspective sees the "*profession as an acceptable outlet for male sexual needs*".¹²

¹² Ong Jin Hui, "Singapore" in Nanette Davis (ed.) *Prostitution : An International Handbook on Trends, Problems and Policies*, Westport, Connecticut : Greenwood Press, p. 259

In conclusion, by imposing certain regulations with regard to prostitution, the government is trying to control this aspect of deviance. Although some societies might disagree that such policies might lead to a moral breakdown but we could argue otherwise. Taking Holland as a yardstick, the legalisation of prostitution allows the “*government much more flexibility than criminalisation*”.¹³ The Dutch government treats prostitutes with respect and as respect breeds respect, the prostitute does not transmit disease and hence the rate of Aids infection is less than 1 percent. If Singapore were to adopt the Dutch style of decriminalising prostitution, then perhaps two things will arise. If engaging the services of the prostitutes is explicitly allowed, the temptation to have a bite of the forbidden fruit is not as tempting as before. But it is doubtful if such logic will stand given the nature of men. As ours is an eastern society, we are more conservative in our thoughts and actions. Explicitly allowing the operation of brothels would only reflect our stand on morality. And the last thing our government wants would be condoning prostitution. Although prostitution is frowned upon, it is nevertheless the pragmatic way to resolve the issues of uncontrollable human lust.

According to A. Jolin, “*throughout its long history, prostitution has neither enjoyed uncontested acceptance nor endured total condemnation. In times of acceptance, as in times of condemnation, prostitution was always controversial.*”¹⁴ Perhaps, the question is not just a case of “bad women”. It is also the issue of the policies that either try to normalise the behaviour of these bad women or try to protect the society from falling deeper into the vices of the world.

¹³ D. Stanley Eitzen and Maxine Baca Zinn, *Social Problems*, Allyn & Bacon, 7th Edition, 1997 p. 492

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¹⁴ A Jolin, “*On the backs of Working Prostitutes : Feminist Theory and Prostitution Policy*”, ***Crime and Delinquency***, 1994, pg. 69