Innocence and purity vs. deviance and immorality: the spaces of prostitution in Nepal and Canada

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Summary

This paper adopts a critical feminist analysis in examining the way in which social and physical spaces operate to maintain race, class and gender hierarchies in relation to prostitution. Critiquing the dominant anti-trafficking discourse that essentialises all 'third world' women as victims, the author problematises the construction of Badi women in Western Nepal as 'traditional prostitutes' and Aboriginal women in Canada as 'easy squaws'. This analysis demonstrates how in reproducing false divisions between 'virgins' and 'whores' and between the 'first' and 'third' worlds, material, symbolic and discursive processes work to normalise unequal relations of power.

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Abbreviations

AATWIN	Alliance Against Traffic in Women and Children
AJI	Aboriginal Justice Inquiry
CATW	Coalition Against Traffic in Women
GAATW	Global Alliance Against Traffic in Women
INGO	International Nongovernmental Organisation
NAAT	National Alliance Against Trafficking
NGO	Nongovernmental Organisation
NIC	Neighbourhood Improvement Committee
NSWP	Network of Sex Work Projects
NWMP	Northwest Mounted Police
UN	United Nations
USAID	United States Agency for International Development

Preface

The purpose of this dissertation is to provide a comparison between how Badi women in Nepal and Aboriginal women in Canada are represented in discourses around sex work in an effort to gain insight into the operation of particular forms of gendered, classed and raced social exclusions. I seek to problematise the discursive constructions of both groups and to look at how dominant ideologies and values function as key mechanisms of subordination.

My interest in this subject has arisen through my work in Nepal with a nongovernmental organisation (NGO) involved in advocating against the trafficking of women and children, as well as through my work as a street outreach worker in Canada which involved much interaction with Aboriginal women, many involved in sex work. Despite the vast historical, social and political differences between the two groups, I began to observe many similarities that exist, particularly in terms of stereotypes, stigmas and labelling. I also came to question the focus of 'development' on the 'third world' which allows the 'first world' to ignore the 'third world' that exists in its own marginalised areas. Although I have used some primary sources in the form of government documents and newspaper articles, this paper primarily draws on secondary sources in the development of its arguments.

I am indebted to my supervisor, Jo Doezema for her inspiring activism, writing and resources and for her support in converting my vague ideas into focused arguments. I would also like to thank Anne-Marie Goetz for her extremely insightful comments.

Chapter 1: Introduction

Since the 1980s, a frenzied hype has been generated in the media, academia and the development industry about the epidemic of trafficking in women and children both within and between nations. Numerous nongovernmental organisations (NGOs) have sprung up to address the issue in both the North and the South. Along with the media, NGOs have continued to document 'sex slavery' with graphic images of the stolen innocence of young women who have been lured from their simple rural lives into prostitution by evil traffickers who employ various tactics such as coercion, deceit or force to entice these women into a life of slavery, debt bondage, rape, torture, etc. (see Brown, 2000; Human Rights Watch/Asia, 1995; Gibb, 2003). The estimates of women and children who have become victims of trafficking construct an image of a flourishing 'flesh trade'. Human Rights Watch/Asia (1995) estimates that 'at least hundreds of thousands, and probably more than a million women and children are employed in Indian brothels' (1) while mainstream media, such as *The Observer Magazine*, quote that '10,000 illegal immigrants are working as prostitutes in Britain today, [m]any [who have been] brought here by ruthless…pimps who sell them into a life of enforced vice for as little as _150' (Gibb, 2003: 24).

However, the prevailing discourse on the trafficking of women and children has tended to obscure the realities not only of women who have been 'trafficked' but also of other women who are engaged in the sex industry. In many 'third world' countries, such as Nepal, the trafficking discourse has homogenised public perceptions and representations of 'the prostitute' in a way that precludes an analysis of individual subject positioning. In the first world, popular discourses of prostitution have minimised the fractured, contested and processual nature of agency and identity.   The connections and tensions that exist between and among the discourses and experiences of prostitution in the North and South have been little examined, particularly against the backdrop of the pervasive trafficking discourse.

This paper will examine representations of sex workers in Nepal and Canada, specifically two marginalized groups, Aboriginal women in Canada and Badi (scheduled caste) women in

Nepal. I will explore how discourses on prostitution seek not only to maintain divisions between 'pure' and 'impure' women, but also between the 'first' and 'third' worlds, including the so-called 'third world in the first world'. This analysis will focus on the ways in which prostitution and its negative imagery has been mapped out on particular physical and racialised geographies of the world and in particular societies. I will also examine how the physical and social isolation of Badi and Aboriginal women has become an important means of producing and reproducing unequal social relations and will focus on the significance of the trafficking discourse in authenticating and strengthening these divisions.

The following chapter will analyse prostitution from a social geographical perspective to examine the ways in which the construction of 'the prostitute' as deviant and immoral emerges from particular discourses and ideologies which are reflected in physical and social spaces. The third chapter will provide an overview of the major discourses around prostitution. I will then look at how this discourse is applied within a Nepali context, and will examine women of the Badi caste who are said to engage in prostitution as their caste occupation. Subsequently, I will turn to the Canadian context to explore the ways in which Aboriginal women and their bodies have been equated with prostitution. The sixth chapter seeks to tease out the connections and separations between communities of marginalized women in Nepal and Canada in order to develop a greater understanding of the structures and social relations that maintain subordination. I will then look at the virgin/whore and first world/third world binaries in order to unpack the ways in which women's subordination is maintained through these false dichotomies which attempt to preclude any form of global solidarity and disqualify the space of prostitution as a space of resistance. The conclusion will integrate the arguments weaved throughout the paper to provide a framework in which global connections among marginalized women can be used to contest dominant discourses of prostitution and trafficking which silence the voices of the oppressed.

Methodology

The choice of the Badi women in Nepal and Aboriginal women in Canada as the subject of this study arose through my personal experience in working with both groups. In addition to my personal experiential observation, my arguments were greatly informed by sex worker activists' theorising of prostitution and trafficking, social geography and feminism's examination of physical and discursive space, and by numerous Aboriginal women authors who continue to resist ongoing processes of colonisation. An analysis of physical and geographical space seemed particularly relevant to this analysis because, although they may be geographically distant, both Badi and Aboriginal women's physical location and social isolation have become powerful means of marking out their subordination both within their respective societies as well as globally. A comparative analysis is useful because it lends insight into the different and similar mechanisms of subordination which are used to perpetuate global and local inequalities. Such a comparison also allows an assessment of the legitimacy of divisions between the 'first' and 'third' worlds.

This dissertation relies almost exclusively on secondary sources, with some primary sources being employed through the use of newspaper articles and government publications. I also make considerable use of historical sources with the view to drawing out particular observations about the development of myth and the construction of a particular sexualised and gendered type of social exclusion. The use of secondary sources has led to certain limitations. Because conducting primary research was not a part of this dissertation, I was unable to provide an accurate representation of the ways in which Aboriginal and Badi women construct their own identities. Consequently, this paper focuses on external labellings, discourses and perceptions rather than on self-identity, internalised mechanisms of subordination, and forms of resistance.

Chapter 2: The construction of 'the prostitute'

The subject of the body and space is one that has been intensely interrogated by social and cultural theorists in the past decade (see Razack 2002; Keith and Pile 1993; Lefebvre 1991; Soja 1989). In this chapter, I use the concept of physical and geographical space, ideologies, and stereotypes to examine how unequal social relations of power are produced and reproduced in discourses around prostitution. Throughout this paper, the idea of space will be used to indicate the ways in which boundaries (be they physical, geographical, discursive or ideological) are constructed around understandings and representations of 'the prostitute'[1]. Physical, mental and social space provides a compelling method for examining Badi and Aboriginal women not only because of their geographical distance but also because of their supposed social distance in the 'first' and 'third' worlds. Underpinning this analysis is a social relations approach which recognises 'the interconnecting relationships through which women are positioned as a subordinate group in the division of resources and responsibilities, attributes and capabilities, power and privilege' (Kabeer 1994: 65). As such, variations in caste, class, and race all interact to determine a woman's social positioning. This chapter examines how these mutually-constituted social relations interact with particular ideologies and discourses to construct 'the prostitute' subject.

2.1 Location: the prostitute body and behaviour

In dominant discourses, the body, in particular, has taken on specific material meaning in relation to 'the prostitute'. Adapting Kawash's (1998) analysis of the homeless body as a site of contestation over public space demonstrates the power of normative discourses in producing dominant representations of inclusion and exclusion. She examines the numerous ways that 'the

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[1] Throughout this paper, the terms 'prostitute' and 'sex worker' will both be used to refer to women working in the sex industry. 'Sex worker' is explicitly used to recognise sex work as a form of labour. Kempadoo (1998) explains that 'sex worker' stresses 'the social location of those engaged in sex industries as working people' without it becoming a social or a psychological characteristic of women (3). The term 'prostitute' is also used in discussions around the dominant discourses of prostitution that tend to frame 'prostitution' as an identity. 'Prostitution' and 'sex

homeless' and 'the public' are produced in binary opposites in public spaces, such as through padlocked parks, 'bum-proof' bus stop seats and outdoor sprinklers in parks. Through this symbolic and material distinction, the homeless body is produced, against which the body of the 'good public' and the upright citizen can be contrasted. In the same way, the prostitute and the prostitute body emerge in order to frame the boundaries between 'good' and 'bad' women. Just as the 'homeless body' is not an identity but rather an 'emergent and contingent condition that occludes identity' (Kawash, 1998: 324), the prostitute and non-prostitute act as mutually defining terms. Balos and Fellows (1999) point out that for society and the law to recognise a worthy category, it must define and identify the unworthy category. Consequently, the prostitute body operates to maintain both socially subordinated and socially elite categories. And, it is the prostitute body as well as prostitute behaviour which mark the space of prostitution as impure and unchaste. Balos and Fellows (1999) demonstrate how in the legal context, questions of violence (such as domestic abuse, sexual harassment and rape) turn into questions about how closely a woman's behaviour resembled prostitution: if you look or act like prostitute, the violence is deemed welcome. Prostitution then serves as 'a paradigm for what constitutes an undeserving claim of harm' (ibid: 1231).

This is a process that was particularly blatant in colonial times, as evidenced by Gilman's (1992) examination of nineteenth century art, medicine and literature. He traces how the image of the black female was merged with the perception of the prostitute through labels of primitiveness and uncontrolled sexuality, seen to be proven by observable physical differences. The body of the black woman was seen as inhabiting a perverse and deviant sexuality while the prostitute body was seen as embodying physical characteristics that, according to Freud, showed an 'aptitude for prostitution' (cited in Gilman 1992: 185). Accordingly, the prostitute body became marked not only by gender and sexuality, but also by race in ways that interacted to demonstrate the 'natural' inferiority that the body inhabits. The black woman and the prostitute woman became mutually reinforcing indicators of deviance. McClintock (1995) describes the pervasiveness of this discourse in colonial times:

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work' are also used strategically to demonstrate the power of semantics to influence how we think of prostitution as either *exploitation* or as *labour*.

> Prostitutes visibly transgressed the middle-class boundary between private and public, paid work and unpaid work, and in consequence were figured as "white Negroes" inhabiting anachronistic space, their 'racial' atavism anatomically marked by regressive signs: "Darwin's ear", exaggerated posteriors, unruly hair and other sundry "primitive" stigmata (56).

The production of space and the production of bodies within particular spaces worked to reinforce the multiple systems of domination inherent in colonisation. Gender, race and class all interacted to become important markers of space and the 'natural' location of bodies within these spaces. This was a process that impacted all women. In an era in which science, evolution and biology were held up as the foundations of truth, physical characteristics were used to label the Other as the embodiment of 'uncontrolled sexuality' in need of control. This categorisation threatened to cast all women into the category 'prostitute' if they refused to conform to the demands of chastity.

This threat was made real with the passage of the Contagious Diseases Act in England in the mid-nineteenth century 'to control the spread of venereal disease among enlisted men in garrison towns and port' (Walkowitz 1980: 1). The Acts authorised police who suspected a woman of being a 'common prostitute' to force her to undergo an internal examination. If she was found to have a venereal disease, she could be interned in a certified lock hospital 'for a period not to exceed nine months' (ibid: 2). Because it was the female, and not male body that came to be placed under special controls, the prostitute body (and the body of any woman suspected of engaging in prostitution) became identified as a primary source of disease and pollution. This double standard resulted in a class of 'sexually deviant' fallen women who were forced to 'acknowledge their status as "fallen women"' (Walkowitz 1980: 5), and symbolised the class, gender and sexual subordination that was intrinsic to Victorian society, especially as most of these women were of the working class. Not only did the Acts threaten the freedom and basic rights of all woman who dared to behave like a prostitute, they also became a legal mechanism for reinforcing and reproducing the distinction between 'whores' and 'madonnas'. Thus it is not only the material aspects of prostitution embodied in the prostitute body and prostitute behaviour, but also the ideological presence of the prostitute that threatened public definitions of purity and chastity. This is reflected in prevailing ideologies about prostitution.

2.2 Ideology

Ideologies vary substantially both within and across different societies, but it is those who are in dominant power positions vis-á-vis race, class, caste and gender who control which ideologies define social norms.   A 2002 article in the Globe and Mail, one of Canada's national newspapers, describes how a nurse 'whose dark history includes working as a prostitute on the streets of Vancouver killed fourteen of her patients by injecting them with lethal drug cocktails' (Smith 2002: A12). Although the charges were laid in the Netherlands, and although the woman had been working as a nurse for many years, her deviant behaviour is unambiguously linked to her involvement in prostitution. Another article about the same trial states that 'prosecutors said [the woman's] abusive childhood, *her background as a prostitute in Vancouver*, her frequent lied about her nursing credentials and her depressive personality all *fit the profile of a serial killer*' [emphasis added] (Associate Press 2002).   The explicit connection of sex workers with serial killers and 'darkness' demonstrates powerful judgements about sex work as a form of deviant behaviour, and behaviour that needs to be controlled.

Ideology is also reflected in the criminalisation of sex work in most countries, and the consequent criminalisation of the prostitute. The relationship that the prostitute has with the law is profoundly affected by the space that the law assigns her. Adopting Lefebvre's (1991) formulation provides a useful framework for examining the production of space. He isolates three factors in this process: *spatial practices* (the daily routines and experiences that produce, reproduce and organise social spaces and social relations), *representations of space* (conceptions about space, embodied in particular verbal or material signs), and *representational spaces* (space that is directly lived through associated symbols and images). For prostitution, the spatial practice of confining prostitutes to strolls, brothels and marginalised areas of the city, the criminalization of prostitution, the imagining of the space of the prostitute body as well as the stroll, brothel, etc. as a space of unchastity, and the symbolism of the prostitute body as immoral and impure in most societies all interact to produce the space of prostitution as a space that maintains social hierarchies. However, even in places where prostitution is not criminalized, the

prostitute herself is often targeted by police for her 'deviant' behaviour. I will now examine how these ideologies attempt to ascribe particular identities onto 'the prostitute'

2.3 Prostitution as an identity

In Gail Pheterson's (1986) book, *The Whore Stigma*, she argues that the conflation of 'whore' with 'prostitute' acts as a social psychological mechanism of oppression that targets prostitute women but also implicitly regulates the behaviour and socialisation of all women. Socialisation processes enforce the chaste/unchaste, moral/immoral, pure/impure, modest/indecent binaries that define women as either 'good' or 'bad' and stigmatise those who do not embody the 'madonna' qualities. As Pile (1994) argues, it is such dualisms that are 'intended to mark and help police supposedly fixed, natural divisions between the powerful and the disempowered' (cited in Law 1997: 109), or between the 'madonna' and 'whore'. Thus, the 'whore stigma' becomes the psychosocial basis for the economic and political subordination of women, institutionalised through laws which criminalize the prostitute. However, because the prostitute is the personification of dishonour as the 'prototype whore' (Pheterson 1986: 87), any woman is vulnerable to the whore stigma. Sexuality, race, class, history of abuse, disease, appearance and manner can all be used as examples of female unchastity to deny rights and justify abuse (Pheterson 1986: 89). In this way, it is the poor, the non-white, non-virginal, provocatively dressed who are always in danger of being ascribed the identity of 'whore'. However, the construction of 'the prostitute' as 'whore' has been contested by numerous authors (Law 2000; Kempadoo 1998; Agustín 2000a; Bell 1994).

In Kempadoo's (1998) research with Caribbean sex workers, she found that 'none of the women interviewed said that sex work was their lifelong profession or an integral part of their identity' (127). These sex workers came from a variety of backgrounds, and many were well-educated: the stereotype of the poor, illiterate, uneducated woman simply did not hold true. Rather than a fixed site of permanence, identity becomes an arena of negotiation. While the experiences of subjectivity are bound up in the multiple systems of domination and in the

constraints of society and culture, identity never neatly fits into the binary division between purity and impurity that society attempts to impose.

Law (2000) points out that 'if identity formation is interpreted as a complex, dialectically constructed relationship between particular forms of power/knowledge and experience, an understanding of this process has the potential of subverting specific kinds of knowledge formation about prostitutes and prostitution' (24). For Law, prostitute bodies are the objects of power and the sites of resistance, and the sites in which these struggles are performed. The prostitute identity can never be reduced to her body or to her behaviour. Nor can her identity be reduced to the symbolism assigned her by the moralising discourses of society. Women's bodies have been mapped out with the oppressive dualisms of 'good' and 'bad' which merge the material threat of the body and with the ideological threat of the behaviour. Keith and Pile (1993) note that space is an 'active constituent of hegemonic power relations' (38). In this way, the physical and discursive spaces of prostitution work to maintain social inequalities that are constituted in particular by gender, but also by race, class and caste. In the remainder of this paper, I seek to deconstruct how these systems of domination are maintained in physical and social spaces that naturalise prostitution as deviant and immoral.

2.4 Summary of chapter

In this chapter, I have looked at the way in which ideologies and social relations of power are embedded in the construction of physical and discursive spaces, an analysis that I will apply to my discussions of Nepal and Canada. In chapters four and five, I will be examining how dominant discourses attempt to ascribe identities onto both Badi and Aboriginal women through stereotypes and assumptions that reflect prevailing ideologies. However, we will first turn to an examination of contemporary discourses around prostitution to provide a historical and political context to the subsequent chapters.

Chapter 3: Prostitution discourses

While the history of prostitution and its discourses is highly complex and has been analysed through a wide range of lenses, in this chapter, I seek only to provide a brief summary of a particular feminist account in order to ground my subsequent discussion in a specific historical context. I will look at varying feminist discourses of prostitution, including a summary of the sex worker rights movement, and examine how these positions have been transferred to the highly contested debates around trafficking. This discussion provides an important backdrop for an analysis of prostitution within Canada, and especially within Nepal.

3.1 History of the prostitution discourse

Prostitution has always been a highly contested subject, laden with morality and emotive arguments, from claims of it being the oldest profession to assertions that it is the most blatant example of patriarchal capitalism. However, as Pike (1999) notes, the representations of the category 'prostitution' have specific historical, social, cultural and political specificities that mediate a range of 'prostitutions' constructed according to different contexts. Henrique's (1962) historical survey of prostitution, which examines particular phases of prostitution, including the courtesans of classical India, the Geisha women of Japan and the Chinese state's establishment and licensing of brothels for the general public from the 5th to the 11th century, demonstrates the vast diversity in form that prostitution and regulation[2] of prostitution may take. In recent times, the debate around the category of the 'prostitute' has been taken up with great fervour by feminist academics, activists and lay persons.

Contemporary discourses around prostitution are often linked to late 19th century feminist activism, and in particular to the campaign for the repeal of the Contagious Disease Acts, which

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[2] *Regulation* refers to the legal sanctioning of prostitution with certain controls by the state. While prostitution is tolerated, the state, police and courts may all employ various mechanisms to restrict where prostitution takes place, who is involved, the type of market transaction that is permitted, etc. In contrast, *abolition* seeks to end all forms of prostitution.

mandated forced internal exams every fourteen days for women recognised as 'common prostitutes', as I discussed in chapter 2.1. According to Walkowitz (1980), the repeal campaign 'occupied an important niche in the history of 19th century feminism' (5). Although Josephine Butler is often described as the driving force behind the movement, Walkowitz (1980) points out that it was an organised movement comprised of an interclass alliance between working class men and middle class feminists. Although these feminists recognised that such laws threatened the freedom of all women who could be arbitrarily identified as 'common prostitutes', the movement was based on middle class Christian morals that saw prostitution as an immoral activity, and prostitutes in need of rescue and rehabilitation (Doezema 1998: 35). Out of this lobby grew the movement against the 'white slave trade'. Media sensationalisation about innocent young women lured by force into the sex trade in foreign countries contributed to the moral panic which arose to elicit great sympathy for the 'fallen women', despite the fact that few victims of trafficking were actually slaves, but rather were young women voluntarily engaging in prostitution for economic reasons (Doezema 2000; Chapkis 1997; Walkowitz 1980). Yet, as Doezema (2000) points out, it was a discourse that was structured around a particular ideology, which framed all prostitutes as victims and all sex work as the epitome of the patriarchal exploitation of women. This is an ideology that has gained renewed political clout since the 1980s.

3.2 Prostitution as exploitation

In 1979, Kathleen Barry published *Female Sexual Slavery*, a text derived from a radical political feminist framework that aimed to draw attention to the 'emergency' of the sexual exploitation inherent in prostitution. She argues that prostitution is the fullest patriarchal reduction of women to the sexed body and that the normalisation of prostitution allows for the continued and unabated oppression of all women. Barry (1995) constructs a four step process to look at the stages through which prostitution socially constructs the sexual exploitation of women through *distancing*, *disengagement*, *dissociation* and *disembodiment*. The argument goes that women must distance and dissociate themselves from their bodies as a survival strategy, and in the process distance themselves from their 'real identity' and 'real self'. Thus, women can

never fully choose prostitution because the processes of dissociation and disengagement (and the dehumanisation that ensues) ensure that it is not the 'true self' consenting to prostitution[3]. Other feminist academics, such as Pateman (1988) and MacKinnon (1989) have supported this view, proposing that prostitution is an integral part of patriarchal capitalism. Translated into activism, this framework explicitly demands the abolition of all forms of prostitution.

However, such arguments have tended to rely on extremely moralistic judgements that essentialise all women and fail to address the multiplicity of identities and social relations of power that exist among and between women, as well as among and between women and men. Pateman's (1988) assertion that 'the reasons why women become prostitutes are fairly straightforward' (95) denies the complexities of social relations that place women in varying locations based on race, class, caste, ability, sexual orientation, as well as individual values and personalities. The notion that no woman could ever 'choose' prostitution denies the possibility of women exercising agency and self-determination in their lives. When men are painted as the 'oppressors', in possession of full and uncompromised 'patriarchal power', this perspective not only rejects the varying locations of men but also fails to recognise how women sex workers may use their power subversively to resist their subordination in market interactions, as well as in other social interactions in their lives. The arguments behind the 'anti-prostitution' discourse have been vigorously contested by the sex worker rights movement.

3.3 Sex work as work

In the 1970s, sex workers were also becoming very active in the promotion of their own rights with the recognition of the need to provide an analysis that arose out of the real experiences of sex workers. The 'First World Whores' Congress' in Amsterdam in 1985 and the 'Second World Whores' Congress' in Brussels in 1986 became important forums for prostitute women to organise and share concerns, opinions and experiences (Pheterson 1989). Since the

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[3] Barry (1995) goes on to question the distinction between prostitution and rape. If women can never truly consent to prostitution, then prostitution is a form of rape. She writes that 'when a prostitute woman tries to assert sex divorced from rape, she defies one instance of sexual power – rape – to be subordinated in another instance –

Congresses, sex workers have continued to voice their demands through organisations such as the Network of Sex Work Projects (NSWP), an umbrella organisation of sex worker rights organisations around the world. In addition, there is a growing literature written by sex workers (see Nagle 1997; Chapkis 1997; Pheterson 1989). And, sex worker activism is not confined to countries of the North. Doezema and Kempadoo's (1998) book, *Global Sex Workers*, documents the committed sex worker activism that has been occurring in the South. This insightful theorisation that has proceeded directly from sex worker experience has allowed the problematisation of the whore/madonna and whore/feminist dichotomies that dismiss prostitution as a form of labour.

While it is assumed that normal women would not engage in prostitution unless they were forced to do so by deprivation, prejudice and/or violence, lack of choice is not inherent to prostitution, but rather to 'abuse, poverty, poor working conditions, inexperience or despair' (Pheterson, 1986: 7). The sex worker rights literature forces us to look at our own moralistic assumptions and judgements about sex work and sex workers (see Murray 1998; Law 1997; NSWP 1999; Doezema 2000; Agustín, 2002b). Chapkis (1997) points out that prostitution may in fact be a place of agency where sex workers make active use of the existing sexual order to resist and subvert their own subordination. Women have multiple identities and are positioned in multiple and changing intersectional power relations so that notions of agency cannot simply be assumed. For example, Law (1997) illustrates how 'having no choice' can become a source of agency, a justification for employment in sex work, and a resistance to moral judgements (114). It is around these notions of choice that the trafficking discourse has been formed.

3.4 The trafficking discourse

In the 1980s, the increasing migration flows, the effects of structural adjustment policies, the feminist movement, the spread of HIV, and sex tourism led to a renewed concern about the traffic of women and children (Derks 2000; Murray 1998). In 1988, the Coalition Against

prostitution. That is why experientially rape and prostitution sex are undifferentiated for the women who are its vehicles' (37).

Traffic in Women (CATW) was formed by Kathleen Barry and other supporters of her position as an organised campaign to end prostitution and trafficking, and to bring international attention to all forms of sexual exploitation, including prostitution, pornography, sex tourism, and mail order bride selling (CATW 2003). Women are not seen as capable of consenting to engage in prostitution and there is no distinction made between different forms of sexual exploitation: trafficking is equated with prostitution and prostitution is equated with pornography. In addition, Barry (1995) asserts that trafficking in women 'prevails especially in pre-industrial and feudal societies that are primarily agricultural, where women are excluded from the public sphere' (51), where sex industrialisation has not yet taken place. Thus, trafficking is framed primarily as a 'third world' problem.

However, this framework has serious implications for women. Though it claims to strive to protect the human rights of women, governments and NGOs adopting this framework often treat trafficked persons as passive victims in need of rescue and rehabilitation and fail to recognize the strength and agency that is involved in making certain choices (Jordan, 2002). Kempadoo (1998) points out that this essentialist construction of the 'third world woman' as victim and the 'first world woman' as independent and empowered allows first world women to become saviours of the 'third world victims'.

Understanding the danger in arguing that women can never consent to commercial sexual exchanges, the Global Alliance Against Traffic in Women (GAATW) was formed in 1994 at the First International Convention on Trafficking of Women in Chiang Mai, Thailand to ensure the human rights of trafficked persons are respected and protected by authorities and agencies (GAATW 2003). Trafficking is seen as a global issue that is related to transnational migration. GAATW's complex definition of trafficking (see appendix 1) attempts to distinguish between migration and trafficking; between different forms of trafficking, such as for marriage, domestic labour and for prostitution; and lastly, attempts to distinguish between 'free' and 'forced' prostitution. An element of deceit, coercion or force must be present for trafficking to have actually occurred, adding multiple layers of complexity to CATW's understanding of trafficking. However, it is in the theorisation of the notion of coercion vs. consent that GAATW has been most criticised by sex worker activists.

The free/forced distinction that has been made within the GAATW trafficking discourse has been problematised by many activists (Doezema 1998, 2000, 2003; Murray 1998; Agustín 2002b; Chapkis 1997). Firstly, the separation between free and forced denies the changing and negotiated nature of choice in women's lives. Even within the most 'forced' situation, a woman may be able to exercise some agency over the way in which she experiences exploitation. Moreover, women who are forced into prostitution, or women who are 'victims of trafficking' are then labelled as 'innocent' while those who 'choose' prostitution are stigmatised as deviant. This has had important implications for Badi women in Nepal as well as for Aboriginal women in Canada as we will see in the next chapters. Additionally, Doezema (1998) critiques the tendency to focus on those who have been 'forced' into prostitution rather than on protecting the rights of those engaged in 'voluntary' sex work. As Sutdhibhasilp (2002) points out, it is much easier to get support if women are portrayed as victims of sexual servitude or desperation and poverty than to get support for women who choose prostitution or to challenge the human rights abuses that they face. In this way, the trafficking discourse has become essentially disempowering. Though GAATW attempts to tease out the complexities of the discourse, Doezema (2000) argues that it is difficult to combat the myth using the same discourse that created the myth.

Regardless of its potentially negative effects, the anti-prostitution lobby continues to exert substantial influence in the international arena, particularly in the United States. On 15 January 2003, the United States Agency for International Development (USAID) was told that no more funding for projects against trafficking in persons would go to 'organisations advocating prostitution as an employment choice or which advocate or support the legalisation of prostitution' (Crago 2003). The influence that USAID has in the international development world indicates the influence that such decisions will have in countries of the South, such as Nepal, where a similar discourse tends to dominate the debates around trafficking. However, this discourse which demonises all sex workers also impacts women in Canada who may 'choose' prostitution out of economic necessity. In the following chapter, I will examine how the different discourses on prostitution as described above play out in the Nepali context, and particularly among the active sex workers of the Badi caste.

Chapter 4: Nepal

Nepal is a country that is simultaneously imagined as a country of astounding natural beauty and a country of abject poverty. Images of villagers trekking through the vastness of the Himalayas are played out against contrasting images of young naïve girls being lured by evil traffickers into horrific brothels in India where their innocence is stolen from them in conditions tantamount to slavery. Yet, all of these representations are interwoven through the discursive and material conditions that mediate the lives of Nepalis, in particular Nepali women and girls. In this section, I will provide a brief history of the economic and political conditions of women in Nepal, before exploring the prevalence of the trafficking discourse as discussed in the previous chapter, and the subsequent mythologizing of this discourse. I will then examine the Badi caste, one of the scheduled castes residing in Western Nepal, who are said to engage in 'traditional prostitution'. Finally, I will problematise the way in which Badi women have been confined to particular physical and discursive spaces through their social positioning as dalit, as well as through the trafficking discourse.

4.1 Background to Nepal

Nepal has been a political entity since the late eighteenth century when the feudal Rana kings took control of the various independent kingdoms that were scattered throughout the area (Cox 1992). Nepal was ruled by a succession of prime ministers of the Rana family from 1856 until 1951. In 1951, inspired by India's independence from Britain, a revolution overthrew the Ranas and King Mahendra's panchayat[4] government was established (Pigg 1992). A hereditary monarchy ruled the nation until 1990 when another revolution established a multi-party democracy which continues to hold power today.

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[4] The panchayat system, established in 1962 by King Mahendra, consisted of a four-tiered system of power, headed by the prime minister who was nominated by the king. Popular elections were held only at the local level which was controlled by local landowners, and this level nominated successive levels of government, up to the level directly under the prime minister (Human Rights Watch/Asia 1995).

According to the 2001 census, Nepal's population is 23.15 million (Central Bureau of Statistics 2003). Because approximately 85 percent of the population is rurally based, Nepal has developed social meaning as a rural nation (Ghimere 1996). However, with 75 percent of the country's total area not suitable for agriculture, seasonal or permanent migration has been intertwined with Nepali history, beginning when the British started recruiting soldiers from the mountains for employment in the military, paramilitary, police and other services (Ghimere 1996). In fact, Ghimere (1996) notes that 'leaving home in search of a better life is part of Nepalese culture and tradition' (4). However, in recent years, migration has become increasingly predominant, with over 300,000 Nepalis migrating seasonally to India alone (O'Dea 1993). Along with this, women have been increasingly pressed to migrate to improve their lives, a process which has led to an increase in the trafficking of women and children. As Jana et al. (2002) note, women are trafficked into prostitution because of individual choices to search out better opportunities in cities, or other countries, motivated or compelled to alter such material conditions as poverty, discrimination, inequality, and gender-based violence.

Women in Nepal experience marginalisation at social, economic and political levels which impinges on their health, education and legal status. Joshi (2001) argues that women's identities within the nation are still very much related to kinship, as mothers, sisters, daughters-in-law, etc., as reflected in property and citizenship laws. Although the 1990 Constitution guarantees the equality of men and women, discrimination still exists within the National Civil Code. Women are given no property rights unless they remain unmarried until the age of thirty-five and children are only able to obtain citizenship through their father (Ghimere 1996). Such legally entrenched discrimination produces and reproduces material conditions of inequality.

Rural women have an extremely high work load at 10.81 hours per day compared with 7.51 hours for men and generate 50 percent of the household income compared with 44 percent for men (children generate approximately 6 percent) (Mathema 1996: 10). Nepal is one of the few countries in the world where the life expectancy at birth for girls (50.3 years) is lower than for boys (51.5 years) (Neft and Levine 1997: 132). The caste system is also significant in structuring location. Joshi (2001) notes that Nepali identity is founded on the dominant

Brahmin-Chettri values and that the term 'Nepali' is often used to refer to the Hindu people from the hills[5], despite the fact that Nepal is an extremely ethnically diverse state. Although social relations of gender have placed women in a subordinate position, other social relations, in particular of caste and class, are equally important in determining women's social position in Nepal. This is particularly true for women of the Badi caste. However, because of their involvement in prostitution, Badi women are also affected not only by caste and gender ideologies, but also by ideologies around sexuality which are reflected in the dominant trafficking discourses, as we will see in the next section.

4.2 The trafficking discourse

4.2.1 Sex work in Nepal

Local sex workers exist throughout the country and are not limited to particular castes, ethnic groups or regions. O'Dea (1993) classifies Nepali sex workers into five categories: those trafficked out of the country to Indian brothels, either forcibly or of their own volition; traditional prostitutions, such as the Badi[6]; local sex workers; male sex workers catering to female and male tourists; and sex workers from India practicing in Kathmandu (6). Despite the extensive variation in caste, class, power and geographical location, discussions of prostitution are typically collapsed into discussions around trafficking for the purposes of prostitution. Information on male sex workers and Indian sex workers is virtually nonexistent and I have not been able to find any literature referring to these groups. In addition, literature on local sex workers is extremely limited though Pike (1999) cites preliminary research which suggests a very active sex industry. In 1992, it was estimated that there were 5,000 sex workers in Kathmandu and over 200 brothels (O'Dea 1993: 19). As we will see in the following sections, discussions about trafficking have eclipsed all other discussions about sex work. The following

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[5] Nepal is comprised of three geographically distinct area: the Himalayan region of the north which borders Tibet; the 'hills' that stretch across the mid-section of Nepal; and the 'terai' region, or flat plains which border India in the south. The ethnic groups in the north are of Tibeto-Burman descent and are Buddhist by tradition while the majority of the groups in the hills and in the terai have descended from their Indian neighbours to the South and are predominantly Hindu.
[6] The Badi will be discusses in depth in chapter 4.3.

sections document the process by which the trafficking discourse has been reified as the representative reality for all Nepali women engaged in sex work.

4.2.2 Governmental and nongovernmental approaches to trafficking

The beginning of the 1990s saw a drastic increase in focus on the issues of trafficking in women and children by NGOs, international nongovernmental organisations (INGOs) and the government in Nepal. Some sources have stated that trafficking dates back to the era when the Ranas recruited young girls to the palaces to serve as concubines and maids (Human Rights Watch/Asia 1995; Poudel and Carryer 2000) and O'Dea (1993) dates the current influx of Nepali girls into Bombay brothels to 1977. Whenever this trend began, it was not until the late 1980s that trafficking emerged onto the national agenda.

The government has had a number of legal responses to both trafficking and prostitution. The Muluki Ain[7] (1963), the Human Trafficking Control Act (1987) and the Special Provisions of Human Trafficking Act (1996) all define the trafficking of women and girls into prostitution as a criminal offence, with a penalty of five to twenty years imprisonment depending on the details of the case (Poudel and Carryer 2000). Prostitution is defined as illegal in Nepal and 'police are fairly rigid in their fight against local prostitution' (O'Dea 1993: 19). While the government professes its commitment to stopping prostitution, many NGOs have questioned its dedication to working towards stopping trafficking. Poudel and Carryer (2000) argue that politicians, and other governmental officials are implicated in the trafficking 'business' and therefore have a conflict of interest in effectively working to stop the trafficking of women and children. It has been NGOs who have been most active in responding to the 'crisis' of trafficking.

In the NGO sector, there has been a massive explosion in the number of NGOs since the implementation of a multi-party democracy in 1990 which minimised the strict regulations that had previously existed (Pike 1999). Many of these NGOs were established to deal with the

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[7] The Muluki Ain is the legal code of Nepal which was established in 1854.

trafficking of women and children. The two different umbrella organisations in Nepal for NGOs that address trafficking issues reflect the global debate around the free vs. forced distinction as discussed in chapter 3.4. The National Alliance Against Trafficking (NAAT) supports the CATW position and sees all prostitution as a form of sexual slavery while the Alliance Against Traffic in Women and Children (AATWIN) stresses the GAATW position of distinguishing between women who choose prostitution and those who are forced, coerced or deceived. However, it is the National Alliance Against Trafficking (NAAT) that has strongly shaped both global and national perceptions of Nepali trafficking victims (Joshi 2001). For example, *Maiti Nepal*, one of the NAAT organisations which sees all prostitution as exploitation and all prostitution as trafficking, was the target of one of Prince Charles' fundraising campaign and its chairperson has made appearances on *Oprah* (Joshi 2001). However, the dominance of *Maiti Nepal's* use of certain signifiers, such as 'flesh trade', 'rescue' and 'rehabilitation' implicitly victimise the women and deny any element of choice (see Maiti Nepal 2003). At a national level, Pike (1999) describes a 1998 seminar in Kathmandu attended by human rights activists, lawyers and NGO personnel at which many women argued that no women could voluntarily engage in prostitution and a punishment of three years in jail was suggested as a deterrent to such 'choices'. While all prostitution becomes defined as trafficking, those who 'choose' prostitution are demonised, a reflection of the power of Brahmin-Chettri values in Nepali society.

Joshi (2001) explains how the democracy movement was dominated by urban, middle class Brahmin-Chettri women who were successful in using the language of kinship to push forward the 'women as victims' narrative of trafficking. These values are also reflected in the hegemonic definition of Nepali sexuality in which virginity is a valued social concept and premarital sex is an unacceptable social practice (ibid). The strength of caste ideology in Nepal as described by Parish (1996) has ensured that Brahmin-Chettri norms dominate. This ideology is reproduced in most of the narratives of trafficking in Nepal.

4.2.3 Narratives of trafficking

Both academic and media accounts of trafficking are dominated by horrific stories of lost innocence. The typical narrative of a trafficking victim describes a young, virginal girl who has been abducted, lured or coerced from her village by organised gangs of traffickers with promises of marriage or lucrative employment in exciting cities. She also may be sold by parents, relatives or husband. This girl is then often raped and so obliged to enter forced prostitution in brothels in India where she exists in conditions of slavery and torture, afraid to run away for fear of being beaten by her captor. Her illiteracy and ignorance make her the absolute victim of her circumstances (see O'Dea 1993; Ghimere 1996; Maiti Nepal 2003; Poudel and Carryer 2000)[8]. These accounts very much reproduce Barry's accounts of prostitution as described in chapter 3.2 which victimise 'the prostitute' and minimise the complexities involved in a woman or girl's decisions and 'choices'.

In most research about trafficking in Nepal, the choices and economic and social realities of women and girls is ignored. Kinnell (2002) documents a Nepali study which found that of 1269 adolescent girls aged 14 to 19 interviewed, 40 percent wanted to move out of their current villages, especially those with higher education, and 85 percent wanted to travel to urban areas (6). However, often NGOs encourage young women to stay in their villages, which ignores the reality that many young women desire change, movement, and often increased economic opportunities. These narratives also essentialise the location, identity and values of all Nepali girls. Trafficking stories have taken on mythic qualities so that the 'truths' represented become distorted and exaggerated to reflect Brahmin-Chettri norms of women as innocent, pure and dependent.

Joshi describes how the term *cheli*-beti (literally, 'daughters'), used to refer to all Nepali women living and working in India, has become embedded in narratives of trafficking (158). In fact, 'trafficking of women and girls' is referred to as *cheli-beti bech-bikhan* (sale of daughters)[9]. This reduction of all Nepali women to daughters works to reinforce the boundaries around

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[8] See appendix 2 for an example of the typical trafficking narrative.
[9] This is confirmed by the author's own experience of working with a local NGO in Kathmandu.

women as 'dependent' within the nation. This story has also become representative of Nepal's destiny of 'underdevelopment'.   Joshi (2001) argues that the *cheli-beti bech bikhan* discourse has been appropriated by the state as Nepal's national story, encapsulating all elements of Nepal's national identity, including poverty, destitution and forced migration. These narratives have come to relate a story that transcends individual experiences and have become what Doezema (2000) terms the 'myth of trafficking in women'.

Although there is no doubt that trafficking is a serious issue, trafficking has become mythologised through the distortion of truth and simplification of reality (Doezema 2000). The number of 'trafficking victims' in Nepal is indicative of how entrenched some myths have become. Human Rights Watch/Asia (1995) states that 'at least hundreds of thousands and probably more than a million women and children are employed in Indian brothels' (1) while the International Labour Organisation estimates that approximately 12,000 girls are trafficked to India for purposes of prostitution each year (Rai 2002). A more commonly quoted figure is that 200,000 Nepali girls and women are working as prostitutes in Indian brothels and 5,000 to 7,000 more are trafficked each year (Ghimere 1996; O'Dea 1993; Poudel and Carryer 2000). Although these numbers are frequently cited, I have been unable to find a source that directly links the statistics to specific research or studies yet this number has become established as accurate.[10]

Human Rights Watch/Asia (1995) states that trafficking victims in India are subjected to conditions tantamount to slavery and to serious physical abuse, an assertion replicated in most narratives of trafficking. While exploitation and abuse describe the reality of many girls and women who have been trafficked, such simplification denies the agency that a woman may exercise even within the boundaries of an abusive situation. As Agustín (2002a) writes, even those who have been 'trafficked' may find ways of being subversive. Abuse and coercion do not describe the sole conditions of the trafficked experience and neither are the trafficked persons void of agency. Doezema (2003) writes that 'the majority of "trafficking victims" are aware that the jobs offered them are in the sex industry, but are lied to about the conditions they will work under' (3) despite the rhetoric that portrays girls as innocent, naïve victims. Within the

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[10] In the author's experience of working with a local NGO in Kathmandu, this number was accepted as the official and authentic estimate of 'trafficking victims' and was commonly referred to in publications.

trafficking discourse, 'consent' has become its own powerful myth as 'an empty category whose meaning shift[s] according to the social demands and the implied vision of the proper social order that accompanied it' (Doezema 2003: 5).

Regardless of the reality, these myths have become indivisible from the discourse around trafficking. The truths that are represented in various narratives have been elided and homogenised to paint a singular picture of the 'trafficked girl' and the 'trafficked daughter' which denies individual agency and experience. Consequently, all sex workers in Nepal have been confined to a particular discursive space: women engaged in prostitution are labelled 'victims of trafficking', their experience is defined solely by their socio-economic and cultural subordination, and their power becomes nonexistent. While refusing to recognise all Nepali women as actors in their own lives, this discourse also has particular implications for the Badi women of Western Nepal.

4.3 Women of the Badi caste

In this section, I will outline the history and background of the Badi caste and then analyse their position as dalit[11] and the discursive construction of their identity. Subsequently, I will look at how caste ideologies and ideologies reflected in the trafficking discourse have physically and socially isolated Badi women.

4.3.1 History/background

The Badi are a migratory people who originally came to Western Nepal in the late 14th century from India (Cox 1992). Belonging to the dalit caste, the Badi made their living as

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[11] The Hindu caste system of Nepal, and most of South Asia, divides society into four hierarchical groups: Brahmin, Chettri, Vaishyas and Sudras. While each caste originally reflected the occupation of its members (for example, the Brahmins were priests), over time a rigid hierarchical system developed based on perceived 'purity' or 'pollution'. The Brahmins came to occupy the top of the caste system. The dalits, or 'untouchables', a fifth category located outside the caste system became constructed as the embodiment of filth and impurity. For a detailed discussion of the caste system in Nepal, see Parish (1996).

entertainers and would travel in groups to different communities singing, dancing and telling stories, such as the *Ramayana*, for ceremonies, weddings and other special occasions. Until the 1950s, they were predominantly under the patronage of the hill kings of Salyan, Jajarkot and Musikot, and some wealthy high caste landlords who provided basic needs in exchange for entertainment (Cox 1992). Some sources suggest that even under these patronages, some Badi women became courtesans to the hill kings (Cox 1992; Gurung 1982). In the winter season, the Badi would often migrate to the terai region and to India for work (Pike 1999: 8). The men were also engaged in fishing and making pottery and musical instruments (Gurung 1982).

However, with the political and economic changes of the 1950s, the Badi became progressively less able to support themselves through their traditional profession of entertainment. Cox (1992) describes how the overthrow of the Rana regime decimated the power and influence of the hill kings so that they were unable to continue their patronage of the Badi. As the Badi found themselves unable to generate a sufficient livelihood through their work as entertainers, the women increasingly turned to prostitution to support themselves and their families. This adaptability reflects Parish's (1996) observations that dalits often 'do what they have to do in the face of extreme deprivation [and] maintain a stance of flexible adaptability as a key cultural attitude' (195). In addition, the increasing prevalence of radios and movies in the 1960s and 1970s led to a decrease in demand for traditional live entertainment (Cox 1992: 52). With growing numbers of Badi women involved in sex work, prostitution has come to be equated with the Badi caste. The stigma surrounding the profession of many women only magnifies the discrimination that they face as one of the 'untouchable' castes.

4.3.2 Badi positioning as 'dalit'

The Badis positioning as 'dalit' is key to understanding their marginalisation. Despite its banning in 1963, the caste system maintains immense power in structuring social relations throughout the country (Parish 1996). The provisions in the 1990 Nepali Constitution that 'all citizens shall be equal before the law [and] no discrimination shall be made against any citizen in the application of general laws on grounds of religion, race, sex, tribe or ideological conviction

or any of these' (cited in Poudel and Carryer 2000: 75) has had little impact on the structural positioning of the dalit caste in Nepal. Parish's (1996) research into the caste system in Nepal illustrates how the opposition of purity and impurity is a fundamental component of caste hierarchy and a key model for social relations. The 'untouchables' are perceived as dangerously impure, and conventional stigmatising stereotypes such as dirty, disgusting, impure, highly sexual, promiscuous, ignorant, and lacking discipline abound (28). However, it is more than a symbolic assignation of impurity: 'untouchables' are seen as naturally physically defiled and embodying Otherness (Parish 1996: 28). This is where bodies literally become 'untouchable'. This Otherness becomes defined as the antithesis of what is good, pure and moral. This mirrors discourses of prostitution which employ the same categories of purity and impurity.

These observations are extremely pertinent to an analysis of the Badi. Pike (1999) illustrates how the Badi have been given status as the sexualised Other and how their deviant sexuality is underscored by their positioning as dalit. Through the academic, media and NGO representations of the Badi as poor, oppressed, lazy, unwilling to work and alcoholic, the body becomes inscribed with the impurity assigned to it. Additionally, high caste members may reaffirm their own superiority through the contrast with the sexual immorality of the Badi. Social relations of gender and caste permeate the experiences of Badi women while their location as women, dalit and poor continue to inform understandings of the Badi by those in positions of power.

4.3.3 Dominant constructions of 'the Badi woman'

Although it is impossible to verify the representations of the Badi without primary research, I am more interested in unpacking the normative discourse and dominant representations of Badi women as a homogenised group along race, caste and gender lines to understand how structural and discursive constraints both reinforce and mediate each other. Few academic studies or in-depth research projects have been carried out with the Badi, and consequently, the few sources that exist have had a powerful impact on the representations of Badi life (see Gurung 1982; Cox 1993; Pike 1999). This paucity of sources has also meant that

the construction of 'the Badi woman' through the media and lay person has had much greater influence. For this reason, I have included some media and NGO material on the Badi in addition to the academic sources.

According to Cox (1992), Badi girls, from early childhood on, know and generally accept that prostitution awaits them 'and that aspiring to any other profession is unrealistic (52). 'Badi women engage in prostitution beginning at puberty and continuing until they become too old to attract any more customers or get married' (51). Cox's (1992) research among the Badi found that although Badi men fish and make drums and pipes, which they sell to Nepalese in neighbouring communities, the income from the men's sources of livelihood is negligible and prostitution provides the primary source of income for Badi families. Other sources state that Badi men have no profession of their own (Bhatt et al. 1993) and either act as 'pimps' for their daughters, sisters and wives (Aer 2003), or live as 'parasites' off the income of the women in the family (O'Dea 1993), and that 'whole new generations of "fatherless children" in that caste group continue the profession' (Ghimere 1996: 4). External signs of looseness, such as makeup, cigarettes and drinking (see Bhatt et al. 1993), have become emblematic of their deviance from norms of sexuality.

In the same way that the trafficking discourse has come to dominate discursive constructions of women sex workers, the image of the Badi as prostitutes has been ascribed to all Badi women as their singular identity. The title of Cox's (1992), 'Prostitution as a social norm among the Badi of Western Nepal' rejects the possibility of the Badi experiencing any ambivalence about their occupation. Prostitution is constructed as 'acceptable' which not only denies that it is an identity that may be contested but also has particular implications for the image of the Badi in the rest of Nepal. The assumption that Badi women have 'no guilt or negative value placed on sexual interaction' (O'Dea 1993: 15) or that 'Badi girls are not usually emotionally traumatized by prostitution [because] they accept prostitution as their fate, the only way of life open to them' (Cox 1993: 63) ignores and minimises the impact of the dominant norms of sexuality. Whether or not the Badi place a stigma on sex work is less relevant when society in general continues to judge Badi women according to standards of chastity that dominant Brahmin-Chettri values demand. O'Dea's (1993) description of the Badi 'decline into

prostitution' (13) implicitly defines prostitution as an immoral and deviant activity and presumes the totality of its existence. The vast majority of the literature I have reviewed present *prostitution* as the caste occupation of the Badi, despite the history of *entertainment* as the caste occupation. In Lefebvre's (1991) theory of the production of space as discussed in chapter 2.2, representations of space in the Badi context reveals how prostitution has become conceived as *the* occupation of all Badi women: the space of Badi women is represented as a space of prostitution. Although many Badi women are resisting this narrow construction and are employed in various other sectors (see Gurung 2002), this discursive space has defined prostitution as the *only* occupation for *all* Badi women.

4.3.4 The physical and social space of Badi women in Nepal

The interlocking oppressions that have discursively defined the Badi also continue to be played out in the geographical and socio-political places that they inhabit. Lefebvre (1991) writes that 'for individuals, the places where labour is performed…is not separate from the representation by means of signs and symbols of the hierarchy of functions' (288). In the Badi context, impurity is inscribed onto the bodies of Badi women so that they are unable to be seen as anything other than defiled and immoral. In an article in a local newspaper, Gurung (2002) describes how in Gaganjanj, a locality in Nepalgunj where many Badi have traditionally lived, a concerted segregation campaign succeeded in driving the Badi out of the community. Neighbourhood Improvement Committees (NICs) comprised mostly of high caste Hindu men were set up in the area with the aim of expelling prostitution from their community. In Gaganganj, prostitution is equated with the Badi. Therefore, this severe 'apartheid style' of social discrimination came to target Badi families and Badi women in particular. The article quotes one member of the NIC who admitted to torturing Badi women involved in sex work in the same way that 'policemen would [torture] arrested thieves' (Gurung 2002). In Gaganganj, it was the *space* of the community that was seen as being defiled by the presence of the Badi. Thus the social understandings of the Badi have been transferred into the production of physical spaces.

However, it is important to acknowledge the fluidity of identity of individual Badi women. Pike's (1999) work with the Badi community found that prostitution is not perceived as a caste occupation by the Badi themselves. Rather, entertainment remains the caste occupation while communities have had to adapt to the changing economic and political circumstances that have only further entrenched their subordinate dalit positioning. Although prostitution takes place in many Badi communities, there are households and communities in which no one is involved in prostitution (Pike 1999: 9). Women continue to occupy an ambivalent position: while women engaged in prostitution are considered 'ruined' by the community, they are also the primary source of income for the family. Thus Brahmin-Chettri norms of purity still dominate among the Badi despite the acceptance of prostitution as a 'social norm'. Pike (1999) notes that 'there are several categories of sexually mature women: young women who are virginal and attending school, young women doing [prostitution] and hence [ruined], mature married and/or retired unmarried women and young daughters-in-law' (10). Even women who are working as prostitutes and are 'ruined', may still negotiate the boundaries of their discursive constructions as the embodiment of 'whore' behaviour. Prostitution does not represent the sole means of income, nor the sole identity of Badi women and the Badi community.

4.3.5 Impact of the trafficking discourse

As discussed in section 4.2.2, historical and political circumstances have created an environment in which the trafficking discourse has flourished and become the single reference for discussions, debates and representations of prostitution in Nepal. However, the trafficking discourse merely reinforces the perception of Badi women as deviant and gives no voice to any women who voluntarily engage in prostitution. In addition, the mythologisation of the trafficking discourse and the media fury generated through images of child prostitutes and the horrific narratives of trafficking experiences have also come to be played out in the Badi context. The past decade has witnessed the dramatic increase in reportage of the Badi in national and international media, a trend that corresponds with the reportage of trafficking. Pike (1999) describes how during her two year period of field work in Western Nepal, three film crews under the patronage of different NGOs and INGOs travelled to the area to make film documentaries on

'child prostitution' in the Badi communities. In addition to the questionable ethics of profiting from the sexual stigmatisation of Badi women, the sensationalisation of practices within the Badi community feed into the pre-existing hype around trafficking. However, there are no evil traffickers to point the finger at. Instead, it is the deviance of Badi norms that is condemned as the cause of the exploitation.

The discursive construction of Badi women demonises their 'choice' of work, and demonises the family and community members who work to support the activity. If the dominant discourse on prostitution precludes the possibility of voluntary sex work, those who willingly accept prostitution must be morally degenerate and lacking of all self-respect. This is related to what Kammerer (1997) refers to as the 'hypersexualisation' of Badi women which 'symbolises and sustains social boundaries and inequalities' (cited in Pike 1999: 8). The emphasis on the deviant sexuality of Badi women and their distance from dominant norms of sexuality reinforces their social marginalisation and physical segregation, a spatialisation that is underpinned by the ideologies reflected in the dominant trafficking discourse.

4.4 Summary of chapter

As has been shown in this chapter, the issue of trafficking has created a 'moral panic' in Nepal which is intricately tied to the development discourse. Trafficking is an issue that dominates the agenda of both the media and NGOs and has a profound effect on all Nepali women and has become the only lens through which prostitution can be viewed. This has a profound effect on Badi women. The trafficking discourse constructs all prostitutes as victims, conflates trafficking with prostitution and denies agency to women who are negotiating 'choices' within the options which are restricted by social relations of gender, caste and class. The trafficking debates have discursively placed Badi women in a contradictory space: while women working as prostitutes are seen as victims, the Badi's perceived caste occupation of prostitution demonises them and constructs them as a homogenous group. Caste and class stereotypes and dominant norms of sexuality have produced the physical and social exclusion and expulsion of Badi women. A similar process has occurred with Aboriginal women in Canada.

Chapter 5: Canada

The social, cultural, political and economic history of the First Nations peoples of Canada, as well as the relations between First Nations people and Euro-Canadian society, is extensive and complex. It is a history which continues to be contested and altered by Aboriginal activists, scholars and other individuals who are giving a voice to the dominant assumptions and records of the colonisation of Canada. In this chapter, I will provide a brief background to the history of the economic, political and social conditions of the First Nations peoples of Canada, as well as an overview of the Euro-Canadian context in which they have been obliged to exist. Subsequently, I will explore the impact of colonisation on Aboriginal women and the representations of Aboriginal women that have emerged from this process. I will conclude the chapter with an examination of the impact of particular stereotypes on the lived experience of these women, in particular Aboriginal women who are working in the sex trade. While recognising the agency that Aboriginal women exercise in the construction of their own identity and location, my focus will remain on dominant discursive constructions and structural conditions that are imposed externally[12].

5.1 Overview of the historical marginalisation of the First Nations as part of Canadian nation-building

The Americas have been populated for over 37,000 years when the Isthmus Bering created a land route between Siberia and Alaska (Comité D'Appui 1980). As Richardson (1993) points out, most Euro-Canadian historians have tended to prescribe to the myth that North America was 'a vacant territory, *terra nullius*, to which Europeans could freely take title' (29), ignoring the dynamism, diversity and complexity of existing Indigenous societies who demonstrated an extraordinary adaptability to varying climatic and topographical conditions. The first recorded encounters between the Indigenous peoples[13] of North America and Europeans

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[12] See Acoose (1995), Maracle (1996), Anderson (2000) for some compelling perspective on the deconstruction and reconstruction of Aboriginal womanhood.

[13] I will use the terms Indigenous, Aboriginal, Native and First Nations to refer to the first inhabitants of the area now referred to as Canada, though recognising the great diversity of the nations within these categories. Métis

occurred in about AD1000 with the Vikings and the Dorset and Beothuk (Dickason, cited in Stasiulis and Jhappan 1995: 101). It was not until the sixteenth century that a flow of Europeans continued to the continent with the Basque whalers, Portuguese fishermen, Dutch traders and French missionaries (ibid). The search for the elusive passage to Asia, as well as the lucrative fur trade were both dependent on the cooperation of the Indigenous populations for their hunting knowledge and techniques, as well as for their survival strategies. However, with the increasing competition for territorial claims between the French and British, the relationship of mutual dependence and benefit was soon ended.

In 1763, the British claimed victory over the French. The British then began to employ a strategy of legal imperialism, commencing with the Royal Proclamation of 1763 which recognised Aboriginal title to all lands not ceded, acknowledged nation-to-nation relations with Indigenous nations, and recognised Aboriginal nations as self-governing with their own systems of law (Lawrence 2003). The year 1850 saw the creation of the first reserves, restricting 'Indians' to specific areas to reinforce the rights of settlers, a practice of spatialisation which was entrenched by the 1880s (Carter 1996). The treaty process which operated to appropriate land from the Aboriginal inhabitants was often a violent process as settlement interests gradually came to supersede interests in the fur trade. As Lawrence (2002) notes, the British often used the threat of settler violence to force land surrenders while treaties were often negotiated with individuals who had no authority within their communities to negotiate treaties (42). In 1860, the British Crown transferred control of 'Indians' to its Canadian colony which effectively ended the nation-to-nation relationship. The construct of 'two founding nations' (the British and the French), first introduced with the Confederation of 1867, effectively obliterated 'the history, role and claims of Aboriginal peoples' (Stasiulis and Jhappan 1995: 110).

Since 1876, the Indian Act has controlled Canadian Native identity by creating a legal category, that of the 'status Indian', which is the only category of Native person to whom a historic nation-to-nation relationship between Canada and the Indigenous peoples is recognized

refers to the culturally distinctive population that descended from the intermarriages of Aboriginal women and French fur traders. Inuit refers to the First Nations people residing in the arctic regions of Canada. Because of the history of derogatory associations, the term 'Indian' will not be employed, except where it is used as a legal

(Lawrence 2003). The Indian Act provided Aboriginal people with special 'status' in rights to land, hunting and fishing, and the right to live in reserve communities, though the eventual goal was 'to continue until there is not a single Indian in Canada that has not been absorbed into the body politic, and there is no Indian question, and no Indian Department' (Duncan Campbell Scott, cited in Manitoba 1991: vol.1, ch.3). Moreover, the Indian Act defined who was a 'status' Indian and imposed patriarchal marriage and property rights which denied Indian status to women who married non-status Indians or white persons, and her children, while giving status to any woman who married a status Indian. The Act also prevented any non-status Indian from living on any reserve land and refused band membership to any non-status Indian (Anderson 2000; Lawrence 2003). The codification of Aboriginal Otherness embodied in the Indian Act became a legally entrenched form of social and physical exclusion from dominant white society. In this way, the geographical spacialisation of Aboriginal difference and Otherness was much more explicit than for the Badi of Nepal. Today, the Indian Act continues to play a defining role in the lives of all Indigenous peoples, status, non-status, Métis and Inuit[14]. The discriminatory principle of descent and property rights was not repealed until 1985 after over a century of struggle by Aboriginal women.

The colonisation process also triggered the widespread decimation of the Aboriginal population through the deliberate introduction of disease, the use of alcohol, and the Christianising missions of the Jesuits and other missionaries which destroyed the egalitarian values and collectivist structures that had pre-existed. While it is estimated that approximately one million Aboriginal people were living in the area now known as Canada in the sixteenth century, the Department of Indian Affairs listed the 1911 population as only 108,261 (Comité d'Appui 1980: 1). The massive reduction in population also severely limited their ability to resist the devastating effects of colonisation which soon came to confine 'Indians' to particular territories marginal to European settlements.

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indicator, where Aboriginal authors have reclaimed its usage, or with the intent of demonstrating its negative associations.

[14] The federal Department of Indian Affairs continues to regulate the lives of many defined as 'status Indian' and Aboriginal peoples experience much ambivalence about the notion of status and non-status Indians. While there is opposition to the government's power in defining who is Indian, abolishing Indian status rights would only serve to legislate away the government's historical relationship with Aboriginal peoples and erase their identity within Canadian law and society. See Lawrence (2003) for a further discussion of this issue and the conflict that Aboriginal women face in this struggle.

However, it is important to note that Aboriginal peoples have always engaged in resistance to colonisation. The Aboriginal Justice Inquiry (AJI) notes how political representatives spoke out many times against injustices, but laws were often used to crush such political resistance (Manitoba 1991). One of the most dramatic examples of resistance is the Red River Rebellion of 1885 in which Métis, headed by their leader Louis Riel, rose up in response to the Canadian government's attempt to seize control of the Red River settlement in Manitoba[15]. This is only one of many examples of Aboriginal peoples articulating their demands and resisting European colonisation. Struggles for land rights and self-government, and movements for a return to cultural traditions have been particularly active since the 1970s (Stasiulus and Jhappan 1995; Comité d'Appui 1980). Although Canada thrives as an affluent, 'first world' country, the colonisation process continues to marginalize and discriminate against Aboriginal peoples, be they status Indian or not. This is a process that continues to have destructive implications for Aboriginal women, in particular.

5.2 Women and the colonisation process

The vital role that Aboriginal women played in their own communities, as well as in the survival and success of white settlers, ensured that they also were key to the processes of colonisation and domination. Missionaries and colonial officials depicted Aboriginal women as historically marginalized and powerless so that the imposition of 'civilisation' and Christianisation could be rationalised as a means of rescuing these women from centuries of oppression. Sarah Carter (1997) quotes a Methodist missionary who described the life of the typical 'Indian' woman in the 1880s: 'in paganism she has not the life of a dog. She is kicked and cuffed and maltreated continually' (162). Such portrayals served to justify the goals of 'civilisation' and Christianisation, and the poverty and discrimination that often resulted. Although the experiences of all Aboriginal women prior to the arrival of the Europeans cannot be homogenised into a singular experience, most authors assert that women had much greater autonomy, influence and status before colonisation (Bilharz 1995; Carter 1997; Acoose 1995;

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[15] See Bumsted (1996) for a further discussion of the Red River Rebellion.

Manitoba 1996; Anderson 2000). While there was a gendered division of labour, there was no hierarchy between men and women's tasks (Bilharz 1995) and women often had authority over food, the community's most precious resource (Anderson 2000). However, the power that women held in Indigenous societies became incompatible with the processes of colonization employed to maintain power. Acoose (1995) writes that the Church specifically attacked the status of women in Aboriginal society as a means of undermining Aboriginal power in general. The imposition of European patriarchal norms onto Aboriginal society had devastating effects on the lives of Aboriginal women as shown by the patriarchal provisions of the Indian Act, as discussed in the last section. However, women have been impacted upon far beyond the denial of property rights, Indian 'status' and voice within their communities (Acoose 1995: 47).

Karen Anderson (1991) traces the rapid and significant change from the egalitarian societies of the Huron and Montagnais tribes in the area now known as Quebec before colonisation to the domination of men by women through French 'civilisation', Jesuit proselytising, famine, disease and warfare. Her focus on the Jesuit's Christianisation missions reveals how Christian morality became a key means of enforcing divisions between good and bad, between God and the Devil. The narrative of women as dangerous and more susceptible to the influences of Satan prescribed the need for the control of all women's sexuality, specifically that of Aboriginal women who were seen as particularly capable of bringing eternal damnation. Anderson (1997) illustrates how a clear contrast was drawn between female converts who were seen as chaste, innocent, compliant and fearful, and non-converts who continued to behave in lewd, unnatural and seductive ways (89). Thus, the Jesuits' control of sexuality and the virgin-whore dichotomy became key methods of establishing white supremacy and the requisite behaviour for 'good' women, the same binary that has been used to maintain distinctions between the prostitute and non-prostitute.

Indeed, the stigma of the sexualised female in need of control and the racialised Other representing moral degeneracy became extremely important to the colonial project. Razack (2002) demonstrates how the Aboriginal woman actually became conflated with the prostitute in the colonial context. In the same way that black women in the nineteenth century were merged with the image of the prostitute through labels of primitiveness and deviant sexuality, as

discussed in chapter 2.1, the overt sexuality that Aboriginal women were said to exhibit was equated with the behaviour of prostitutes. Aboriginal women's behaviour, and therefore Aboriginal women's bodies, became associated with that of prostitutes. It was the Church's demand for the control of sexuality and the racialised understanding of the Other that were essential to the establishment of white dominance, a process which led to very specific constructions of 'the Aboriginal woman'.

5.3 Dominant constructions of 'the Aboriginal woman'[16]

As I have shown in the previous sections, the colonisation of Canada was dependent on the imposition of European norms of morality, behaviour and racist hierarchies. Because European explorers came to understand the 'New World' according to their familiar terms of reference, the construction of 'the Aboriginal woman' came to reflect the pre-existing virgin-whore dichotomy that operated to control the behaviour and socialisation of European women. In the context of racialised, sexualised and classed ideologies of the Euro-Canadians, the virgin-whore dichotomy became translated into the dichotomous framing of the 'Indian princess' and the 'squaw', a construction that continues to place boundaries around the representations of Aboriginal women.

Rayna Green's (1975) examination of the 'Pocahontas Perplex' traces the construction of the Indian 'queen' and 'princess', and the subsequent 'squaw' which emerged as her contrary identity.   Green (1975) argues that from 1575 until 1765, the image of the bare-breasted, Amazonian Native American Queen reigned as the familiar Mother-Goddess figure which embodied 'the opulence and peril of the New World' (702). The Queen's daughter, the Princess surfaces at the end of the eighteenth century when the colonies begin to move towards independence, and is younger, leaner, and framed as Brittannia's daughter. The princess becomes distinctly Caucasian, though her skin colour is slightly darker than her white counterparts, and she is portrayed as virginal, exotic, submissive and less Latin than her mother.

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[16] In this chapter, I am focusing on *white* discourses of Aboriginal women's identity, rather than the self-identification of Aboriginal women. It is vital to be aware that Aboriginal women actively resist the external

The legend of Pocahontas, the Indian woman who saved John Smith from a supposedly torturous death has become the quintessential 'Indian princess'. Her subsequent marriage to John Rolfe and move to England exemplify the requirements of the 'Indian princess' in rejecting her own culture, embracing the white man's sense of morality and rescuing or helping the white man (Green 1975). In fact, the model 'Indian princess' is not really Indian at all. As Acoose (1995) argues, 'before a so-called good Christian white man could have relations with an "Indian" woman…she had to be elevated beyond an ordinary Indigenous woman's status…[S]uch Indian women were thus accorded the status of royalty' (43). Thus the 'Indian princess' not only justified white relations with Aboriginal women but also fed into what Klein and Ackerman (1995) call the 'self-deceptive lure of royalty' through which white settlers could express pride in their 'royal' Indian ancestry. However, the death of Pocahontas in England in 1617 is rarely part of the story (Klein and Ackerman 1995: 6)

The 'squaw' is the darker counterpart to the 'Indian princess' and the more common identity ascribed to Aboriginal women. Emma Laroque, a Métis woman scholar has commented that:

> The portrayal of the squaw is one of the most degraded, most despised and most dehumanized anywhere in the world. The 'squaw' is the female counterpart to the Indian male 'savage' and as such she has no human face; she is lustful, immoral, unfeeling and dirty. Such grotesque dehumanization has rendered all Native women and girls vulnerable to gross physical, psychological and sexual violence… (in Manitoba 1991: vol.1, ch.6)

The image of the 'squaw' is constructed through tales of 'Indian whores [and] their alcoholic and sexual excesses with white trappers and hunters' (Green 1975: 711). Even visual representations of the 'squaw' portray her as darker and more 'Indian' than her counterpart (ibid). Green describes how 'the presence of overt and realised sexuality converts the image from positive to negative' (Green 1975: 711), or from the 'Indian princess' to the 'squaw'. This sexualised understanding of the 'Indian woman' in the colonial context served very specific purposes, particularly in providing a justification for white men's sexual deviance. As Acoose (1995) argues, the 'lustful' nature of the 'squaw' became a way of resolving the conflict between a

construction of their identity, though the power that white society holds ensures that they are still greatly impacted by white discursive constructions.

Christian sense of morality and the European desire for Aboriginal women. Moreover, the moral reform movement of the 1880s also exploited images of the dirty 'squaw' 'in an effort to keep the races segregated and to keep the white race pure' (Anderson 2000: 104). This corresponded to the institution of the virgin-whore dichotomies in Victorian England through such legal mechanisms as the Contagious Diseases Acts. In the same way that the Contagious Diseases Acts threatened any woman who behaved like a prostitute (Walkowitz 1980), the 'squaw' identity threatens to define all Aboriginal women as either 'good' or 'bad' through expressions of sexuality. Even Pocahontas, particularly Walt Disney's version, is presented as oversexualised, an image that has become a controlling metaphor for the experience of all Aboriginal women. It is her sexuality, constructed through tropes of race, that defines whether the Aboriginal woman fits into the good category or the bad.

Sarah Carter (1997) examines how the stereotype of the squaw was systematically embedded in the Canadian west in the late nineteenth century in order to clarify boundaries as social and geographical space was marked out. Following the Red River Rebellion of 1885, Aboriginal women were depicted as lewd and licentious, particularly in the press, in order to legitimate constraints placed on the movement of Aboriginal women off-reserve. Moreover, the deplorable state of housing, lack of clothing and footwear and high mortality rate was explained by supposed cultural traits and the poor housekeeping habits of Aboriginal women. Government publications even stated that tuberculosis and other diseases were being spread rapidly because the 'love of dancing during long winter evenings raised the dust that hadn't been attended to during their idle daylight hours' (Carter 1997: 161). Writing in 1895, Withrow asserted that 'the majority of [Indian women] are discontented, dirty, lazy and slovenly' (114). Such affirmations were vital in deflecting criticism from the government officials and Northwest Mounted Police (NWMP) who unofficially recognised that they were responsible for the terrible conditions on reserves.

The 'squaw' image also served to normalise the violence experienced by Aboriginal women. Anderson (2000) describes how the narrative of Native women as 'easy' justified the sexual assault perpetrated by state officials during the colonisation process. Violence became constructed as a norm of Aboriginal society. It was said that in their own societies, Aboriginal

women were 'accustomed to being treated with contempt and to being bought and sold like commodities' (Carter 1997: 183). Even today sexual violence is a regular experience for many Aboriginal women and girls (Maracle cited in Anderson 2000: 110). The equation of Aboriginal bodies with sexuality and violence that was an integral part of white settler domination is a process that continues to have a profound impact on Aboriginal women.

5.4 Aboriginal women sex workers

Although it is impossible to verify, most authors maintain that prostitution among Aboriginal communities did not exist before contact with the Europeans, but rather developed in conjunction with colonisation (Armstrong 1996; Carter 1997; Fox-Povey 2003). However, early records of the sex trade between Aboriginal communities and Europeans demonstrate the pervasiveness of the 'squaw' stereotypes in defining male sailor's experiences of the New World. In his examination of the sex trade between the Nuu-chah-nulth and Europeans at Nootka Sound on Canada's west coast in the eighteenth century, Fox-Povey (2003) references the journals of sailors who visited the area. Stereotypes of uncleanliness and unchastity are replicated throughout these narratives and several men describe the process of sailors stripping and washing Aboriginal women on board ships. One sailor describes 'taking as much pleasure in cleansing a naked young Woman from all Impurities in a Tub of Warm Water, as a young Confessor would to absolve a beautiful Virgin who was about to sacrifice that name to himself' (cited in Fox-Povey 2003: 5). It is an attempt to transform the 'squaw' into the 'Indian princess' to rationalize his sexual relations with her. Although Fox-Povey (2003) states that most of these women were 'sex slaves', he also acknowledges that some women were working as prostitutes under their own agency. However, in his description of the Nuu-chah-nulth women as slaves with 'no choice', 'no pay' and 'no power' (6), Fox-Povey fails to interrogate the ways in which women may have been engaged in resistance even within the confines of their 'sexual slavery'. Even this account of the sex trade replicates the tendency of the trafficking discourse to equate sex slavery with prostitution.

Much of the historical documentation of Aboriginal women's engagement in sex work has tended to understand sex work within a particular ideological framework that mirrors

trafficking discourses. Carter (1997) documents a Cree chief of the Edmonton area who in 1883 complained to the Prime Minister that young women were being 'reduced to prostitution' because of starvation, a practice that was unheard of before colonisation (187). The implicit definition of sex work as negative seems to permeate understanding of prostitution in the colonial context. Carter (1997) documents how after 1885, there was a concerted effort by the NWMP and government officials to confine Aboriginal women to reserves through the introduction of a pass system in order to keep women 'of abandoned character who were there for the worst purposes' (Carter 1997: 187) out of towns and villages. Aboriginal women who were seen in towns and villages were assumed to be working as prostitutes. Thus the social exclusion that Aboriginal women working as prostitutes faced became translated into a physical exclusion. The Indian Act also legislated control of Aboriginal women classified as prostitutes which made their prosecution much easier than white women working in the sex trade (Backhouse 1985). Although such legal methods of discrimination have been abolished, the historical basis of subordination continues to influence spatial relations today.

Today, Aboriginal women continue to face limited economic options in reserves, while they must contend with racist stereotypes in the off-reserve system. In the search for work in a culture which ascribes particular identities to Aboriginal women, Razack (2002) notes that the Stroll often becomes the only possibility for employment. In the Downtown Eastside of Vancouver, a notorious 'skid row' of Canada, the high numbers of Aboriginal women sex workers has become normalised. In Vancouver, often the only contact that non-Aboriginal people have with Aboriginal women is in the Downtown Eastside, a reality that reinforces racist and sexist stereotypes of the 'squaw'. However, in assuming that prostitution arises out of desperation and lack of choice, there is the danger in reinforcing the image of the prostitute as 'victim'. Poverty and lack of choice are not conditions inherent to sex work, as noted by Pheterson (1986), but rather to the unequal social relations of race, class and gender that Aboriginal women face. It is the racialised 'whore stigma' in the context of prostitution, rather than the actual sex work itself that has had a far more damaging effect on Aboriginal women sex workers.

5.5 The physical and social space of Aboriginal women in Canada

The processes of colonisation persist today and continue to define the appropriate physical space and social place for Aboriginal women. Historically, Aboriginal women's virtues were played out against their deficiencies, their ascribed identity was established through their difference from white women and their location as non-white, female and poor defined their experience. The system of confining Aboriginal people to reserves produced an explicit division between reserve and non-reserve 'Indians' and between 'Indians' and white people. Mawani (2002) argues that the social segregation and geographical displacement of Aboriginal peoples were fundamental strategies in protecting white privilege. Returning to Lefebvre's (1991) formulation, the representations of Aboriginal women as a threat to white values (*representational space*) was translated into their representation as squaws (*representations of space*) and their confinement to places such as the reserve, the Stroll, prisons and the marginalized neighbourhoods of urban areas (*spatial practices*). Social and physical marginalisation continues to define many of the experiences of Aboriginal peoples of Canada. For example, in 1988, 85% of female inmates in Manitoba's prisons were Aboriginal (Manitoba 1991) while 19% of federally sentenced women in 1997 were Aboriginal ('status' Indians) despite making up only 1 to 2 percent of the Canadian population (Razack 2002: 134). In addition, more than one-half of Aboriginal households in Winnipeg exist below the poverty line, compared to about 20% of non-Aboriginal households, a number reflective of most Aboriginal communities (Manitoba 1991).

As the previous section illustrates, the social exclusion that Aboriginal women face has been produced and reproduced through the image of the 'squaw'. Razack (2002) argues that the Aboriginal body has been conflated with prostitution so that understandings of prostitution have been racialised to reinforce unequal social relations. When Aboriginal women migrate to urban area, they are often confined to marginalised areas of the city where there are limited economic opportunities available. Brody (1971) points out that 'skid row' life is characterised by its 'geographical dislocation from any means of production' (27). This corresponds to Lefebvre's (1991) assertion that productivity and its position in the mode of production are complementary

to one another. In Aboriginal communities, the reserve and the Stroll operate outside the dominant system and are excluded from regular means of production. Indeed all Aboriginal communities face a much higher level of poverty than the rest of society (Manitoba 1991). Moreover, racist ideologies have naturalised the violence experienced by Aboriginal women, and particularly by Aboriginal women sex workers, as demonstrated in the following section.

5.6 Implications of the 'Indian princess' - 'squaw' dichotomy

The historical perceptions of Aboriginal women as easy squaws continue to have a devastating impact on all Aboriginal women today. The lack of protection from the law that Aboriginal women had when they suffered abuse in the late 1800s, as documented by Sarah Carter (1997), has not changed much over a century later. The historical myth of Aboriginal women epitomised in the Indian princess-easy squaw dichotomy has continued to inform understandings of Aboriginal women by dominant white society, understandings which also have serious implications for the policing of Aboriginal women and Aboriginal sex workers. Laroque (1996) argues that the there is a direct relation between the racist, sexist and dehumanising stereotypes, such as of the squaw, and violence against Native women and girls (12). The Aboriginal Justice Inquiry's investigation into the 1971 brutal sexual assault and murder of Helen Betty Osborne in The Pas, Manitoba at the hands of two white men demonstrates the alarming power that such stereotypes continue to hold (Manitoba 1991). After an extensive examination of the case, the Aboriginal Justice Inquiry concluded that Helen Betty Osborne:

> fell victim to vicious stereotypes born of ignorance and aggression when she was picked up by four drunken men looking for sex. Her attackers seemed to be operating on the assumption that Aboriginal women were promiscuous and open to enticement through alcohol or violence. It is evident that the men who abducted Osborne believed that young Aboriginal women were objects with no human value beyond sexual gratification (Manitoba 1991: vol. 2, ch. 5).

Such assumptions are not limited to this case but have played out in numerous instances of the murder or disappearance of Aboriginal women and girls, particularly if the women are labelled as prostitutes.

The murder of Pamela George, a woman of the Saulteaux (Ojibway) nation who had sometimes worked as a prostitute, on 17 April 1995 by two white men demonstrates a similar pattern in the power of particular discourses to impact the experiences of Aboriginal women. The history and colonial patterns of domination that played a role in her murder were never considered in the trial which eventually found the two white men guilty of manslaughter, and not murder. Razack (2002) relates how the police's description of the Stroll in the trial portrayed it as a 'world of drugs and prostitution, and most of all, as a space of Aboriginality' (141). Consequently, Pamela George became reduced to another faceless Indian prostitute. Razack (2002) writes that the two white men who bought the services of Pamela George, an Aboriginal woman in prostitution, and who then beat her to death were 'enacting a quite specific violence perpetrated on Aboriginal bodies throughout Canada's history, a colonial violence that has not only enabled white settlers to secure the land *but to come to know themselves as entitled to it*' (128-9). However, the court case de-raced the violence and labelled it a generic act of patriarchal violence against women.

The police and the justice system regularly respond differently to cases of violence experienced by Aboriginal women sex workers. In the past fifteen years, almost sixty women have disappeared from the Downtown Eastside of Vancouver, over half of whom are Native, and across the country it is believed that over 500 Aboriginal women are missing (Luman 2003). Razack (2002) notes that the police's failure to respond to the disappearance of Aboriginal women is often justified through their involvement in prostitution and their practices of moving from place to place. Yet, as Denise McConney (1999) writes, 'ongoing displacement, relocation, and search for a safe place…is a consistent theme in the lives of most native women'. This ongoing displacement and their construction as prostitutes has become an excuse for the justice system to disregard the fate of these women. It is also evidence of the lack of value placed on the lives of Aboriginal women sex workers.

While the threat of the squaw identity threatens all Aboriginal women, the tangible performance of this role only intensifies the discrimination in law which assumes that all prostitutes have consented to the violence that they experience, as discussed by Balos and Fellows (1999). 'Squaws' who not only express overt sexuality and loose morality but also

engage in sex work in exchange for money merely reinforce the destructive stereotypes that predominate. Thus, the dehumanising stereotypes of the squaw continue to normalise their social and physical segregation and normalise the violence they experience. If Aboriginal peoples have experienced the most entrenched racial discrimination of any group in Canada (Manitoba 1991), Aboriginal women sex workers represent probably the most degraded and marginalised group in Canada.

5.7 Summary of the chapter

This chapter has provided an overview of the colonisation of the First Nations peoples of Canada and looked at the construction of the 'Indian princess'-'squaw' dichotomy which has deeply impacted how Aboriginal women are treated by society and by the law. I have examined how physical, social and discursive spaces operate to legitimate the subordination of Aboriginal women and to normalise their stereotypical representations as 'squaws'. However, it is also essential to acknowledge the active resistance to these ascribed identities. Rather than claiming that Aboriginal women are confined to the 'Indian princess' or 'squaw' identities, I have endeavoured to problematise the limitations and power of discursive practices that deny the profound diversity that exists among Aboriginal women. Such an analysis cautions against an essentialisation of Aboriginal women's lived realities and points to the need to understand in more detail the complexities in the subjective experiences of individual women. In the following chapter, I seek to contrast these observations with my previous exploration of Badi women in Nepal.

Chapter 6: Comparison between women of the Badi caste and Aboriginal women

A comparison between women of the Badi caste in Nepal and Aboriginal women in Canada provides important insights into the ways in which the construction of social and physical exclusion can occur in different and similar ways. Such an analysis may point the way to a more effective deconstruction of these mechanisms of subordination that assign a marginal status to women of both groups and to more effective forms of resistance. The focus of this paper has remained on the discursive constructions of Badi and Aboriginal women, rather than the resistance and agency that these women employ in their resistance against the interlocking systems of oppression that they experience. Therefore, this comparison will continue to focus on these discursive and structural elements, though I fully recognise the shortcomings that such an analysis begets.

6.1 Racialialised, classed and engendered spaces of subordination

Unequal social relations do not emerge naturally over time, but rather are constructed through particular ideologies, beliefs and values which enforce hierarchies that reflect multiple systems of domination. Location, ideology and identity all intertwine to produce racialised, classed and engendered spaces of subordination. I will now turn to an examination of the connections and disparities that exist in the location, ideology, construction and history of Badi and Aboriginal women.

6.1.1 Location, body and behaviour

Badi women in Nepal and Aboriginal women in Canada are both structurally positioned in ways that determine and are determined by social relations of power. Race, class and gender cannot be viewed in isolation from one another but must be seen as producing multiple social divisions that seek to maintain the subordinate status of both groups. Although the caste system

has been outlawed in Nepal, it continues to exercise extensive power in inter-caste relations (Parish 1996), and the Badi's positioning as dalit has structured much of their experience in Nepali society.   Within a patriarchal system which assigns women a subordinate status, Badi women are constructed as the sexualised Other, in a way that is accentuated by their positioning as dalit, a social space in which poverty is routine and normalised. Caste, class and gender have become the principal determiners of their location within particular relations of power.

Race plays a much more significant role in the positioning of Aboriginal women in Canada. Racial hierarchies permeate Canadian society and situate First Nations people at the bottom, a positioning reinforced through stereotypical images and the poverty that has resulted from this racialisation. For Aboriginal women, unequal relations of race and gender have operated to produce a subordinate class positioning, rather than class or caste positioning being one of the primary determiners of their subordination, as in the case of Badi women. Gender, race, class and caste have interacted in varying ways to place both Badi and Aboriginal women in spaces which are defined by their marginalisation.

However, it is not only their symbolic location, but also their material location that has become an active constituent of space. In Canada, spatial practices of expulsion and segregation became key practices of white settler tactics. The national myth of a 'white settler society' which framed Aboriginal peoples as 'savages' and saw Canada as an uninhabited land, justified the geographical segregation of the First Nations peoples to reserves. The reserve, and its attendant conditions of poverty, disease and alcoholism, in turn not only rationalised the isolationist policies but also ensured that Aboriginal peoples were less able to resist their colonisation or to form a solid sense of consciousness amongst themselves. Moreover, the legislation and policies that confined them to reserves was also designed eventually to effect their total disappearance (Lawrence 2002: 24). It is also the geographical space of 'Skid Row' and the Stroll that has come to symbolise the inherent degeneration of Aboriginal peoples.

Similarly, the Badi are confined to particular geographic spaces though they have experienced segregation differently. While Aboriginal women's segregation has been made more explicit and more geographical, for the Badi, it has been more of a symbolic segregation

that then has been transferred into an implicit demand for physical segregation by higher castes. In chapter 4.3.3, I described how in Gagangunj, the Badi had been driven out by a concerted campaign by higher caste members of the community. Although the legal segregation did not take place in the same way, the Badi's symbolic segregation as dalit has been underscored by their confinement to particular towns and cities. While geographical space in Canada became racialised to protect the interests of the white settlers which was then encoded in law, the geographical space of Nepal became characterised by class differences in ways that protected the 'purity' of higher castes who saw the 'impure' bodies and behaviour of the Badi as defiling the community space. In this way, the boundaries between good and bad, and between degeneracy and righteousness become marked through the interaction of symbolic and material processes.

6.1.2 Representations of Aboriginal and Badi women

In Nepal and Canada, the identity of 'prostitute' has become a significant means of objectification and degradation. Pheterson (1986) points out how because all prostitutes are assumed to invite male violence, rape and sexual abuse are seen as less traumatising for prostitutes (72). When the prostitute is racialised, her body as an arena of violence becomes even more normalised. Moreover, the assignation of the identity of prostitute has become an important mechanism of subordination regardless of whether or not a woman actually engages in sex work. Both Badi and Aboriginal women have been sexualised and assigned similar stereotypes of dirty, poor, immoral and undeserving. Aboriginal women are often understood to be prostitutes, and to be sexually available, assumptions which often lead to their assault, as demonstrated in the cases of Helen Betty Osborne and Pamela George. These cases illustrate how violence on Aboriginal women's bodies is normalised and how the sexual assault of Aboriginal women is constructed as less damaging than on white bodies. In a similar process, all Badi women are constructed as prostitutes, but perhaps in a narrower way. While Aboriginal women are seen as sexually available, whether or not they participate in sex work, Badi women are seen as not having any other alternative than prostitution and Badi society is framed around women's categorisation as 'prostitutes'. Women who are either too old or young to actually engage in sex work are seen as contributing the necessary infrastructure for their relatives

(recruitment of customers, clean space for prostitutes to service customers, etc.) because, according to Cox (1992), prostitution for the Badi is a 'family affair' (53). All Badi women have become essentialised into a homogenous group and prostitution has become mythologised as the only identity for all Badi women. This reveals how it is the *representational space* of prostitution as a space of immorality that perhaps has most significantly informed constructions of Badi and Aboriginal women.

Although the stigmatising labels are experienced differently, both Badi and Aboriginal women experience a particular type of sexualised and gendered type of exclusion vis-á-vis prostitution discourses. In Nepal, Badi women are equated with prostitution as a caste occupation. Badi women are said to *work* as 'whores'. However, in Canada, Aboriginal women are said to *behave* as 'whores': whether Aboriginal women work as prostitutes or not, their behaviour is equated with the labels of overt sexuality, unchastity and deviance. For Badi women, working as a prostitute is seen as evidence of their immorality so that the stigma of prostitution reproduces their subordinate positioning as dalit. In a reverse process, the stigma of prostitution and patriarchal ideologies of sexuality actually *produce* Aboriginal women into a subordinate position by labelling their behaviour as equivalent to that of prostitutes, which reinforces their pre-existing racialised marginalisation. The hypersexualisation of Badi and Aboriginal women, whether or not they engage in sex work, and the attachment of this hypersexualisation to their identity, is intricately tied to specific ideologies that inform dominant society.

6.1.3 Ideology

Racist, sexist and classist ideologies have dominated perceptions of Badi and Aboriginal women within their particular contexts and have played out through such mechanisms as the law, settler strategies and caste 'rules'. In Canada, white middle class patriarchal values tend to define social and sexual norms while in Nepal, it is the high caste Brahmin-Chettri norms that define appropriate expressions of gender and sexuality. Although their subordination has emerged in different ways, the powerful binaries of innocence and purity versus deviance and

immorality seem to transgress national boundaries. While it may not have dominated before colonisation in Canada, the imposition of the virgin-whore dichotomy has come to inform both the understandings of Badi and Aboriginal women. Their behaviour is viewed through a lens of patriarchal norms of chastity and racialised understandings of the Other. The virgin-whore dichotomy has become one of the most powerful means of maintaining women's subordination. As the case studies of Aboriginal women and Badi women illustrate, it does not matter whether or not these women are actively engaging in sex work. What matters is that a particular ideology, which is also shaped by race and class-specific interests, has defined them as whores and normalised their discrimination and experiences of violence. This false dichotomy threatens all women who can at any time be assigned the status of 'whore' which can then operate as a justification for violence and marginalisation.

These ideologies are not only socially constructed but are also politically figured. While the caste system is more socially embedded and expressed within the Nepali context, Aboriginal women's marginalisation has been entrenched through the law. Legislation, such as the Indian Act, reveals the explicitness of racist and sexist discrimination within Canadian colonial society. The *Canadian Charter of Rights and Freedoms* as well as Nepal's *Muluki Ain* guarantee the equality of all citizens. However, the strength of particular ideologies that stem from specific political, economic and historical contexts has rendered the experiences of Badi and Aboriginal women far different from their constitutional rights.

6.1.4 Narrative histories

What the examination of location, ideology and discursive constructions alone leaves out is the differing histories between Badi and Aboriginal women. While the discursive and material linkages are very similar, the structural positioning and structural mechanisms of subordination have arisen from distinct histories. The Badi people began to engage in prostitution as an adaptation to changing political and economic circumstances while for Aboriginal women, the historical processes of colonisation constructed the image of the 'squaw' which defined women as prostitutes whether or not they actually engaged in sex work. For both groups of women, sex

work has often been about economic choice, though the historical basis of these conditions has transpired in different ways.

Additionally, history itself has become a mechanism of subordination for Aboriginal peoples in Canada. The particular history of a 'white settler society' has erased the experiences, practices and realities of Aboriginal peoples and confined them to what McClintock (1995) calls an anachronistic time and space (130). The white writing of history obscures the processes that enabled colonisers to acquire the land, the policies that were put into place to control the peoples displaced from the land, and the violence that was used to invade and steal the land (Lawrence 2002: 21). This is particularly true of the educational system which not only continues to deny the history of Aboriginal peoples from their own perspective but also continues to indoctrinate Aboriginal people into the belief that 'Indians' were 'stupid', 'lazy', 'parasites on society' and 'belonging to the Devil' (Berry 1999). In the court case against the murderers of Pamela George, as discussed in chapter 5, history was completely absent from the trial so that the role of a colonial racist mentality was never seen as playing a part in the acts of violence committed against an Aboriginal woman. The law, in its pursuit of impartiality, failed to address race and the role that racism played, and thereby became complicit in acts of settler violence (Razack 2002).

Although never colonised, the Badi people of Western Nepal have also experienced a powerful erasing of their history. Their story as a caste of entertainers has become subsumed under representations of them as a 'prostitute caste', a process that has been promulgated through media and NGO representations. Thus it seems that the rewriting of history to fit the needs of the dominant group has also become an important means of reproducing oppressive discourses. This analysis points to the importance of addressing history in any deconstruction of particular power relations.

6.2 The 'first world'/'third world' dichotomy

The 'first world'-'third world' or 'north'-'south' binaries have often greatly informed the ways in which sex work is framed and the ways in which discussions of trafficking play out. However, such binaries do not accurately reflect global realities, particularly in the Canadian context. Yngre Lithman (1983) applies the theories of development in his study of an Aboriginal community on the prairies to explore how reserves actually embody many aspects of underdevelopment such as a lower standard of living, dependency on an external financial body with the existence of transfer payments from the federal government, and the separation of the community from the larger economic system in Canada.   He explores how the expansion of capitalism through colonisation was imposed through the appropriation of resources by Euro-Canadian society for the benefit of the dominant society, similar to Andre Gunder Frank's satellite-metropolis model in which the economic surplus of the satellite is appropriated by the metropolis for its own benefit. However, the conditions on reserves are not usually expressed in terms of development and underdevelopment because of the dominant focus on acculturation processes and social disorganisation (Lithman 1983: 14). Despite the existence of a so-called underdeveloped 'third world' within Canada and despite the invalidity of the 'first world'-'third world' dichotomy, Canada continues to understand itself as a 'first world' country.

The Royal Commission on Aboriginal Peoples (Canada 1996) recognised that many Aboriginal communities live in terrible poverty despite the great affluence of Canada. However, often Canada's affluence has become a way of marginalizing concerns about the poverty of specific groups. If women are living in developed countries then they are seen as possessing the ability and the power to exercise agency in their lives within a 'developed' context. Within a 'first world' context that presumes the existence of 'choice', through liberal notions of democracy, equality of choice and the existence of rights, women may be held responsible for those said 'choices', for which they are often then criminalized. The exceptionally high rate of incarceration of Aboriginal women reflects the persistence of a nineteenth century colonial

mentality which frames Aboriginal women within a racialised discourse of the 'squaw'–'Indian princess' dichotomy.

While dominant discourses of Aboriginal women working as sex workers remain fixed within a colonial understanding, discussions about trafficking and the exploitation inherent in trafficking are wholly separated from images of Canada as part of the 'first world'. As Sutdhibhasilp remarks about the Canadian context, trafficking is framed as an 'insidious third world problem threatening the perceived "law and order" and moral conventions of mainstream Canada' (Sutdhibhasilp 2002: 173). Whereas trafficked women and children are portrayed as innocent victims worthy of sympathy, sex work among marginalized Canadian women is implicitly defined by inherent immorality and deviance. 'Third world' conditions existing within the 'first world' become attributed to the innate characteristics of those enduring such 'underdevelopment'.

In contrast, in the underdeveloped setting, women are constructed as having few choices and no freedom to act. Within this context, choice is either limited or nonexistent and women are seen as incapable of possessing agency. Thus the 'third world woman' is homogenized as ignorant, poor, uneducated, tradition-bound, domestic, family-oriented, and essentially victimized in her underdeveloped state (see Mohanty 1991). Against this backdrop, women can never *choose* prostitution. Sex work becomes the ultimate example of this victimized status and women engaged in sex work, therefore are merely victims of a situation in which they have no power. While exploitative conditions dominate much of sex work, the denial of agency precludes any subjective positioning which would permit their real empowerment. In this way, 'first world' women can save these victims from the horror of their locations and can position themselves as superior. This is evident in the Nepali context which conflates trafficking and prostitution so that women sex workers are inevitably seen as victims of trafficking. This, however, does not apply to Badi women who actually *choose* prostitution. The trafficking discourse is used to maintain distinction between morality and immorality and therefore demonises Badi women through their distance from accepted norms of sexuality and chastity: Badi women are seen as the ultimate embodiment of immorality.

The trafficking discourse extends to Nepali national identity as victims in a global system, reifying the concepts of poverty, backwardness and dependency. 'Victims of trafficking' is translated into 'victims of globalisation' in a discourse that denies agency, and compels the individual and the nation to accept the inevitability of their subordination. Thus, these discourses instil an acceptance of unequal power relations that operate in varying spaces. Geopolitical spaces engage with sociocultural spaces to produce the conditions of the 'third world' as a fate which must be tolerated, despite the existence of an affluent and upper class/caste within Nepal, however small it may be. Again, the 'first world'-'third world' dichotomy becomes inadequate in exploring the lived experience of Badi women and Aboriginal women.

Because it is actually geographical displacement that defines the experiences of Indigenous peoples in Canada, the 'third world' as a geographical unit of analysis must be called into question. Mohanty (2003) demonstrates that 'Native or indigenous women's struggles, which do not follow a postcolonial trajectory based on the inclusions and exclusions of processes of capitalist, racist, heterosexist, and nationalist domination, cannot be addressed easily under the purview of categories such as "Western" and "Third World"' (507). In this way, Esteva and Suri's (1998) use of the terms 'one-third world' and 'two-thirds world', as adopted by Mohanty (2003), can be very useful. Moving away from misleading geographical and ideological dichotomies, the one-third world is used to refer to the social minority category of wealth and privilege, while the two-thirds world refers to the category of the social minority who experience a quality of life much below that of the one-third world. Such language works to highlight the fluidity and power of global forces as well as the continuities and 'discontinuities between the haves and have-nots within the boundaries of nations and between nations and indigenous communities' (Mohanty 2003: 506).

6.3 Resistance within sex work

Although many Badi women and most Aboriginal women do not work in the sex trade, even those that do cannot be assumed to be either victims of patriarchy or, alternately, the embodiment of evil. The space of prostitution may also act as a space of resistance. As Law (2000) argues, sex workers may negotiate the tension between their 'free will to enter prostitution and the constraints that make this particular type of employment an opportunity for them' (121). Thus, it is not exclusively a site of oppression. Anne McClintock (1994) describes the incongruities that play out in the act of sex work in the following way:

> The moment of paying a female prostitute is structured around a paradox. The client touches the prostitute's hand in a fleeting moment of physical intimacy in the exchange of cash, a ritual exchange that confirms and guarantees each time the man's apparent economic mastery over the woman's sexuality, work, and time. At the same time, however, the moment of paying confirms precisely the opposite: the man's dependence on the woman's sexual power and skill. (106)

Still, it is vital to recognise that sex work may be the only source of income available for many of these women, particularly when discursive and material conditions normalise their identities as prostitutes. For Badi women who have few options available and for whom prostitution is constructed as a 'social norm' (Cox 1992), sex work is an important means of economic survival for a group who is already extremely marginalised as 'untouchable'. For Aboriginal women sex workers, sex work again may be one of the few means of generating an income for themselves or their families against a backdrop of continued colonisation which has brought about far greater levels of poverty than in the rest of society. 'Choice' is then mediated by various material and symbolic limitations. However, in portraying women as mere victims, we deny the agency they may be exercising, even within the constraints of their oppressive and often violent circumstances. We also deny their active resistance.

The different politics of physical space and discursive constructions limit the life choices and empowerment possibilities of Aboriginal and Badi women in differing and similar ways. Although the 'first world'-'third world' binary may not accurately define global and local power

relations, Badi women do have less access to wealth, development, than Aboriginal women in Canada. They are also much smaller in number and have been discursively defined as much more homogenous. Moreover, they face very ingrained understandings of caste and understandings of the country as inevitably underdeveloped. The reductionist understanding of prostitution as represented in the dominant trafficking discourse has significantly limited the empowerment options of Badi women because Nepali NGOs focus almost entirely on 'victims of trafficking'. Empowerment is not thought to be possible for sex workers. At the same time, because it is has been assumed that all Badi women will certainly become prostitutes, they are not seen as having any other life choices, though women within the community are beginning to dispute this assumption. Gurung (2002) documents several young Badi women who are enrolled in various higher education programs with the goal of challenging the boundaries around their accepted professions. However, because many Nepali NGOs are dominated by middle class women who have been socialised into the acceptance of Brahmin-Chettri norms, the NGO sector needs to examine the ways it may be reproducing particular forms of social exclusion. While many of these women may reject the caste system, Brahmin-Chettri norms may still inform their understanding of gender and sexuality, such as in the case of *Maiti Nepal*.

For many Aboriginal women, writing has become a powerful form of resistance and means of self-empowerment. In the social movements for the reclamation of cultural traditions and Native identity that have been taking place since the 1960s, Aboriginal women have been active in what Anderson (2000) terms the 'reconstruction of Native womanhood' through the process of 'resistance-reclamation-construction-action'. As teachers, filmmakers, authors, grandmothers and leaders of various Native women's organisations, Aboriginal women are actively reclaiming their Native womanhood. It is a movement arising out of the direct experiences of the women who are involved in the movement. As Eschle (2001) writes, it is those who are located materially, socially, historically and politically in subordinate positions that have critical insight into relations of power and strategies for change. Thus, it is vital that the paths of resistance, agency and action arise from those who experientially understand such the intricacies of unequal social relations of race, class, caste and gender. Although the numbers and diversity of Aboriginal women is far greater than of Badi women, Aboriginal women may share their strategies for shaping a better future and reclaiming their identities as strong and

powerful women with Badi women. In this way, global solidarities can become important for the journeys of resistance-reclamation-construction-action for all groups who share similar experiences of oppression.

Chapter 7: Conclusion

In this paper, I have illustrated the ways in which Badi women in Nepal and Aboriginal women in Canada share far more common conditions of existence based on their constructed identities, and physical and social positioning within particular global relations, than with many other women in their own countries. Insight from Nepal shows us that we must recognise the ways in which the trafficking discourse silences the voices of all sex workers through discursively limiting the ways in which sex work can be discussed. Even in Canada, the trafficking discourse impacts all sex workers, including Aboriginal women, by reinforcing the virgin-whore dichotomy. Bodies marked with race, class, gender, sexuality, 'third world' and 'first world' produce identities which serve to reinforce and crystallise the borders around 'sexually deviant' women. While women working as prostitutes are stigmatised for their immorality (as with Badi women), the stigma of the 'whore prostitute' can be attached to any women as a means of justifying or imposing unequal relations of race, class and gender (as with Aboriginal women). For these reasons, the 'whore stigma' must be challenged as a way of reinforcing subordinate positioning. Moreover, women who choose to work as sex workers must not be stigmatised for their 'choices', and also must be protected from the violence and abuse that they may experience in their work. We need to look at sex workers as actors in their own subject identification and actors in subverting and transgressing boundaries that have been placed upon them.

In the same way that the separation of 'whores' and 'madonnas' has become a powerful way of thwarting the formation of solidarities amongst women who experience similar forms of subordination, the separations of women of the 'first world' and 'third world' has become a means of confining oppressed women to separate geographical and discursive spaces. While Aboriginal women struggle to overcome their 'colonised minds', white women in Canada have even more of a responsibility to decolonise their understandings of history, location, identity and ideology. In Nepal, upper caste women must recognise the unequal social relations that exist among women of different castes and classes. Lee Maracle (1996) eloquently writes that 'the road to freedom is paved with the intimate knowledge of the oppressed' (139). In this way, it is

the responsibility of women in positions of power, and the women's movement in general, to embrace solidarity and the wisdom and experiences of those who are intimately experienced with the mechanisms of subordination that racialise, class and engender particular social relations of power. Perhaps this can become the beginning of an understanding of difference that subverts the patriarchal, colonial and capitalist dependence on hierarchies of oppression.

Appendices

Appendix 1: GAATW working definitions of trafficking

TRAFFICKING IN WOMEN

All acts involved in the recruitment and/or transportation of a woman within and across national borders for work or services by means of violence or threat of violence, abuse of authority or dominant position, debt bondage, deception or other forms of coercion.

FORCED LABOUR & SLAVERY-LIKE PRACTICES

The extraction of work or services from any woman or the appropriation of the legal identity and/or physical person of any woman by means of violence or threat of violence, abuse of authority or dominant position, debt bondage, deception or other forms of coercion.

(from Wijers and Lap-Chew 1997: 36)

Appendix 2: Nepali trafficking narratives

The following excerpt from Human Rights Watch/Asia's study, *Rape for Profit: the Trafficking of Nepali Girls and Women to India's Brothels* is representative of many similar narratives of trafficking:

> 'Trafficking victims in India are subjected to conditions tantamount to slavery and to serious physical abuse. Held in debt bondage for years at a time, they are raped and subjected to other forms of torture, to severe beatings, exposure to AIDS, and arbitrary imprisonment. Many are young women from remote hill villages and poor border communities of Nepal who are lured from their villages by local recruiters, relatives or neighbours promising jobs or marriage, and sold for amounts as small as Nepali Rs. 200 ($4.00) to brokers who deliver them to brothel owners in India for anywhere from Rs.12,000 to Rs.40,000 ($500-$1,333). This purchase price, plus interest (reported to be ten percent of the total), becomes the "debt" that the women must work to pay off – a process that can stretch on indefinitely. Only the brothel owner knows the terms of the debt, and most women have no idea how much they owe or the terms for repayment. Brothels are tightly controlled, and the girls are under constant surveillance. Escape is virtually impossible. Owners use threats and severe beatings to keep inmates in line. In addition, women fear capture by other brothel agents and arrest by the police if they are found on the streets; some of these police are the brothel owner's best clients. Many of the girls are brought to India as virgins; many return to Nepal with the HIV virus.'

> (from: Human Rights Watch/Asia 1995: 1-2)

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