

From Slave to Sex Worker. Feminist Debates and Prostitution Politics in the Netherlands, 1880–2000

Petra de Vries

In 1897 two American women issued a shocking report about the living conditions of prostitutes who served the soldiers of the British Army in India.¹ Some of the women were simply sold to military brothels by family members or otherwise forced into prostitution. All of them were confined in secluded areas and subjected to compulsory medical treatment for venereal disease. Other abuses occurred as well. Soon the report became known among European feminists. At a conference during the “Nationale Tentoonstelling van Vrouwenarbeid” (National Exhibition of Women’s Labour²) in the Netherlands in 1898, the audience was horrified to hear about the fate of the Indian prostitutes. According to a French brochure that appeared in the same period, things were not much better in ‘our’ Dutch East Indies: Directly opposite every garrison there was a brothel and many poor young women were infected and “deformed” by Dutch soldiers.³ With their growing number of international contacts, it became increasingly clear to feminists that sexual exploitation of women in prostitution was an international phenomenon. Virtually all of them considered prostitution a terrible evil, an archetypical form of sexual subordination of the entire female sex. When the report about the British army came out in a Dutch translation, its front page showed a picture of a submissive-looking Indian woman who was being kept in chains.⁴

1 Cf. Elizabeth W. Andrew and Katharine C. Bushnell, *The Queen’s Daughters in India*, with prefatory letters by Josephine E. Butler and Henry J. Wilson, London 1899³.

2 The exhibition was an impressive manifestation of the nineteenth century women’s movement.

3 Savioz, *Eén moraal voor de twee geslachten: rede uitgesproken door Savioz (Madame Avril de Sainte-Croix) op het internationaal congres over den toestand en de rechten der vrouw, gehouden te Parijs van 5–8 september 1900*, Amsterdam 1900.

4 Cf. Elizabeth W. Andrew and Katharine C. Bushnell, *Tot ontucht gedoemd. Treurige toestanden in het Engelsche leger in Britsch-Indië*, Amsterdam 1902, 12.

This image of the ‘slave’ is in sharp contrast with another image that was created almost a century later. The cover of the Dutch ‘whore’s magazine’ “Vluggertjes” (*quickies*) in 1995 shows an assertive-looking woman with abundant make-up happily and provocatively sticking her tongue out. It is clear that she does not need anyone to tell her what to do. Or perhaps only that lipstick may damage the rubber and she should, if necessary, follow the magazine’s helpful advice and use a second condom for “the remainder of the work”.⁵

How are we to understand the historical circumstances that could produce two such contradictory images of prostitution? Both images, in one way or another, are representations of women’s interests, both are ‘political’ in the sense that they are aimed at changes in political ideology and the law, and both are embedded in some form of feminist politics. How do these images reflect different feminist positions in debates on commercial sexuality and how do they reflect political and legal changes? These questions will be answered through an historical analysis of prostitution politics in the Netherlands from the last decades of the nineteenth century onward with a main focus on discourses within the women’s movement. The Netherlands is a particularly interesting case since the ban on brothel-keeping, which existed since 1911, was abolished in 2000. It is remarkable that not only Dutch brothels were among the first in Europe to become legalised, but also *both* the prohibition in the past *and* the current legalisation in the Netherlands were partly embedded in a feminist agenda to improve the lives of women in the trade.

Prostitution is a complex and contested issue for professional historians as well as for feminists today. Not surprisingly this has an effect on the perspectives and interpretations of the historian who studies feminist political discourses around prostitution. The notion that all knowledge is ‘situated knowledge’ holds true especially in this case and requires making theoretical outlooks and conceptualisations explicit. My reading of the sources has been informed by two interrelated perspectives. Firstly – and this may seem obvious – the particular social meaning of the prostitution contract and the institution of prostitution as such vary according to historical and cultural circumstances. Historians should trace those meanings rather than, for example, treat prostitution as a moral issue or as ‘violence against women’.⁶ (This is not to say that prostitution as an experience of individual women – or men – cannot be violent, degrading or exploitative. However, much depends on the conditions in which a specific commercial sexual transaction takes place.) Secondly, ‘prostitute’ is not a fixed category. Who is ‘a prostitute’ is a matter of definition, identity and specific historical circumstances. The bulk of research on nineteenth century regulation of prostitution has made clear that the category of ‘the prostitute’ was as much an invention of those who tried to control ‘immoral women’ as a description of some women’s actual living conditions. Throughout history prostitutes have always attracted the

5 Vluggertjes. Hoerenvakblad van de Rode Draad, 3 (1995), 7.

6 For different political perspectives on prostitution cf. Noach Zatz, *Sex Work/Sex Act: Law, Labor, and Desire in Constructions of Prostitution*, in: *Signs. Journal of Women in Culture and Society*, 22, 2 (1997), 277–308.

attention of administrative and legal authorities, often as objects to be disciplined and punished, or alternatively, a public nuisance (*öffentliches Ärgernis*) to be tolerated. However, with the rise of modern democratic nations, prostitution and the state become entangled in a new web of relations. National and local authorities develop new ways of policing and identifying prostitutes and new forms of 'tolerance' emerge. It is within this context that feminist ideas on prostitution originate and solidarities are built.

Moreover, although considered immoral in most historical periods in the Netherlands, in the second half of the nineteenth century – the main period this article focuses on – prostitution becomes more and more loaded with meanings about femininity. The image of the whore and the idea of 'proper womanhood' are created in the same process, as mirror images, in which the prostitute figures as the reverse of the 'normal' woman. She was 'a parody of woman', as one leading morality campaigner observed in 1910.⁷ Thus, studying feminist prostitution politics should not only focus on more or less overt political demands and discourses, or analysing successes and failures, but also take into account the more subtle processes of inclusion and exclusion: Who is included in the category of 'decent women' and who is not?

Nineteenth century state policies on prostitution will be the subject of the first section of this article. The second and third sections will deal with the feminists' opposition to these policies and in the course of this process creating their own theories about sexuality, the state, and the 'origins' of and the 'solutions' to the prostitution question. The last section is devoted to a discussion of the feminist legacy from the past and the re-emergence of prostitution politics during the so-called second wave.⁸

1. Public Women and Public Policy: the Regulation of Prostitution in the Nineteenth Century

The rise of feminism in the Netherlands was intimately connected to the rise of so-called abolitionism, the international movement that sought to put an end to what was known as the state regulation of prostitution. Abolitionism originated in England around 1870 and will be forever connected with the name of its charismatic leader Josephine Butler. Butler's ideas inspired several generations of feminists to join her cause.⁹ The word 'abolitionism' itself reflected the abolitionists' understanding of

7 Andrew de Graaf, *De waarde van Gestichten in den strijd tegen de Prostitutie*, Utrecht 1910, 19–20.

8 Unless otherwise indicated, this article is based on sources that are more fully accounted for in Petra de Vries, *Kuisheid voor mannen, vrijheid voor vrouwen: De reglementering en bestrijding van prostitutie in Nederland 1850–1911* [Chastity for men, freedom for women. Regulation of prostitution and the abolitionist struggle in the Netherlands 1850–1911], Hilversum 1997. All quotations in this article are translated by the author.

9 For the abolitionist struggle in Europe cf. Anne Summers, Introduction: the International Abolitionist Federation, in: *Women's History Review*, 17, 2 (2008), Special Issue: Gender, Religion and Politics: Josephine Butler's Campaigns in International Perspective (1875–1959), 149–152.

themselves as ideologically connected with the historical struggle against black slavery. Concepts and images of black slavery were transformed to fit the case of prostitution as well, notably the word 'slavery' to describe the sufferings of prostitutes in brothels and as objects of state policies. To understand the feminist position within the wider abolitionist movement, the Dutch regulation of prostitution and its assumptions about gender will be discussed first.

In 1811, when under French rule, the Netherlands adopted the French *Code Pénal* as its new criminal code. The ban on all 'whorery' was lifted and licensed brothels were allowed to exist if they did not 'promote the debauchery' of minors of both sexes. According to the law, adult men and women could engage in commercial sexual exchanges, but neither men nor women under age should be allowed to visit or work in brothels.¹⁰ Although the new law made it difficult for the authorities to arrest prostitutes merely on the grounds of immoral behaviour, as had been done in the past, it gave them the power to discipline and punish in a different way. New methods of policing prostitutes did indeed develop. One important reason why this happened was the rising fear of venereal disease, or – as most contemporaries would call it – 'syphilis'. In an effort to control the real or presumed spread of 'syphilis', local or national authorities in many European countries introduced a state-controlled system of sanitary inspection of prostitutes. In France and the Netherlands this usually included some form of registration of prostitutes by the police and a set of rules about the conditions for getting and keeping a license. The most notorious rules were compulsory medical inspection and compulsory treatment for 'syphilis'¹¹ in a locked hospital. So there existed a set of police regulations on how to handle 'sick' and 'healthy' prostitutes, backed up in theory by a local council decision. Hence it was a municipal affair; some cities had sanitary regulations while others never implemented them. Most regulations were introduced in the period between 1860 and around 1875, after the promulgation of the *Gemeentewet* (municipal law) in 1851, although the system had already operated in some cities on and off before that.

Allowing for local laws and social mores, the sanitary regulations in various European countries were basically similar. Fighting venereal disease by a *police des moeurs* or a *Sittenpolizei* – to use the French and German terms – involved drastic measures that infringed upon the lives of women who were considered as outcasts and labelled as prostitutes. Although the system in Dutch cities was relatively loose compared to notorious places such as Paris or Berlin, policemen could pick up women from the streets and handle them according to what police rules prescribed, or worse.

10 Legal statements and actual practices could be very different; many women under age were reported to work in brothels.

11 As medical knowledge about venereal disease was still in its early stages, the term 'syphilis' was used for a range of afflictions.

State regulation of prostitution is extensively documented by an ever-growing number of historians who unequivocally have pointed to the bad treatment of prostitutes under an all-male medical police.¹² Many have noticed the astonishing fact that customers of prostitutes were excluded from venereal disease check-ups.¹³ Regulation¹⁴ had its own logic, based on a range of gendered assumptions about the body. First it was tacitly assumed that 'syphilis' spread from the body of an immoral, wanton, seductive lower-class woman to an innocent man. This view of male victimisation, and the resulting focus on the protection of the male citizen was part of a culture that feared licentious female sexual behaviour in general. A whole range of legal and political texts was permeated by a deep suspicion of female sexuality. Fear of unjust criminal allegations or 'blackmail' by a vicious woman was found in a wide variety of texts, such as forensic treatments on rape, legal debates about the unmarried mother, and political discussions about sexual morality. Moreover since the (male) sex drive had to be relieved somehow, as other means such as masturbation were thought unnatural, prostitution was seen as a 'necessary evil' (a term mostly used by opponents of regulation).¹⁵

Secondly, advocates of the system, liberal doctors, policemen, politicians and state authorities assumed that the line could be drawn between 'good' and 'bad' women and between 'secret' and 'public' prostitution. The idea was to make all 'secret' prostitution 'public', in other words to bring it under police supervision. This was a way to get rid of 'secret' prostitutes who were seen as the most dangerous ones, doing their devastating work 'in silence'. Thirdly, defining prostitutes as 'public' women, surveillance and control by police officers seemed logical and legitimate since the state was responsible for 'public order' and 'public morality'. Prostitutes were women who apparently acted

12 Cf. e.g. Yvonne Svanström, *Policing Public Women: The regulation of Prostitution in Stockholm 1812–1880*, Stockholm 2000; Petra de Vries, *Kuisheid*, see note 8; Margaret Jackson, *The Real Facts of Life: Feminism and the Politics of Sexuality 1850–1940*, London 1994; Susan Kingsley Kent, *Sex and Suffrage in Britain 1860–1914*, Oxford 1987; Jill Harsin, *Policing Prostitution in Nineteenth-Century Paris*, Princeton 1985; Paul MacHugh, *Prostitution and Victorian Social Reform*, London 1980; Judith R. Walkowitz, *Prostitution and Victorian Society: Women, Class and the State*, Cambridge 1980; Alain Corbin, *Les filles de nocé: Misère sexuelle et prostitution aux 19e et 20e siècles*, Paris 1978. For an interesting anthology on treatment of venereal disease and prostitution in historical perspective, covering a range of nations cf. Roger Davidson and Lesley Hall Hg., *Sex, Sin and Suffering. Venereal Disease and European Society since 1870*, London 2001. Related work on prostitution and social purity include Shannon Bell, *Reading, Writing and Rewriting the Prostitute Body*, Bloomington 1994; Lucy Bland, *Banishing the Beast: English Feminism and Sexual Morality 1885–1914*, London 1995; Barbara Hobson, *Uneasy Virtue: The Politics of Prostitution and the American Reform Tradition*, New York 1987; David J. Pivar, *Purity Crusade: Sexual Morality and Social Control, 1868–1900*, Westport 1973.

13 Soldiers excluded; soldiers got regular check-ups but this does not compare to the treatment of prostitutes.

14 The word 'regulation' is used here to imply sanitary regulations as well. Regulation could also exist in municipalities with no sanitary rules, i.e. rules only about other aspects of prostitution.

15 Petra de Vries, *The Shadow of Contagion: Gender, Syphilis and the Regulation of Prostitution in the Netherlands 1870–1911*, in: Davidson/Hall, *Sex*, see note 12, 44–60.

independently from male control. This might have reflected their actual circumstances, since many prostitutes were in a transitory stage of life as relatively young women who were no longer dependent daughters and not yet (or not any longer) dependent wives. Legal and social debates about prostitution in this period reveal an underlying metaphor of the state as representing the patriarchal 'father': Just as the father possessed marital power and exercised control over his wife and daughters in the family, the state should exercise control over the public woman.¹⁶ For example, a parliamentary commission report on police law commented on police supervision of prostitutes in 1852 as follows:

just as each household has a head of family, there should be an authority in the distinct world of those who live in houses of debauchery in the big cities, an authority capable to act and punish without making an appeal to the courts all the time. Without such powers, it is impossible to exercise police supervision.¹⁷

As indicated before, the feminist response to regulationist politics was not alone in this. The role of the state in sanitary inspection was hotly debated between the 1870s and the early twentieth century. A wide variety of groups and individuals contributed to this debate, notably male abolitionists, socialists, liberal doctors, politicians, neo-Malthusians, sexologists and so on. By 1900 it looked as if the most outspoken members of a progressive Dutch intellectual and political community had voiced their opinion about prostitution, largely agreeing that a 'civilised' society ideally could not or should not sustain something like prostitution, let alone regulation. In nearly all debates ideas about gender were of central concern making the prostitution struggle also a struggle about the proper, improper or inevitable gender arrangements in the new democratic state. Feminists shared a vision but also developed their own ideas on prostitution in interaction with all those other voices, creating different views of the matter, depending on the political and social roots of their advocates. For the sake of clarity I will distinguish between an earlier and a later period of feminist thought, roughly corresponding to different approaches to what was seen as a common problem.

2. Sin and Sisterhood: Evangelical Feminism in the 1880s

In the Netherlands, 'feminism' as a term was born only in the last decade of the nineteenth century. However, debates on the 'emancipation of woman' – such as the social position of women, female labour and education – started much earlier, from about

¹⁶ This is an interpretation, based on separate sources covering a long period of debate; it is also supported by the work of Yvonne Svanström who makes the same point; cf. Svanström, *Policing*, see note 12.

¹⁷ Quoted in De Vries, *Kuisheid*, see note 8, 43; cf. also *ibid.* 25, note 5 on that page.

1860 onward. I will label all these women's initiatives as 'feminist', though a wide variety in viewpoints existed. The first female organisation that opposed the regulation of prostitution was the (Evangelical Protestant) *Nederlandsche Vrouwenbond tot Verhooring van het Zedelijk Bewustzijn* (*Women's Union for the Promotion of Moral Consciousness*), founded in 1884, joining in with a wide range of other female and feminist initiatives in later years. The *Women's Union* was grounded in the *Réveil*, an early nineteenth century religious revival movement that sought its inspiration in the word of God and operated largely outside the official churches. Among other things the *Réveil* initiated a network of shelters for 'fallen women' which began in 1848 with an asylum for former female prisoners. Soon it housed other categories of 'immoral women'. Inspired by biblical concepts and metaphors such as 'sin', 'seduction', 'fall' and 'rescue', one sought to rescue repentant prostitutes. This usually included a kind of civilisation programme to turn former prostitutes into decent housewives or servants, as well as teachings about how one could be saved by the word of the Gospel. Rescue workers were typical representatives of the much wider 'movement' of middle class women who sought to widen 'woman's sphere' and carve out decent female professions in the public sphere. In other words, rescue work was also to some extent a channel for emancipation although many would not have seen themselves as having anything to do with the rising tide of new and controversial ideas about women's rights. Yet, some rescue workers became 'experts' and spokeswomen for their field of expertise in the later years of the women's movement; for example 'Miss' Johanna Kruijf, director of Steenbeek, the nation's first and most important asylum for prostitutes. Outside her asylum she was also quite active. Around 1880 she organised together with a German colleague, Bertha Lungstrasz from Bonn, a big meeting about rescue work in Rotterdam which was attended by a quite astonishing number of six hundred women.¹⁸ Kruijf's writings and speeches revealed the terrible ambivalence she must have experienced in working with the 'fallen'. Pessimistic about the possibilities of rescue, she showed compassion for prostitutes and despised their sin at the same time. They were "poor lost ones" who had also lost the most valuable a woman possessed – her reputation and honour. Yet, she called them also "the worst of womanhood".¹⁹ Clearly, the prostitute disturbed an imagined order in which gender and sexuality were more properly arranged. Perhaps for this very reason, she deserved pity. Basically these kinds of contradictory feelings surfaced again and again in the *Women's Union*, although its formal voice and official declarations about prostitutes went in quite a different direction.

18 The Shield, January 22, 1881, 15; cf. also Johanna Kruijf, *Vrouwenarbeid onder vrouwen*. Toespraak en mededeelingen van elders aan de Vrouwenvereniging te Rotterdam, 's-Gravenhage 1882. The sources are not entirely clear about the year of the meeting, 1880 or 1881. Lungstrasz is also spelled Lungstrass.

19 Quoted in De Vries, *Kuisheid*, see note 8, 91; cf. Johanna Kruijf, *Vrouwenarbeid*, see note 18.

Women such as Johanna Kruijf belonged to the constituency of the *Women's Union* but were not their ideological leaders and founders. The founders and main force behind the *Union* were the remarkable sisters Anna van Hogendorp and Marianne Klerck-van Hogendorp, daughters from a well-known aristocratic family whose male offspring traditionally belonged to the elite of influential civil servants at the highest governmental levels. Anna and Marianne van Hogendorp built forth on the female tradition of rescue work but the *Union* itself aimed to be a more political organisation. In fact it was the first women's organisation in that period whose demands were explicitly directed at the level of state policy. The establishment of the Union was also an act of emancipation in itself since the first abolitionist group in the Netherlands – the *Nederlandsche Vereeniging tegen de Prostitutie* (*Dutch Society against Prostitution*), founded in 1879 – was an all-male organisation and reluctant to include women in its ranks.²⁰

The *Women's Union's* overall analysis of regulation was made clear in the first sentence of an appeal that Marianne Klerck wrote in 1883, “Een woord aan de vrouwen van Nederland” (A word to the women of the Netherlands): “in our midst a sin is at work, which happens in secrecy and prefers to hide in the dark”.²¹ Those dark places – brothels – were referred to as the erection of “Satan's throne”. Following the metaphor of darkness, they should be exposed by the ‘bright light’ of those who acted according to the word of God. Regulation also represented ‘sin’. In the words of Anna van Hogendorp, “the agreement between the state and sin”.²² Women should become participants in the struggle against this sin, as it signified a profound disrespect for all women and indicated the low level of morality of society in general. Women, the sisters implied, should also take serious the biblical plight to be ‘man's helpmeet’ (*Gehilfin*). The latter was a euphemistic way of saying that men alone could not run the state, so they needed a helping hand. In the programme of the *Union*, the doctors' idea of a ‘necessary evil’ was rejected. Instead it advocated a single moral standard for both sexes, as every abolitionist and feminist would repeat over and over again for the next 20 years or so. Why could men not be chaste like women? The ideal of a single sexual standard was not only based on the critique of the very unequal treatment of women in sexual matters but also, at least in the case of the *Women's Union*, on an ideal of a pure and chaste womanhood as the norm for sexual behaviour.

The *Women's Union* (and other branches of feminism as well) developed a fundamental critique of the dual concept of womanhood – good versus bad women – as created and maintained by the regulation system. It challenged in many ways the definition of prostitutes as the female ‘other’, as a separate kind of female species. Quite a few of its members would have agreed with Josephine Butler's eloquent attacks on

20 For a more detailed account of the ideas of the Van Hogendorp sisters cf. Petra de Vries, Josephine Butler and the Making of Feminism: International Abolitionism in the Netherlands (1870–1914), in: *Women's History Review*, 17, 2 (2008), special issue (see note 9), 257–277.

21 Marianne Klerck-van Hogendorp, *Een woord aan de vrouwen van Nederland* (I), 's-Gravenhage 1883, 4.

22 Cf. De Vries, *Kuisheid*, see note 8, 135.

men and society for inventing two classes of women, the angel in the house and the downtrodden whore. Although the Van Hogendorp sisters usually tended to employ a watered-down version of Butler's words, their intentions pointed in the same direction. Against a world that looked down on prostitutes with contempt, they promoted the idea that prostitutes were 'sisters' who had a right to compassion of all womankind. Prostitutes were "women like us", as Marianne Klerck stated emphatically.²³ For a Protestant, wealthy and respected member of the aristocracy, this declaration of solidarity and sisterhood was remarkable. It was an effort to cross gender and class boundaries on the basis of a perceived general woman's interest. Sisterhood, however, was a complicated affair. Most feminists and prostitutes were separated by a great gulf of class, pity, social distance and a motherly attitude on the part of the former. The metaphor of motherhood – mothers reaching out to daughter-prostitutes – was an important element of the political identity of the leading members of the *Union*. The idea of universal sisterhood, then, was essentially embodied as a bourgeois moral mother. The prostitute could perhaps share in this sisterhood however by offering herself to be rescued from places where Satan's throne was erected.

3. Love, Labour and the Vote: the Roaring Feminist Nineties and the Early Twentieth Century

Alongside the actions of the *Women's Union* and partly in interaction with their initiatives other more secular approaches saw the light. As early as 1888, libertarian socialist women joined the debate to be followed by social democrats, progressive liberals and other 'feminist' women. What these women distinguished from their religious sisters was, among other things, their voice. Loudly, clearly and angrily they conveyed their feelings about the existence of prostitution and regulation. That something like this actually existed! A legitimate system that *explicitly* was organised to protect men who, just for the sake of their sexual needs, could *buy* women, as objects, as toys! That they had access to an entire army of "sexual slaves" who were mere "sex creatures" and "sexual stimulants"; that these very women were despised and treated with contempt; that precisely these women had to bear the burdens of shame and guilt, that prostitutes and unmarried mothers were repudiated and treated as outcasts, all this combined to cause an explosive outrage. Within this melting pot of anger the definition of prostitution changed from 'sin' to 'inequality'; it became an icon for women's sexual subordination, marital power of men in the domestic sphere and male power in the

23 Marianne Klerck-van Hogendorp, Een woord (II), 's-Gravenhage 1883, 7. Sisterhood was also extended to the colonies. In the East Indies for example, a branch of the *Union* aimed to protect indigenous women, concubines of white Dutchmen; cf. Petra de Vries, God en de Pisanguin, Feminisme, zedelijkheid en koloniale intimiteit, 1890–1905 in: Gemengde gevoelens, Gender, etniciteit en (post)kolonialisme, in: Jaarboek voor Vrouwengeschiedenis, 27 (2007), 32–57.

state. A popular argument, although only voiced by the more radical advocates of women's rights, was that marriage was also a form of prostitution. This idea dated as far back to at least Mary Wollstonecraft. The radical Wilhelmina Drucker, founder of the journal "Evolutie" (evolution) wrote for example in 1894 that in the eyes of the married woman "who sold herself for the rest of her life and for a negotiated price" the prostitute was a competitor "who offers her services under more flexible conditions".²⁴

With the prostitution question being taken up as the main theme of women's sexual oppression, the 'solution' to the problem became part of the feminist programme as a whole and was increasingly connected to other political demands of the women's movement. For example the prostitution question became an integral part of the fight for female citizenship and the vote. In 1898, in the inaugural issue of what was to become the "Maandblad van de Vereeniging voor Vrouwenkiesrecht" (monthly of the women's suffrage association) the feminist Titia van der Tuuk optimistically predicted that prostitution would disappear if women were franchised.²⁵ This related to the idea, being voiced more often, that if women had power in state affairs, a thing like regulation would never have been tolerated.

Now let us turn our attention to one of the early meetings of the *Nationale Vrouwenraad van Nederland* (*Dutch National Council of Women*) which highlights some specific aspects of the feminist critique. The meeting was held in 1902. Four lectures were delivered. It was chaired by Marianne Klerck-van Hogendorp, the president of the *Women's Union* who had become the well-respected first president of the *Council*. This was a sign of the growing sisterhood between widely different groups of women and an indication that resistance against regulation (and prostitution in general) constituted one of the binding forces among them. It was also clear that the meaning of the term 'prostitution' no longer was exclusively used to describe commercial sexuality in any form. One speaker, the young conservative abolitionist Andrew de Graaf, felt that "all extramarital sex without the intention to create a family" was prostitution (and he also tried to define prostitution as a crime).²⁶ Two other speakers, both well-known feminists, expressed more compassion for the prostitute, relating prostitution to social rather than moral conditions.

3.1 Marie Rutgers-Hoitsema and Aletta Jacobs: the Cause and Cure of Prostitution

Marie (Maria) Rutgers-Hoitsema, a very active feminist, neo-Malthusian leader and former social democrat, argued that the problem of prostitution was rooted in two "fundamental causes".²⁷ One was poverty: Poverty, low wages and exploitation forced

24 Quoted in De Vries, *Kuisheid*, see note 8, 207.

25 Cf. Maanblaadje [Propaganda issue of the *Vereeniging voor Vrouwenkiesrecht*], 1898, 3.

26 Andrew de Graaf, *Is prostitutie een misdrijf?*, in: *Nationale Vrouwenraad van Nederland. Bespreking van het Prostitutie-vraagstuk op de Openbare Vergadering te Rotterdam van 2 april 1902*, Rotterdam 1902.

27 Maria W. H. Rutgers-Hoitsema, *Voordracht over de oorzaken van prostitutie*, in: *Nationale Vrouwenraad van Nederland, 1902* (see note 26); all quotations in this section on pages 19–21.

women into prostitution. The appalling conditions of the working class made things worse, especially the bad housing situation which caused the whole family, often together with extra boarders, to sleep all in one room. The idea of poverty as the 'cause' of prostitution was not new in 1900, as socialists had argued since the mid-1880s that low female wages and the exploitation of 'the daughters of the poor' as prostitutes by rich men were at the roots of the problem.²⁸ It was the female variant of the social question. The argument about the housing conditions was a new theme, showing the typical phenomenon that prostitution and other morality issues could easily be adapted to fit a wide range of social critique.

Marie Rutgers for her part built her second 'fundamental cause' of prostitution on the feminist critique of bourgeois marriage which was presented as the main social institution of women's subordination. Also the growing interest among feminists in education and the role of mothers simmered through in her argument. Boys, she said, "felt already their value as the future male breadwinner" whereas girls were trained to be submissive. In order to try to catch a man they had to give in to male sexual demands. Moreover, marriage itself created "economically independent men" and "economically dependent women". In short she argued that "a society that creates economically dependent women also creates prostitutes". Logically a central element in her 'solution' was making women economically independent of men inside and outside marriage, which could be realised through female labour participation.

Aletta Jacobs discussed 'the prostitution question' from a different point of view.²⁹ Jacobs is the best known first-wave feminist in the Netherlands. She was the country's first female doctor and an important figure in the national and international campaigns for women's suffrage.³⁰ That Jacobs held a lecture on the medical aspects of prostitution was a significant historical milestone. She had been on the side of the abolitionists for a long time now; however, as a woman she was not supposed to join the all-male medical debates on prostitution. Medical opinion about sexuality, venereal disease and public health was a main building block of regulation. However, pro-regulationist doctors were increasingly challenged by abolitionist and other medical men who tried to undermine their claims. The central question was whether or not sanitary regulation was 'necessary' and how effective it was in combating venereal disease. It was in part a technical discussion about contagion and germs. By 1900 the belief in the effectiveness of regulation to combat venereal disease was eroded as it became clear that contagion could not be prevented by sanitary inspection. However, much more than just strictly medical issues were at stake here. The question was also whether or not the male sexual drive should

28 Cf. Petra de Vries, *Daughters of Proletarians: the Prostitute's Body in Dutch Libertarian Socialist Discourse in the late XIXth Century*, in: Jesse Batan, Thomas Bouchet and Tania Régin Hg., *Meetings et Alcôves. The Left and Sexuality in Europe and the United States since 1850*, Dijon 2004, 47–64.

29 Cf. Aletta. H. Jacobs, *Bespreking van het prostitutie-vraagstuk* [no title], in: *Nationale Vrouwenraad van Nederland*, 1902 (see note 26).

30 Mineke Bosch, *Een onwrikbaar geloof in rechtvaardigheid: Aletta Jacobs 1854–1929*, Amsterdam 2005.

have its 'natural course'. Increasingly doctors stood up to argue that sexual abstinence was not harmful and damaging to health, hence that prostitution was not 'a necessary evil'. In this sense the discourse about regulation was also a discourse about the nature and social status of the male sexual drive, whether or not men 'needed' sex, and whether or not one would tolerate a state that 'organised' the fulfillment of these needs.

Jacobs' arguments were in line with those of the medical profession of her time, but it was the fact that she, as a woman, used these arguments – *and* in public – that made the difference. Women's entry into the medical profession marked the end of an era in which only male doctors spoke with authority about sex – as this was the prerogative of the doctor. Jacobs, as most feminists, was in favour of male control as an answer to regulation and, as a doctor, she joined in with the 'pro abstinence' point of view of her medical colleagues. In her lecture at the meeting of the *Nationale Vrouwenraad* she posited a 'healthy' sexual abstinence against an 'unhealthy' excessive sex drive (of men and women). Men who could not or would not control their sexual urges (the very ground for regulation) were in her eyes morally weak and sick. This argument was typical. In the discourses of Jacobs and other feminists, cultural notions of femininity and masculinity changed roles: The dangerous, contagious, immoral woman who infected men – the fury of 'syphilis' of earlier times – disappeared in favour of an image of an irresponsible, contagious, irrational, uncivilized husband. "As if men are not people gifted with free will and reason", she wrote in her book "Vrouwenbelangen" (women's interests) in 1899. As if men could not resist "the urge to mate" when this would bring harm to themselves or others.³¹ She also argued (in a debate with an extreme anti-feminist³²) that it was an error to assume that the sexual drive in young men was stronger than in young women. Her statements were clearly an effort to neutralise the idea that a different moral standard for men and women simply followed nature's dictates.

Jacobs was not the only woman who used her medical authority to promote the feminist cause. Around 1900 several female doctors, such as the German Anna Fisher-Dückelmann, whose work about the sexual life of woman got translated into Dutch³³, Britain's first female doctor Elisabeth Blackwell and Catharina van Tussenbroek, the first female gynaecologist in the Netherlands, all used their professional knowledge to criticize prevailing assumptions about sexuality and gender. The famous English suffragette's dictum 'Votes for Women, Purity for Men' was merely the end product of long-standing national and international debates. A German woman whose name is not known expressed what many feminists at the time would probably see as a good joke: "if it is true that men need to struggle so much to gain sexual self-control, okay, let them struggle for once, they are the stronger sex".³⁴

31 Aletta H. Jacobs, *Vrouwenbelangen*, Amsterdam 1899, 44; cf. De Vries, *Kuisheid*, see note 8, 189.

32 Quoted in De Vries, *Kuisheid*, see note 8, 203.

33 Cf. Anna Fisher-Dückelmann, *Het Seksueele leven der Vrouw*, Almelo 1900.

34 Quoted in De Vries, *Kuisheid*, see note 8, 177.

How did Jacobs see the future of sexuality and prostitution? One could argue that she – like many other radicals of the period – projected a future in which a reformed heterosexual bond was the central social unit, the cornerstone of society. A ‘reformed’ family would create a society without prostitution. The key words were love and equality. Love between spouses, love that only could exist between equals, equality that could only exist if women had rights and became economically independent, equality that could only exist if mothers were equal to fathers and could raise their sons to respect women, their daughters to be strong, armed against ‘falling’, resistant against seduction.

4. The Law of 1911 and its Repeal: from ‘First Wave’ to ‘Second Wave’³⁵

Feminists in the beginning of the twentieth century had no immediate power in the political arena, not least because women were effectively excluded from the vote. Yet, their ideas and actions were part of the big wave that turned the tide of the liberalist view of prostitution. On the level of law and governmental politics the circumstances around 1900 were quite favourable for abolitionism to broaden its demands. The regulation system was besieged from inside and outside or fell into disuse. At the same time a new debate on ‘the traffic in women’, a new concept at the time, held the nation in its grip.³⁶ New and religious conservative blocs of political parties created the foundation for a restrictive politics on a wide variety of morality issues. This came to fruition a decade later – but was prepared in the early years of the twentieth century – in new laws on prostitution which were part of the notorious “Zedelijkheidswetgeving” (morality laws, *Sittlichkeitsgesetze*) of 1911.³⁷ The laws prohibited, among other things, ‘promoting the debauchery of someone with a third party’, or in plain language: keeping a brothel. Also ‘traffic in women’ was forbidden. Brothels, it was argued, could only exist if there was a traffic in women and vice versa. It was not that feminists believed that brothel-keeping would in itself end prostitution, but like many others they agreed that at least the exploitation of women in brothels (which Jacobs also had vividly described in her lecture in 1902) would be put to an end, together with the horror of traffic in women.

That these suppressive policies would be effective was a mere utopia. This had already become clear when the bordellos in Amsterdam were closed in 1897. Most of them simply continued under another guise, for example as ‘hotel’, or ‘cigar store’. The

35 As ‘first wave’ and ‘second wave’ have come to signify a particular historical period of feminist activity these terms are used here, although the ‘wave theory’ is open to criticism.

36 Cf. Petra de Vries, ‘White Slaves’ in a Colonial Nation: the Dutch Campaign Against the Traffic in Women in the Early Twentieth Century, in: *Social Legal Studies*, 14, 1 (2005), Special Issue: Gendered Boundaries and Sexual Movements: Legal Negotiations of the Global and Local, 39–60.

37 The laws repressed (aspects of) abortion, homosexuality, the distribution of neo-Malthusian means, and prostitution.

prohibition of brothel-keeping, then, must be seen as a mere symbolic victory. For a progressive minority that disagreed with liberal state policies it signified the end of a state that condoned men to pursue their sexual needs at the expense of exploited women. For a conservative majority it symbolised the end of an immoral state that tolerated sexual licence in the public sphere.

The relevance of the feminist legacy of the 'first wave' is therefore less to be found in tangible political 'results' but more in terms of the feminist discourses about prostitution that were left for future generations to expand further. I will therefore slightly change my perspective and look at this legacy from the vantage point of a second-wave feminist. It may seem somewhat strange to do so, as if 'nothing happened' between 1911 and the 1970s, yet there are reasons why this leap in time and perspective may be valuable. First, although feminist activism continued in the interwar years³⁸ and changes took place in national and international prostitution politics³⁹, the most far-reaching changes in the Dutch legal approach to prostitution took place during the second feminist wave. Secondly, new visions of prostitution were inspired by the new feminism of the 1970s, and quite a few of those new feminists who wrote about prostitution took as their point of reference Josephine Butler's nineteenth century struggle to illustrate their (different) points of view.

4.1 The Feminist Legacy

The political theory of first-wave feminism about commercial sexuality was successful in the sense that abolitionists, especially female abolitionists, succeeded in exposing the gendered nature of regulation and the state. They were also an important force behind the changes that took place in the cultural image of the prostitute, turning an immoral, seductive and evil woman into an exploited slave. However, this was a difficult legacy in at least two respects. First, the feminist theory of victimisation of the prostitute was based on compassion, but not on autonomy for prostitutes. It assumed simply the disappearance of the category of 'prostitute' in the aftermath of a feminist revolution. This was true for secular feminists as well as for religious feminists. Prostitution represented a profound antithesis of the ideal of freedom for women. It was most often seen as a 'forced' activity, a tragic one at that, the very last stop on the downward slide. Moreover, radical feminists such as Aletta Jacobs and Marie Rutgers-Hoitsema

38 Cf. Karen Offen, *Madame Ghénia Avril de Sainte-Croix, the Josephine Butler of France*, in: *Women's History Review*, 17, 2 (2008), special issue (see note 9), 239–255.

39 For example a landmark was the *UN* "Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others" (1949). During the German occupation of the Netherlands in WW II, sanitary control was again implemented; cf. Laura Fahrenbrück, *NS-Sexualitätspolitik in den besetzten Niederlanden* (unpublished paper), Duitslandinstituut (UvA)/University of Groningen (ICOG) 2009.

considered prostitution a 'source' of contamination that threatened wives and children, thereby unwittingly supporting a regulationist point of view. It is apparent that these notions represented an undercurrent in the official declarations of sisterhood, illustrating the difficulty of a sisterhood that was claimed by one side only. In the struggle against regulation the prostitute was not consulted: She had no face and no voice in the writings of those who acted on her behalf.

Secondly, the feminist analysis in the past lacked concepts on what we would call today 'sexual agency'. Feminist discourse on sexuality in the past was embedded in traditional judicial and religious discourses that still prevailed in the second half of the nineteenth century. Concepts such as 'debauchery', 'adultery' and 'public morality' were connected with biblical notions about 'sin' and 'seduction'. These concepts, as was typical for example for 'seduction', did not distinguish between what was 'good' or 'bad' sexual experience (all sexual experience outside marriage was 'bad'). Seduction could be rape or voluntary sex. Nor was there a clear-cut distinction between voluntary and forced sexuality – insofar as it was (and is) possible to draw a firm line between them. This indicates that a positive affirmation of female sexuality was not explicitly included in the feminist agenda.

4.2 *The Birth of the Sex Worker*

Prostitution was again subject of at least one hot debate in the early days of the new women's movement. In hindsight this marked the beginning – and the continuation – of the difficult relationship between feminists and prostitutes. The well-known radical feminist Kate Millet reported how controversies between movement women and a few prostitutes surfaced during a conference in the US in 1970, revealing an undercurrent of 'decent' versus 'indecent' women.⁴⁰ Soon two positions in the prostitution debate were marked out, known as 'violence' versus 'work'. In the Netherlands the issue was initially raised in the wake of the debate on sexual violence. Kathleen Barry's "Female Sexual Slavery" (1979), with its horrifying examples of forced prostitution, became a bestselling book and was also positively received in the Netherlands.⁴¹ "Female Sexual Slavery" contained many sharp-edged analyses about women's sexual oppression but also set the stage for defining all prostitution as 'forced'. In this sense Barry's analysis was a remake of the old abolitionist framework in which all prostitution was slavery and should be repressed. However, other forces were at work as well. Firstly, a problem arose

⁴⁰ Cf. Kate Millet, *The Prostitution Papers: a Candid Dialogue*, Falmouth 1971.

⁴¹ Cf. Petra de Vries and Romaike Zuidema, *Wat mag het lichaam voor geld? Feminisme, sekswerk en de opheffing van het bordeelverbod in historisch perspectief*, in: *Gender. Tijdschrift voor Genderstudies*, 9, 2 (2006), special issue: *De tweede feministische golf*, 37–49.

that had been accompanying prostitution since the Middle Ages or perhaps even earlier: public nuisance (*Erregung öffentlichen Ärgernisses*). In the Netherlands local authorities became increasingly dissatisfied with the prohibition of brothel-keeping as the need arose to control an expanding sex business by means of a legal framework.⁴² As long as brothel-keeping was forbidden, legal control was technically not possible. Secondly, in the course of the 1970s new visions of commercial sexuality were developed by national and international initiatives for 'rights of prostitutes'. In the Netherlands in the 1980s, under the influence of the rising movement for human rights for prostitutes, the definition of prostitution as violence was challenged by a new focus on violence against women as prostitutes. In its wake, small but significant groups of progressive feminists, femocrats and social workers started to argue for 'de-stigmatisation' of the prostitute. They felt that more control by the authorities should also go hand in hand with improving the position of prostitutes, who in this discourse assumed the status of 'fellow citizens' rather than 'victims'. The repeal of the ban on brothel-keeping would pave the way for this improvement. Apart from this effort to undo the work of the old abolitionist movement, participants in these debates otherwise echoed the words and ideas from a distant past. The female Head of the *Zedenpolitie* (morality police, *Sittenpolizei*) department of the city of The Hague, Anneke Visser, argued for example at a local conference in 1984: "Women should not be ... tempted to sustain the divide between 'good' and 'bad' women. That will only lead to a politics of divide-and-rule. Therefore prostitution should be an issue for Emancipation Affairs. One must show solidarity and work together to improve the situation of all women"⁴³.

Apart from the aforementioned voices in favour on the repeal of the law of 1911, a third and most remarkable voice made itself heard in the debate on prostitution: the prostitute herself. In 1985 a union of prostitutes, *De Rode Draad* (*The Red Thread*), was founded, an organisation that put up the fight against the negative image of prostitution in the media by promoting the definition of prostitution as 'work' and 'sexual service'. It got an enormous publicity for co-organising in that same year the "First International Whore's Convention" held in Utrecht and Amsterdam, attended by prostitutes from all over the globe.⁴⁴ The driving forces behind this and the even more famous "Second Whore's Convention", held on the premises of the European Parliament in 1986, was the feminist Gail Pheterson from the US, who had been living for a long time in the Netherlands, together with US prostitute's rights worker Margo St. James. That feminist ideas were central to these initiatives is already clear from the title of the conference reports "A Vindication of the Rights of Whores", referring of course to Wollstonecraft's famous "A Vindication of the Rights of Woman" (1792). Many human rights that were not yet

42 Cf. Lucie van Mens, *Prostitutie in bedrijf. Organisatie, Management en Arbeidsverhoudingen in Seksclubs en Privéhuizen*, Delft 1992.

43 Quoted in De Vries/Zuidema, *Lichaam*, see note 41, 40f.

44 Cf. Gail Pheterson Hg., *A Vindication of the Rights of Whores*, Seattle 1989.

fully extended to prostitutes were put forward as political demands. For example: "Guarantee prostitutes all human rights and civil liberties, including the freedom of speech, travel, immigration, work, marriage and motherhood and the right to unemployment insurance, health insurance and housing."⁴⁵

As 'sex workers' women should have the right to labour protection, also explicitly against sexual violence within a work setting. Clearly the overall demand to end the stigmatisation of prostitutes took as its example the struggle of self-determination of that other sexual minority, the lesbians. Pheterson wanted not only alliances between 'whores' and 'non-whores' but also explicitly between "Whores, Wives and Dykes".⁴⁶

Just as the old definitions of prostitution, the new ones influenced the judicial landscape and the relationship between prostitution and the state. New ideas about prostitute self-determination were recurring themes during a long process that finally resulted in the passage of a new law that lifted the ban on brothel-keeping in the year 2000.⁴⁷ (Of course the use of all forms of force and deception remained forbidden.) So Dutch decriminalisation of the sex trade took place in a social context where the idea of prostitute rights was put forward. Against the background of the diversity in (repressive) rules and laws on prostitution globally, this was indeed quite unusual, as is highlighted by international research on women's movements, democratic states and globalisation of sex commerce.⁴⁸

5. New Discourses and Old Discontents

As I have argued above, feminist politics of the second wave produced contested and contradictory images of prostitution, very different from the united stance of first wave feminists. How can we account for the difference? Part of the answer – and certainly this is a tentative answer – is the changing discourse about sexuality and the new stress on identity politics. From the early days of the second feminist wave onward the vocabulary of sexuality has changed. New concepts to express female 'sexual agency' were developed. Just as sexual restrictiveness determined the boundaries of nineteenth century discourse, the sexual revolution of the 1960s influenced the second feminist wave. 'Sexual autonomy', 'reproductive freedom', 'sexual self-determination', 'control of

⁴⁵ Pheterson, *Vindication*, see note 44, 40.

⁴⁶ Gail Pheterson, *The Prostitution Prism*, Amsterdam 1996, 132.

⁴⁷ Joyce Outshoorn, *Dealing in Sex: The Traffic in Women and Prostitution Policy in the Netherlands*, in: Terrell Carver and Veronique Mottier Hg., *The Politics of Sexuality. Identity, gender, citizenship*, New York 1998; Joyce Outshoorn, *Voluntary and Forced Prostitution: the 'Realistic Approach' of the Netherlands*, in: Joyce Outshoorn Hg., *The Politics of Prostitution. Women's Movements, Democratic States and the Globalisation of Sex Commerce*, Cambridge 2004, 185–204. ('Traffic in women' is currently 'traffic in persons', cf. *Wetboek van Strafrecht [Penal Law]*, title XVIII, 273f.)

⁴⁸ Outshoorn, *Politics*, see note 47.

our bodies' and other concepts grounded in classical liberal theory, were translated – more or less successfully – in political demands. Ultimately, the new focus on self-determination, the many feminist debates on sexuality and the proliferation of 'identities' pushed prostitution and 'the prostitute' onto the stage again. The idea that different groups of women should speak up for themselves and have a voice of their own opened up room for a new meaning of 'prostitute'. Identities such as 'whore', reminiscent of other feminist use of stigmatised identities (i. e. witch, fury) and 'sex worker' broke away from the old abolitionist discourse about 'slaves' and 'victims'.

Of course this was not a historically inevitable development. Repression of prostitution (read: suppression of the male sexual drive) was also a political option for feminists and could apparently sit well with other interpretations of sexual freedom and autonomy. This is what is happening for instance in Sweden – a striking difference with Dutch policies – where the client of the prostitute is criminalised.⁴⁹ Changes in feminist discourse are of course only part of the story. The social context in which the new policies have evolved may have played an important role as well. For example, given the appalling living conditions of poor women, nineteenth century feminists 'saw' not only the worst cases of sexual exploitation but also the female face of poverty and the hardships women had to endure. In contrast, debates in the 1970s were taking place amidst an affluent society and a welfare state where (Dutch) women were in a better position to refuse or choose this 'work'. As a result, prostitution may have lost its connotation of being 'the last resort'.

It is beyond the context of this article to evaluate the decriminalisation of the bordello but it must be said that there are many complications and complexities. To name one: The legalisation concerned the exploitation of prostitution by another person, that is the legalisation of the sex business, *not* the codification of the 'rights' of prostitutes. The definition of prostitution as 'work' has at least made clear that the working conditions in the sex business are sometimes as bad as they were 150 years ago⁵⁰ and there is a long way to go if local and national authorities do not see it as their task to interfere in these conditions. Therefore, slavery lurks around the corner for the weaker sister, while the stronger is willing to enlist as a taxpayer. This, however, is not the end of the story.

Prostitution gets easily fused with other problems that the state faces today. For example organised crime, human trafficking and 'illegal immigration'. Recently the nineteenth century 'license' has made a comeback in the guise of a new Dutch law: A

49 Cf. Yvonne Svanström, *Criminalising the John – a Swedish Gender Model?*, in: Outshoorn, *Politics*, see note 47, 225–244.

50 Cf. Information paper of De Rode Draad (The Red Thread), about 2000; Petra de Vries, *De ketenen van de blanke slavin en het belastbare inkomen van de sekswerkster. Honderd jaar feminisme en prostitutie in Nederland*, in: Riki Holtmaat Hg., *Eeuwige kwesties. Honderd jaar vrouwen en recht in Nederland*, Deventer 1999.

bill is in the making that bears the marks of nineteenth century policies. This bill assumes that a big evil, this time not venereal disease nor public nuisance, but *traffic in women* can be better controlled if all 'professional' prostitutes are registered.⁵¹ This situation illustrates on a deeper level how the efforts to defend the moral and legal rights of prostitutes, in the broadest sense of the word, are contested by an ongoing discourse about prostitution as inherently 'a social problem'. Governmental and municipal authorities have an interest in maintaining public order, fighting organised crime, preventing venereal diseases, restricting nuisance through zoning and combating the influx of 'illegal immigrants'. These problems are not conceived fundamentally different today as they were in the nineteenth century. For this and many other reasons the feminist debate about prostitution should be kept alive, even if this debate might suffer from political antagonisms. Defining prostitution as 'sexual service' and 'work' has the advantage of mainstreaming a stigmatised activity, by using a language that has a long history of connotation, as well as a meaning that may be understood by union officials, bank employees, tax-inspectors, politicians, legal advisors and social security workers. But this vocabulary may also be interpreted as a sign of some sort of general sexual liberalisation, which would gloss over questions of inequality and render the gendered nature of the prostitution contract invisible. What sort of conditions determines whether this contract is based on equal partnership? Can prostitution be a respectable profession as long as he buys and she (and he) sells? And what if 'she' is often a non-white, non-European, 'illegal immigrant'? Do we cherish a romantic view of sex only? Those questions still echo an older feminist discourse.

⁵¹ Cf. Wet regulering prostitutie en bestrijding misstanden seksbranche. Tweede Kamer, no. 32211 [Document Second Chamber (proposed), Law regulating prostitution and suppression of abuses in the sex industry].

