Understanding how vulnerable women engage the state through participation:

Advocating for sex workers' rights in Cape Town

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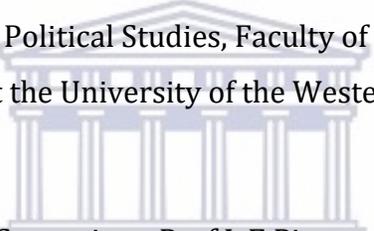
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KEYWORDS

Citizenship

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Marginalised Group

Participation

Sex Work

SWEAT

Women

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ABSTRACT

In recent years, the unequal distribution of citizens' rights and benefits for women in the sex work industry has become a major political and social issue in South Africa. This mini-thesis argues that women in this industry are differently oppressed according to race and class. This is done through a specific case study of the Sex Workers' Education and Advocacy Taskforce (SWEAT), a non-governmental organization based in Observatory, Cape Town. The thesis explores (i) the perceptions of sex workers on how sex work is commonly understood in gendered, racial and class terms, (ii) how this affects their lives, especially their rights as citizens, and (iii) what they do to address these challenges and to (re)claim their positions in society. The study applied a qualitative approach using in-depth interviews which were analyzed using a thematic, narrative approach. The study reflects on data generated from intensive individual interviews with five participants from the organization, focused on trying to understand the experiences of participation and citizenship of the women that SWEAT represents and advocates for. The mini-thesis is premised on theories of intersectionality, citizenship and participation and invited and invented spaces of participation. It uses these theories to understand how these women are positioned within society, their experiences, participation and citizenship rights and benefits. It ultimately concludes that women in the sex work industry are treated differently based on their race and class and this has resulted in particular forms of vulnerability and subsequent opportunities for participation within society.

DECLARATION

I declare that *Understanding how vulnerable women engage the state through participation: Advocating for sex workers' rights in Cape Town* is my own work, that it has not been submitted for any degree or examination in any other university, and that all the sources I have used or quoted have been indicated and acknowledged by complete references.

Full name: Ponatshego Martha Moloto

Date: 24 January 2022   Signed

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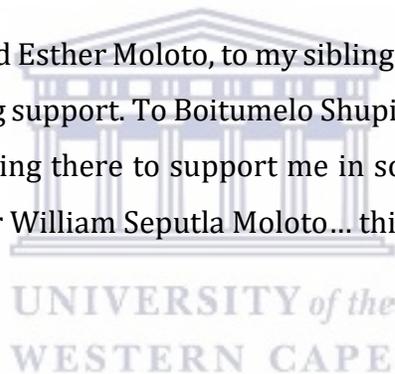
ACRONYMS AND ABBREVIATIONS

AIDS - Acquired Immunodeficiency Syndrome

ANC - African National Congress

EFF - Economic Freedom Fighters

Decrim - Decriminalization

DoJ - Department of Justice

DoP - Department of Police

DoH - Department of Health

DSD - Department of Social Development

GBV - Gender Based Violence

HIV - Human Immunodeficiency Virus

ID - Identification Document

LGBTQI+ -Lesbian, gay, bisexual, transgender, queer, intersex and other

MP - Member of Parliament

NGO – Non Governmental Organisation

ODIHR - Office for Democratic Institutions and Humans Rights

SWEAT - Sex Workers' Education and Advocacy Taskforce

STD - Sexually Transmitted Diseases

CHAPTER 1: INTRODUCTION

1.1 Introduction

This study highlights the idea that women, specifically sex workers, continue to have limited rights and benefits which they are entitled to as citizens. However, it does acknowledge that these limitations are different for women who are educated versus uneducated, economically independent versus dependent on others (especially men) for their income, and so on, as argued below. In general, brown women in marginalised positions, such as sex workers, are positioned in a way that give them limited or no control over their bodies and to a greater extent limited control over their lives. However, this thesis argues that the degree and nature of this various significantly among sex workers due to the intersectional nature of oppression. This research uses the official terms of "sex worker" and "sex work" to refer to the people and the profession. Sex work is the most neutral and empowering term and framing used in this study to refer to the work/profession as opposed to the latter. Sex workers will be used in reference to the women who work in the profession of sex work as the organization SWEATs exclusively works within sex work as a profession. This chapter provides a general overview of the research problem that explains the purpose and relevance of the research. Additionally, this chapter also provides a background to the study.

1.2 Background

Diamond and Morlino (2004) claim that if a country wants to refer to itself as a democracy, then it needs to ensure participation of all citizens, including women, youth, the LGBTQI+ community, disabled persons, and people of colour. Ideally a healthy democracy needs to grant its people the will and access to participate in the operations and developments of the country. What is important to note is for there to be accountability, competition, equality, freedom and responsiveness, there is a need for people to engage the state to ensure that "[d]emocracy is government by the people in which the supreme power is vested and exercised directly by them or their elected agents under a free electoral system" (McPherson, 1991: 3). In the simplest terms democracy can be defined as a system which is for the people, by the people and of the people. Theoretically, democracy is sold as a system which cares about its people, their betterment, equality, fairness, representation, and empowerment.

However, around the world countries that claim to be democratic are increasingly unequal and unfair places for many citizens.

The concept of political participation is governed by the principle of giving citizens equal rights and freedom to influence the political issues and operations of a country. Participatory democracy, according to Harbers (2007), was founded on the principle that a healthy democracy allows its citizens to participate in its formal decision-making processes through the political institutions of the country. The power to influence and ensure genuine transformation of issues faced daily by all citizens requires a transparent, accountable, reliable, and representative government. However, today many poor and marginalised groups in developing countries (i.e., Brazil, South Africa, Haiti, Ukraine, etc.) are faced with unequal opportunities to participate in meaningful ways, which may result in a different understanding of participation for these groups of people.

Citizenship is not just the legal membership of a state that one possesses, but the rights, duties and political will that come with this membership of a state, which require and include participation (Holston, 2008). There are rights that theoretically exist for most citizens through the constitution, while duties are the responsibilities that one is obligated to fulfil as a member of that state, such as the duty to pay taxes, obey the law and to ensure a holistic society is maintained. For many countries, the introduction of democracy has created new promises of citizenship, freedom, equality, service delivery, and an expectation of a kind of social change. However, most democracies experience tremendous conflict amongst citizens, as "principle collides with prejudice over the terms of national membership and the distinction of rights" (Holston, 2008, p. 25). Thus, despite the inclusion behind the idea of democracy, what remains is enduring forms of social exclusion, inequalities, and limited access to rights, leading to many citizens being excluded from the promised experience.

There are different hierarchies within citizenship that influence levels and quality of participation for different groups (Stokke, 2017). For example, women, people of colour and LGBTQI+ people are part of the marginalised groups of people in the population who remain lower on the hierarchy because they do not fit into the envisioned and ideal citizens. White

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men (white people more generally), cisgender and heterosexual people tend to be 'ideal' citizens (Seidman, 1999) especially in the Western, capitalist democracies. Citizens can engage in different ways depending on their level and identification as people in a state; this determines whether their promised experience is delivered to them by the state or not. For example, consider the suffragette movement of the early 1900s in England and the United States, which fought for women's right to vote in elections. Women could not vote and had very different rights as compared to men, for example, around marriage and property (Sneider, 2010). They, therefore, could not participate in social, economic, and political life in the same way men could. The form of citizenship promised to women and men was different and therefore their respective forms of participation were differently realised, too. Today, even though there is universal suffrage in countries with democratic governments, for example across the African continent, the inclusion of women in politics, and their full participation in political, economic, and social life continues to manifest at a slow pace (Olukoshi, 2004). This is because of the patriarchy, and the desire that men have for power and control over social, economic, and political life.

Inequalities in participation have led many women to invent spaces of participation and engagement (William, 2019), where their voices can be heard and valued, such as the marches held by the suffragettes. These marches were hugely controversial at the time – very much an invented space. This is because, firstly, the mainstream and conventional spaces are not necessarily open to hearing and addressing their issues; and secondly, women in vulnerable and precarious positions, such as sex workers in the case of this study, need the state to recognise their societal and economic role as legitimate. This raises an issue of legitimacy: if one is regarded as a legitimate citizen, they get access to the fuller, promised experience of citizenship, and if they are not what is considered a legitimate citizen, their experience of citizenship and their participation in society to a great extent becomes sanctioned and they are not protected by the policies created by the states may be limited to greater and lesser extents. These citizens may resort to unconventional means to push the state to grant them the rights and freedoms they believe they are due. Sex workers are an interesting sub-set of women to study, because there are intersecting factors in both the public and private spheres that limit their access to full rights and freedoms, and their

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experiences of citizenship and participation may expose underlying faults and issues with the practice of democracy that are useful to study and understand.

1.3 Research Problem

Women in marginalised positions, such as sex workers, are positioned in a way that give them limited access to rights and benefits of citizenship. Their limited experience of citizenship stems from the dichotomous nature of citizenship as a practice. Today, for many women, the full rights and freedoms promised by democratic states are not experienced, because the practice of citizenship is gendered, raced, and classed. In contemporary democratic South Africa race is still a controversial matter which evokes many debates in the political, economic and social spaces. Therefore, this study uses race as a focal point as a result of the historical context of the country and how the politics of identity remain an ongoing struggle and more differently for women as marginalized group. The study uses race as an applied lenses to look at the various experiences of black and brown in the sex work industry. The study, therefore, explores how citizenship as promised to women – especially poorer women already in vulnerable positions – is translated into their lived experiences. The study seeks to argue that there is a struggle faced by women in accessing full participation as promised by the state in a democracy. This has contributed to a rise in women creating unconventional spaces to engage the state. Furthermore, it has led to a rise in advocacy on behalf of women, which crosses conventional and unconventional forms of participation to raise the profile and voices of these women, and their rights. In addition, however, the study argues that even within sex worker, the experience of oppression is differentiated in significant and ways due to the intersection of race and class with gender. This differentiation in access to rights also requires, at least in part, a differentiated response in advocacy.

1.4 Research Questions

How do sex workers experience citizenship and how does this affect their ability to participate politically and socially in South Africa?

Sub-questions:

     1.4.1   What is the legal status of the women represented by and working for

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SWEAT?

1.4.2 What are the implications of sex work for cultural belonging?

1.4.3 How does sex work affect access to the socio-economic rights of citizenship?

1.4.4 What forms of advocacy and spaces of participation do sex workers engage in?

1.5 Structure of the argument

The thesis is divided into six chapters which are outlined as follows:

Chapter One: Introduction

This chapter introduces the research study and gives a general background to the study. The chapter further provides an overview of the research problem and problem statement. The chapter lastly, presents the main research question and sub-questions which the research study will look at.

Chapter Two: Literature Review

This chapter consists of extensive review of literature is on how participation is experienced in the political and social life of people living in both developed and developing countries, participation as a gendered phenomenon, where women are at the bottom of the participatory hierarchy. The chapter further looks at literature about women in sex work and their experiences of citizenship.

Chapter Three: Theoretical Framework

This chapter outlines the theories of democracy, the politics of citizenship and participation, and intersectional theory in relation to the experiences of sex workers in Cape Town.

Chapter Four: Methodology

This chapter discusses research design and methods, data sources, the sample and sampling process used, data collection, and methods of data analysis used in completing the research process. Furthermore, the research includes ethical considerations which were adhered to through the data collection process, following the ethical standards of consent, anonymity, and confidentiality.

Chapter Five: Findings

This chapter presents the findings of the study through a qualitative approach. The study uses a thematic, narrative approach in analysing the data generated from the in-depth interview process. Further, this chapter discusses various themes developed from the analytical framework.

Chapter Six: Conclusions

This final chapter provides the answers to the research questions through offering a detailed summary of the research findings and conclusions. Lastly the chapter outlines an overview of all chapters in the full thesis.

CHAPTER 2: LITERATURE REVIEW

2.1 Introduction

This chapter reviews existing literature on participation, marginalised and vulnerable women, and sex work. The aim of the chapter is to give an overview and gain understanding on how gender influences participation and citizenship experience, particularly for marginalised and vulnerable women in the sex work industry. The chapter reviews other literature produced by various scholars on similar and associated topics to provide an outline of the historical context of women's position and role in society and the effects in the women's political and social life. Lastly, the chapter has considered global literature focusing on brown women's experiences.

2.2 Participation in political and social life

Participation in political life is one of the fundamental dimensions of democracy and citizenship. According to Harbers (2007), participatory democracy was founded on the principle that a good democracy is inclusive and has high levels of intervention by all its citizens. "Under international standards, both men and women should have equal rights and opportunities to participate fully in all aspects and at all levels of political processes" (ODIDR, 2011, p. 4). The concept of political participation is governed by the principles of giving citizens the right and freedom to influence democracy (Newton et al., 2016). Therefore, the role and contribution of women in political spaces is crucial. This does not mean it is a must that all women gravitate to government, but that women's voices in choosing representatives and influencing political processes is important.

A major problem faced by democracy is that democracy is meant to be an inclusive concept at its core and roots. However, there is a gap which exists between its theoretical inclusivity and its actual and practical nature, as the latter is not inclusive. People who feel unheard and invisible in conventional spaces and are thus struggling for recognition from the state may choose to create their own spaces and forms of participation, many of which are considered unconventional. Unconventional forms of participation are the "activities that are legal but often considered inappropriate. Young people, students, and those with grave concerns

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about the regime's policies are most likely to engage in unconventional participation" (Alteri et al., 2010, p.723). These include protest as performance, such as citizens singing, dancing, wearing regalia which represents their struggles, or drawing inspiration from historical icons as a symbol and emphasis of their current struggle. Social media can be used in these cases to bring awareness and mobilise protestors on platforms such as Twitter, and Facebook. Examples of these sort of protests are the #BlackLivesMatter, #MeToo and #FeesMustFall movement. These protests were unconventional, followed by the state then inviting citizens to speak in more formal spaces, to hear their grievances. Therefore, these unconventional forms of participation have introduced a different kind of political agency to many who feel that their voices are unheard, and where women are also able organise and rightfully approach their different states and demand their rights.

Participation as gendered

A citizen, according to Mamdani (1996), is an individual with voting powers and constitutional rights, which is what the government promises in terms of its rhetoric of citizenship. Yet, there are people envisioned as the ideal citizen and they tend to gain most of the benefits from how the system is structured. In many democracies the envisioned citizen is a masculine subject and a wealthy subject with means (Tremblay, 2007). This disadvantages those who do not fit into this mould, such as women, poor people, under-educated people, LGBTQ+ community and in many cases, people of colour. Even though in most democracies, women have extensive rights and freedoms similar to men, they have never been considered to be the 'ideal' citizens as envisioned by the rhetoric of democracy. Hence, the ways in which men and women participate and engage in democracy are different, as a result of the perceptions many societies still have with regards to gender and the different roles that 'should' be played by men and women in the public and private spheres. Research on women's political participation shows that participation has always been a gendered phenomenon, with men leading politically and socially. "Women have long suffered various forms of gender discrimination, inequality and exclusion" (Agbalajobi, 2010, p.1). In many societies' women are assumed and expected to fulfil the conventional roles of being a mother, wife, home-manager, and nurturer. "Although women have equal status with men today, they are still discriminated against, often due to gender stereotypes

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that are deeply rooted in society" (ODIHR, 2011, p. 19). Ndlovu (2013) alike argues that traditionally and historically women on the African continent have been marginalised within and excluded from the political and legislative structures of the state. Women are given power when it suits men and when it does not, their power is limited or taken away, hence restricting their ability to participate fully and meaningfully in various forms of political and social life.

It is acknowledged that ongoing struggles for legitimacy have, since the early 20th century, led to the growth in women's movements, changes in policies, the introduction of the quota system in parliaments, and increased respect for women's rights. This has improved life for many women, but most notably women with access to financial/economic and social support (like education, family support, their own money, and jobs, etc.). For many poorer women – in South Africa women of colour who are under-educated and under-supported, often trapped in restrictive social and economic positions such as sex work – most of this advancement has not really improved their lives very much. According to Agbalajobi (2010), the intention and introduction of most women's participation in politics is to support women's rights and the realization of these in practice; this is their substantive responsibility, and it is on these platforms that women emerge publicly and successfully have impact. This has not become a reality for most women in this country, the lives of poor, brown women who still have difficulty in their political and social influence. The women's level of influence does not necessarily translate into their power to advocate for women's rights in ways that meaningfully improve poor women's lives.

2.3 Women in marginal and vulnerable positions

The current development of policies aimed at women's empowerment and inclusivity do not fully bridge the big gap between gender inequality and delivering citizenship to women. Many women remain disadvantaged and silenced in their quest for full rights and state intervention in the issues they particularly struggle with. The unconventional and conventional platforms of engagement created by and for women in the last century and a bit, such as Sex Workers' Education and Advocacy Taskforce (SWEAT), have encouraged and increased their participation and potentially promise the achievement of greater gender

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equality. Yet, restrictive gender roles, such as being a home caretaker, a wife, and a mother, affect and limit women's participation in politics (Nebolisa, 2009) as equality disparities, even against women of different classes, exist in political life.

It is therefore vital to note the impact on women of the lack of opportunities, economically and socially. One of the most vulnerable and marginalised groups of women in any context are sex workers. Sex work is one of the old industries in which women globally have worked while trying to provide for themselves and their families (Kempadoo, 2003). The under-education and limited skills of most women in many countries such as Nigeria, South Africa and the Ukraine limit them from accessing legitimate opportunities to earn money and be primary caretakers to their families. The discrimination against and exclusion of women in the political and economic life operations of a country have been normalised under the operation of democracy. These include the acceptance of women being underpaid for care work and domestic work, jobs of which are overwhelmingly done by women; and paying women less than men for the same work in various parts of the corporate world and public sphere, like academia and government (the gender pay gap) (World Economic Forum Report, 2020). Other examples include criminalising sex work, which disproportionately targets women and makes them vulnerable to acts such as gender-based violence, human trafficking, and other violent situations.

Gender-based violence in the country is a big problem facing women socially. Sex workers are a group of women who experience this form of violence regularly, yet they struggle to find justice or even recognition because of the illegal and marginal nature of their work, and related social position. This has led the rise of NGOs, and activism through organisations such as Sisonke Gender Justice and SWEAT, both created to address the state in advocating for women's rights, especially women in vulnerable and marginal positions who do not have the means to address the state directly. Hence, this study will focus on this group of women to demonstrate and unpack the nature of citizenship as dichotomous, between promise and experience; its gendered nature (also classed and raced); and the need to understand better the growing dissatisfaction around the world with the way democracy is structured and enacted.

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2.4 Women in sex work

Sex workers are part of a category of women who are poor, under-educated or uneducated, and vulnerable. They work in a profession that is, at best, criminalized and illegal, resulting in sex workers being more vulnerable to gender-based violence and police harassment. According to Agustin (2013) the criminalisation and disregard of sex work has resulted in the limited access to rights for these women. Sex workers are a group that is exploited and with no laws or justice system to protect them. This, therefore, disregards what ODIHR (2011) outlines in explaining why and how many women find themselves in the industry of sex work: they are trying to earn the means to take care of their families, and no other viable work is available to them. In South Africa even with the high unemployment rate, sex work remains a criminal offence under Criminal Law (Sexual Offences and Related Matters) Amended Act of 2007. This has implications for many women who are poor and use sex work to earn a living, as this work makes them more vulnerable and marginalized in the current system of democracy.

Sex workers and the work they are involved in are constantly stigmatised (ODIHR, 2011). The perception many people have of sex work is narrow and limited, based on prejudiced social constructions of what it means to be a sex worker, what it looks like and how this work feels. The stigmatisation of sex work has at many times resulted in sex work being associated with recreational drugs because of the nature of them both being illegal (ODIHR, 2011). However, when linked to drug abuse, as well as sexually transmitted diseases such as HIV/AIDS, the social status of sex work is further reduced, leading society and structures within society to think that sex workers are not worthy of respect and good treatment or creating an environment where violence towards and abuse of sex workers is normalised, tolerated, and perpetuated. It is therefore important to conduct this study to understand how the discrimination, exclusion, and victimisation of sex workers, as a sub-section of vulnerable and marginalised people in society, has an impact on their experience of citizenship and impacts on the quality of their participation.

2.5 Conclusion

This chapter has given an overview of the principles of a good democracy and the effects of a democracy that does not deliver and include its people. Furthermore, it has reviewed the experiences and discrimination which women have encountered historically and in the modern world. Despite how times have changed, the rights and laws that theoretically protect and guard women, are not inclusive for many women from political and citizenship experiences. The chapter also looked sex work as an illegal profession in South Africa and sex workers being a sub-group of women who are discriminated and violated regularly. Lastly, the chapter considered some of the progress developing countries have made in accommodating women as equal citizens through creating space and opportunities for them. The follow chapter will outline the theoretical framework used in looking at these women's lives and experiences.

CHAPTER 3: THEORETICAL FRAMEWORK

3.1 Introduction

The uneven and unfair distribution of rights and freedom along race, gender, class, and sexuality lines have led to an unequal and stratified citizenship. This research project uses the case of sex workers in Cape Town to understand the effects of the limited experiences of citizenship particularly in South Africa by those in marginalised and vulnerable positions (such as sex workers, women, people of colour, the poor, and the LGBTQI+ community).

This chapter, therefore, unpacks the idea of democracy and how democracy as a system of governance has a responsibility to its people and how the people equally have a responsibility to ensure the system works. Furthermore, the chapter outlines the different ways in which citizenship could be stratified in a democratic system (based on how one is positioned in society – race, gender, sexuality, class) and how this potentially leads to a different kind of political agency by those not accommodated in the spectrum of citizenship. The following theories have been used to build a framework for analysing the findings for this project: democracy theory, to understand citizenship as per democratic requirements; the notions of invited and invented spaces of participation to understand how participation happens and how different experiences of citizens may be understood; and aspects of intersectional feminist theory, to understand how women in the same line of work may experience their citizenship and participation in society very differently because of, for example, their 'race', sexuality and/or social class.

3.2 Democracy

Democracy as a concept and system of governance has grown with many changes since its inception. Democracy has today expanded worldwide and become a very complex concept that has had many scholars from all over the word contributing to its meaning, critique, and conceptualisation. "[I]n recent years, social scientists as well as democratic practitioners and aid agencies have sought to develop means of framing and assessing the quality of democracy" (Diamond and Morlino, 2004: 7). Scholars such as Diamond and Morlino (2005) have generated research designed to address issues surrounding these complexities of

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democracy particularly using eight dimensions – vertical accountability, horizontal accountability, freedom, rule of law, competition, freedom, equality, and responsiveness. Diamond and Morlino (2004) claim that if a country wants to refer to itself as a democracy, then it needs to ensure participation and inclusion of all citizens, including women, youth, the LGBTQ+ community, disabled persons, and people of colour.

In essence a healthy and strong democracy needs to grant its people the will and access to participate in the operations and developments of the country. What is important to note is for there to be accountability, competition, equality, the rule of law, participation, freedom, and responsiveness there is a need for people to engage the state to ensure that "democracy is government by the people in which the supreme power is vested and exercised directly by them or their elected agents under a free electoral system" (McPherson, 1991: 3). This would quite clearly explain and help the paraphrase of the founders of American democracy, in showing where the idea of democracy as a system comes from, that which is *for the people, by the people and of the people*.

Theoretically, democracy is sold as a system which cares about its people, their betterment, equality, fairness, representation, and empowerment. However, around the world countries that claim to be democratic are increasingly unequal and unfair places for many citizens. According to Berman (2018: 119), "liberal democracy is facing its greatest crisis in decades, challenged from within populists and from without by authoritarianism in Russia, China and elsewhere". The dissatisfaction with democracy comes from the realisation that governments, political parties, and politicians have overtime become less responsive to a broad cross-section of citizens. This is especially so for people in precarious social and economic positions, as they are often rendered invisible by their states (ibid).

In South Africa, amongst many other developing countries, inequality remains a major issue, with the white minority remaining at the top of the economic hierarchy (Holston, 2009). Black and brown people, especially women, remain marginalised and vulnerable at the bottom of the economic hierarchy in their assumed citizenship. The term black and brown

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women in this study is used to as a political classification which demographically applied in the South African context and this thus includes African, Coloured, and Indian women. Therefore, these women find themselves existing in a democracy in which the structures and processes of participation are gendered and racially informed which takes away their power and voices as citizens who have rights to access citizenship as promised. This has, over the years, led to many women coming together and creating platforms of engagement to encourage and increase participation of women to achieve the gender equality struggle, nationally e.g., Black Sash, SWEAT, and Sonke Gender Justice. These organisations are aimed at empowering and enabling women through mobilising for the fight of equality, justice, and security.

3.3 Politics of Citizenship

There are economic injustices that are rooted in society and political structures that involve exploitation, marginalisation, and deprivation along class divisions (Stokke, 2017). Wacquant (2009) argues that in the neoliberal age, unemployed people, the youth, the homeless, drug addicts, and illegal migrants amongst other marginalised groups are a reminder of generalised social insecurity. This generalised social insecurity disadvantages marginal and vulnerable groups and their citizenship in a state, where the wealthy are given freedoms denied to the poor and marginalised. This inequality between the poor and the wealthy positions the poor as marginal, where they need to find means and ways to live, some of which are considered to be illegal, informal (outside the bounds of activity the state permits) and may lead to criminalisation and further victimisation. Sex work is an example of this. People who fall into this space may be considered morally deficient, thus their behaviours must be supervised and regulated. The state believes they have control over this group of people in society as they remain at the bottom of the class structure. This becomes evident in Chapter Five, which expands and explains the constant stigmas and poor treatment these people received from state institutions, resulting in a different experience of participation in society.

3.3.1 Citizenship and participation

Over the years, political agency has been found to be practised differently depending on the

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level of citizenship one belongs to structurally. "Citizenship has increased politically and in scholarly interest, but also ... the meaning of citizenship has been broadened and has become increasingly complex" (Stokke, 2017). In outlining and defining citizenship, Stokke (2017) identifies four key dimensions of citizenship: substantive membership, legal status, rights, and participation. These dimensions serve as a basis of conceptualising, enacting, identifying and critiquing loopholes and problems around citizenship, which have been discussed in this thesis. Not everyone is fully recognised and accommodated under the current outlines of citizenship in democracy, and this is largely because of gender disparities, as discussed so far, but also race, class and sexuality. Fraser (1995) argues that gender and race are prime examples of identifications which may limit both redistribution and recognition of citizenship amongst many other identities. This is when the politics of identity come into play, when people who go through common struggles and experiences in a community come together in solidarity and quest of inclusion through affirmative action (Young 1990). As a result of politics of injustice and as a response to their difference, citizens come together seeking equality for all, and commonality amongst all citizens. In unpacking citizenship this part will look at the different key dimensions by Stokke (2017) which accrue to every citizen of South Africa.

Stokke (2017) also helps us in understanding the nature of citizenship as being stratified according to the different levels, and the level one belongs to determine the different kind of citizenship – 'citizenship as a promise and citizenship as a lived experience' (see Holston 2008) – will be delivered to them including the rights, responsibilities, and freedoms. Therefore, citizenship theorised as substantive membership, legal status, rights, and participation is ideally what every citizen needs to obtain. However, the stratification in citizenship leads to a more complex idea. Legally, most vulnerable, and marginalised groups, such as sex workers, are members of the state with legal status and rights de jure (by law) – as recognized by the law of South Africa. Yet, the issues arise when they try to live in and participate in society and people do not want to recognize them as full members of society. This is because of the work they do, which is illegal and looked on as immoral and dangerous. Thus, they are judged by society, they are mistreated by the police and by the justice system, and they are vulnerable to harm and abuse. This means that the promise of their citizenship, and related levels of participation, is compromised depending on how their membership is

categorised.

According to Brubaker (1992) the modern and popular understanding of citizenship is being a member of a nation that is assumed to be stable, systematic, and homogenous. Citizenship as substantive membership "highlights that citizenship is based on a distinction between insiders and outsiders in a community, but the meaning of community and the criteria for inclusion vary over time and space" (Stokke, 2017: 194) for substantive members. Substantive membership also grants access to legal rights and status to these members of the community. In the democratic state of South Africa, the rhetoric of citizenship is that everyone who has an identification document (ID) has access to substantive citizenship. However, it is important to note what Heater (1999) argues: that citizenship consisting of hierarchies and citizenship stratified according to the different identities leads to a different kind of political participation by different groups of citizens and residents, even with this form of identification because this alone is not enough to grant full substantive access.

As emphasized above, sex workers fall under a category of marginalised and vulnerable group of people. However, what is not considered by many states is before these people are identified as sex workers, poor, or marginalised they are members and rightful citizens of the country. This group of people being affected by the class, gender and race identification automatically places them in a low hierarchy of citizenship in South Africa, making their membership and participation one that might be considered secondary and affected by the stratification of citizenship.

Holston (2004) argues the difference between substantive citizenship in theory and citizenship in practice. According to Holston (2004) there are two types of citizenship existing in democracy: differentiated citizenship and insurgent citizenship. Differentiated citizenship can closely be linked with invited spaces of participation as well as conventional forms of participation. Insurgent citizenship believes in the idea of citizenship and politics as an act of performance and may be closely linked with invented spaces of participation and unconventional forms of participation which I will elaborate more upon later in this chapter. While "the significance of forms of political action taken by women and disadvantaged

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population through informal arenas has been made clear" (Miraftab, 2004: 2), many women in a vulnerable and precarious social and economic position, such as sex workers, remain unheard and unseen.

The legal status "means that there is a contractual relation between an individual and the state that carries with it both rights and responsibilities" (Stokke, 2017: 195). However, it is also important to note there are many instances and situations that can permit immigrants citizenship status. Heater (1999) suggests that under international law sovereign states can define who may be permitted to become citizens, and these are the various bases: through parents' citizenship, being born within the territory of a state, marrying a citizen, through residence for a given period, or under other circumstances in which the state grants one citizenship, such as asylum. "While these ideal typical principles may appear simple, the practical reality of citizenship acquisition is not simple" (Stokke, 2017) because of the levels of power, agency and priority which come with citizenship and the level at which a member finds themselves. Therefore, with being a member of a state, with a legal status, it is important that individuals are given access to rights associated with their formal membership status.

Stokke uses the threefold typology developed by Marshall (1992)—civil, political, and social rights—as a basis for his theorising here. Civil rights are rights that protect the individual's security and privacy, such as the rights to access justice and legal representation, rights to enter contracts and ownership of private property, and the rights to freedom of conscience and choice. Political rights include the rights to participate in the public and political process, for example, the right to vote, stand for office, form political organization and parties, and express opposition and to protest (Ibid). Lastly, social rights include "enabling welfare rights, such as health care and pensions; opportunity rights, especially in education and the labor market; and redistributive and compensation rights, such as low income, unemployment and work injury compensation" (Janoski & Gran 2002: 29). Thus, if one is a legal citizen of a state, then this means they are a member of a state, and this grants them the access to rights and responsibilities accrued to them. An example of this would be the right to freedom of speech, but they would ensure their freedom of speech does not incite or perpetuate violence

towards others.

Thus far, then, we have seen that citizenship involves being a member of a nation, which means recognition by a state, which can then confer legal status and related rights and responsibilities, in return requiring the participation of those who are considered citizens. It is vital to note that 'good' citizenship requires active engagement at both community and national level (Marshall, 1992). Citizenship is therefore linked closely to participation, particularly to formal, conventional, and state-sanctioned forms of participation. Citizens exist in relationship to the state as subjects of governmentality. These subjects are invited to participate and enhance the agenda of the state, instead of inventing spaces and being independent citizens, who can assert themselves and demand their rights and political control (Chatterjee, 2004; Stokke, 2017).

**3.4** Invited and invented spaces of participation

Invited spaces, according to Cornwall (2004:7), are spaces which "convey the origin of many intermediary institutions as government-provided, whether in response to popular demand, donor pressure or shifts in policy". This means that, in these spaces, citizens remain 'good' citizens, waiting for the government to tell them when and where they have the right to talk and not to talk. Conventional forms of participation as "activities that we expect of good citizens. For most people, participation occurs every few years at election time. People strongly committed to politics are more likely to participate on a regular basis" (Alteri et al. 2017: 722). Conventional participation also includes the acts of voting, attending a rally, attending committee meetings, taking part in sanctioned public protests, and writing letters to the state. Around the world, academics in developed and developing countries alike emphasize conventional forms of participation as "activities that we expect of good citizens. For most people, participation occurs every few years at election time. People strongly committed to politics are more likely to participate on a regular basis" (Alteri et al., 2017: 722). Invented spaces, on the contrary, are spaces that are created and owned by citizens in confronting or challenging democracy (Cornwall, 2004). Creating an invented space is a form of unconventional participation because these spaces are outside the prescribed outlines set by the government.

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These invented spaces and unconventional forms of participation spaces are often rejected by the government because they pose as a threat to the autonomy and legitimacy that exists within the government. Many people who feel unheard, invisible, and unfairly treated, and who feel that they are not included, may have no other option but to engage the state through other forms of participation which are outside the formal engagements with government. This means the creation of new spaces where they can be heard. The unconventional forms of participation are the "activities that are legal but often considered inappropriate. Young people, women, LGBTQ+ community and other with grave concerns about the regime's policies are most likely to engage in unconventional participation" (Alteri et al., 2010: 723). As a result, the people who invent spaces of participation are often referred to as 'the bad and unruly' citizens because they are not aligned with the conventional ways – of being a good citizen and abiding by the laws and rules of participation in a democracy.

However, what many democratic governments fail to see when rejecting these new forms of participation is the possibilities they offer for the restoration of the people's will and the reclamation of a truly democratic system which came with the promise to offer previously or currently marginalised and vulnerable people dignity and rights. The government's ignorance of informal politics (in this context unconventional and invented spaces of engagement around sex workers' rights and working conditions) has created a division within society between those who believe in following formal routes to achieving representation, and those many vulnerable people who find themselves trying and failing to get attention from the state through formal channels, especially women, the poor, children, and the youth. As Miraftab argues, "[w]omen's activism has usefully expanded the notion of politics and has challenged the binary constructs of formal and informal that recognized only formal politics, dominated by men, as 'real' politics" (2004: 2). South African women in recent years have made it their obligation to take to the streets to reclaim their rights. There seems to be little choice for women but to invent spaces through which to pressure the state, fundamentally because of the disconnect between citizenship as a promise of democracy and citizenship as a lived experience (see Holston 2004).

3.5 Intersectionality Theory

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Intersectionality is a feminist theoretical approach developed by Dr Kimberlé Crenshaw in 1989. It is important to note that prior to the development of intersectionality very few scholars and theorists had generated literature, engagements and frameworks that were inclusive and considered black women as through the lenses of both gender and 'race' rather than only one or the other (Cabado et al. 2013). Crenshaw introduced intersectionality through her paper, 'Demarginalising the intersection of race and sex: A black feminist critique of antidiscrimination doctrine feminist theory and antiracists politics', which was aimed at addressing marginalised black women within not only anti-discriminatory laws but in feminist and antiracist politics (Cabado et al., 2013; 20). Two years later Crenshaw unpacked and advanced the framework in her paper 'Mapping the margins: intersectionality identity politics and violence against women of color'; in this work she uses intersectionality to show ways in which social movements organise and advocate around violence against women and unpacks vulnerabilities of these women of colour, especially migrants and those from socially disadvantaged communities. This theory argues that "it is important to recognize the roots of intersectionality in the political movement of Black women, Chicana and Latina women, and other women of color – most of them lesbian-identified" (Carasthathis, 2014: 305).
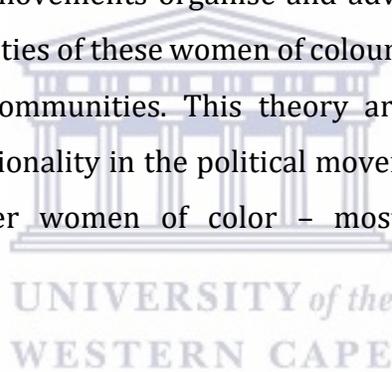
According to Crenshaw, intersectionality theory serves as a metaphor used in understanding the ways in which multiple forms of inequality and social stratifications compound themselves and create obstacles which are often not well understood through conventional ways of thinking about matters such as anti-racism, feminism and other social justice structures that exist (Crenshaw, 1989). The concept of "'intersectionality' originates from the concept of 'interlocking systems of oppression', defined in a social movement in context as the structural anchor of the experience of simultaneous oppressions and the target of integrated political struggle" (Carastathis, 2014; 306). Over the years intersectionality has been used to theorise and fight for gender and economic justice (Symington, 2004). Today intersectionality is a framework used to understand problems of inequality and injustice, understanding that certain issues are not just gender issues but issues that intersect, for example, with race, sexuality, and ethnicity (Bowleg, 2012). According to Bowleg (2012), an

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intersectional approach posits that the various social categories, in this case race, gender, sexual orientation, and socioeconomic status, need to be considered in terms of how they intersect at the micro-level of individual experience to reflect multiple interlocking systems of privilege and oppression at the macro, social-structural level. So "intersectionality recognizes that for many women or color, their feminist efforts are simultaneously embedded and woven into their efforts against racism, classism, and other threats to the access to equal opportunities and social justices" (Samuels, 2008: 5). Furthermore, intersectionality has brought forth the argument that gender cannot be applied as a single analytical framework with no consideration of the other issues which exists in parallel to gender such as race, class, history, and marginal citizenship. Especially in cases where women's oppression is based on more than just gender.

Intersectionality is also aimed at exploring the dynamics between identities (e.g., Black women) and their connection with the oppressive system (e.g., patriarchy) (Crenshaw 1989). The idea that women are women and therefore have the same struggles without the consideration of their race, sexuality, education, and socio-economic status is unjust and uncritical, because it does not account for the fact that women have different struggles: "although racism and sexism readily intersect in the lives of real people, they seldom do in feminist and antiracist practices. And so, when the practices expound identity as a woman or person of colour as an either/or proposition, they relegate the identity of women of colour to a location that resists telling" (Crenshaw 1989: 2). In other words, women are not a homogenous group and therefore cannot be studied as one homogenous group. According to Morales (1990) women's experiences are consistently shifting and changing with time and depending on space they exist. Further, "[n]ot all women experience their womanhood in the same way, many women face multiple forms of oppression and not all are also rendered powerless" (Samuels 2008: 6), meaning there is a need to fully appreciate and share the unique experiences of various women, even with diverse identities.

Crenshaw defines intersectionality in three senses – structural intersectionality, political intersectionality, and representational intersectionality. 'Structural intersectionality' according to Carastathis (2014) refers to "the ways in which the location of women of color

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at the intersection of race and gender makes our actual experience of domestic violence, rape, and remedial reform qualitatively different than that of white women" (Crenshaw: 1245). Crenshaw's concept of structural intersectionality aims to render visible phenomenological experiences of people who face multiple forms of oppression without fragmenting those experiences through categorial exclusion. 'Political intersectionality' describes how history, feminist, and antiracist "have been working together to marginalize issues facing Black women in the United States" (Crenshaw 1245). Lastly, 'Representational intersectionality' "is the production of images of women of color drawing on sexist and racist narratives tropes, as well as the ways that critiques of these representations marginalize or reproduce the objectification of women of color" (Carastathis, 2014: 5). However, in this research the focus is on the structural intersectionality.

The current creation of policies (such as the ANC's 50/50 quota policy for gender equality), are a form of structural mechanism aimed at women's empowerment and inclusivity; however, there is often a gap between the promises made by these policies and the lived experience of the women they attempt to help. Brown, poor women in society remain disadvantaged and silenced in their quest for equal rights and formal intervention to alleviate their struggles. Citizenship is not meant to be moving from a private patriarchy (dominance in the household) to public patriarchy (dominance in the working and social space); it should be universal, it should be inclusive, and be equally accessible to both men and women (Marshall, 1950).

Women's citizenship as a promise and experience today has been compromised because of the inequality that exists in terms of citizenship for poor brown women (Glenn, 2000). It is important that there is a consideration and sensitivity when the government deals with issues of women, that they acknowledge the different socio-economic levels different women come from, their race and the different issues they encounter socially as citizens. In resistance to the ongoing discrimination and continuous marginalisation because of the various intersecting levels women have engaged the state through both the invited and invented spaces. Many brown women their citizenship has been affected due to many systematic inequalities and injustices that render them as legally capable of making your

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own decisions. To be able to understand that the struggles of a brown sex worker who stands in the street and a white sex worker who stands in the streets do not receive the same treatment, protection and face similar issues.

3.6 Conclusion

The theory which will be used in this study helps me to explain how the women I have interviewed experience their lives as both sex workers and citizens, across the invited and invented spaces of participation they choose to engage in. Using intersectional theory especially can help the analysis to show how citizenship (as promised and/or lived experience) is different for the women which the study focuses on. The next chapter discussed how the study was designed, and how the data was generated and analysed.

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CHAPTER 4: METHODOLOGY

4.1 Introduction

This study focuses on women of SWEAT, a group that represents marginalised women in the sex work industry. It explores their experiences through a series of interviews with the organization. I conducted the research at their Cape Town headquarters following the covid-19 restrictions and protocols in place at the time. The study aimed to explore how citizenship as promised to women - especially poorer women already in vulnerable positions - is translated into their lived experiences.

4.2 Research Design

A research design is focused on the blueprint or plans that are used to produce answers to the research questions or problems. According to Burnham (2008) "It is the plan, the structure and the strategy of the investigation, so conceived as to obtain answers to the research question", while Durrheim (2006) states that a research design is a "strategic framework for action that serves as a bridge between research questions and the executions or implementations of the research". This research was designed following a qualitative approach, which included a descriptive case study to answer the research questions. The qualitative approach was suitable because this method helped me to describe and acquire in-depth knowledge regarding women in the sex work industry, and their lived experiences.

In addition, a qualitative method can be referred to when the researcher intends to describe and understand a complex phenomenon from the viewpoint of the participants (Bordens et al., 2002). This research was aimed at gaining an understanding of how sex workers experience their own lived citizenship and how that affects their ability to participate politically and socially in South Africa. The end goal was to produce a rich, in-depth understanding of the meanings attached to those experiences of these women who are a marginalised group. Hence this study used qualitative research methods. Furthermore, this research used a descriptive case study approach in answering the research question.

A case-study approach "is a qualitative approach in which the investigator explores a bounded system (a case) or multiple bounded systems (cases) over time through detailed, in-depth data collection" (Creswell, 2014, p. 247). This research approach assisted in building an in-depth, contextual understanding of the case of these marginalised women, specifically through their roles at SWEAT, using through interviews, documents, and past as well as existing publicly available reports (Yin, 2003). There are different kinds of case-study approaches which can be used in qualitative research depending on the size and intent of the study; the single instrumental case study, collective or multiple-case study, and the intrinsic case study. This study used an intrinsic case study approach, "in which the focus is on the case itself because the case presents an unusual or unique situation" (Creswell, 2014, p. 249) as the nature of the study was to investigate and explore the case of sex workers as a marginalised group in South Africa.

In interpreting the data, the study applied a narrative approach since the theoretical framework (see Chapter Three) used in analysing the data entails a detailed descriptive interpretation. This approach assisted in providing a richly descriptive view on how meaning was constructed in the case of sex workers' living and working situations. In understanding the phenomenon and meaning the study used the basic interpretive qualitative study - the study is interested in firstly, interpreting the experiences of participants and secondly, the meaning they attach to their experiences of participation.

4.3 Data Sources

The study used primary data, namely five qualitative in-depth interviews for its empirical evidence. I recruited the participants through working with a gatekeeper at an organization called SWEAT, which addresses issues of criminalisation of sex work and calls for legal reform and greater recognition of sex workers' rights. The women I interviewed belong to the organization and hold leadership roles involved in mobilisation, operations, and advocacy in the Western Cape province. The gatekeeper assisted me in organising the interviews and served as a mediator for access between myself as the researcher and the participants who volunteered to be interviewed.

4.3.1 Sampling

In recruiting participants, purposive sampling was used. According to Klenke (2008) purposive sampling includes participants being selected intentionally based on the assumption that they can make a meaningful contribution to the study. Consequently, it is supposed that the selected participants will be able to share their experiences of being a woman living in South Africa. I therefore spoke to caseworkers and advocates employed by SWEAT. I chose these participants because they could assist me in understand what sex workers go through, what problems they encounter and the limits that may exist in their participation, and lastly what they are doing to change that. I opted not to sample sex workers directly because of the ethical and logistical constraints. The study, therefore, involved five women who were involved directly with the organizational processes in SWEAT from a leadership point at the time of the study.

4.3.2 The study site

SWEAT is an NGO that has existed for over 30 years in South Africa. It was founded in 1990 by Shane Petzer, a male sex worker, and Ilse Pauw, a clinical psychologist at the time. The organization started with advocacy and reclaiming the rights of sex workers under the new laws, Over the years the organization has also given birth to two sub-groups who advocate for similar struggles but are also broader in their reach and aims, Sisonke and The African Sex Work Alliance. Today, SWEAT runs two well-known campaigns which exist parallel to their overall struggle for sex workers' rights and protections, the #DecriminalisationOfSexWork and #SayHerName campaigns.

4.3.3 Data gathering

The interviews were conducted face to face at the offices of SWEAT, while observing covid-19 protocols under alert level 3. One interview was conducted using WhatsApp because the participant was in KwaZulu-Natal. These methods were chosen in consultation with the participants, acknowledging that data is expensive and there was a need to be conscious of this. These interviews were semi-structured because of the study's interest in hearing what women have to say about their experiences when it comes to participation. Interviews

provided me with insight into the meanings that these individuals attached to their experiences, which are culturally and socially situated (Jackson, 1995).

The pre-written questions were taken into the field to serve as a guideline for the interview and to remind me of the key points that I needed to cover because at the end of the fieldwork, my research question needed to be answered. I also recorded and made notes of the interviews with participants' consent, for accurate transcription. There were no limits to the study in terms of 'race', sexuality or the socioeconomic status of the women included.

4.4 Data Analysis

The data was analysed using thematic, narrative analysis. Howitt (2010) notes that in a thematic analysis one analyses what is said and not how it is said. This analysis worked for my research because I wrote about the different experiences these women had encountered and interpreted them through the lenses of the chosen theoretical framework. I combined the themes generated with an understanding of the data as forming both stories of experiences and evidence for my claims, based on my understanding that narrative analysis is "a genre of analytic frames whereby researchers interpret stories that are told within the context of research and/or are shared in everyday life" (Allen, 2017, p. 3). This analytical method helped me to interpret these stories and what they meant through my contextual (literature-based) and theoretical frameworks. The study applied different themes derived from the analytical framework deductively.

4.5 Research Ethics

Ethics are both about the integrity of the individual researcher and the 'do's' and "do not's" that a researcher needs to know upon going into the field for collecting data. Individual research integrity includes avoiding plagiarism, not making up data, and not engaging in intellectual dishonesty of any kind.

Ethics are necessary and important for a researcher to know to avoid causing any harm to the participants or data sources. This study therefore, received ethical clearance from the Higher Degrees Ethics Committee of the University of the Western Cape, Registration Number (HS20/9/2021).

Wynaden et al. (2000) argues for three main ethical principles: autonomy, beneficence, and justice. Researchers need to apply these when going into the field for the researcher to be aware of their role and responsibility within the field and the rights in which the participant is protected under. The participants in this study volunteered to be part of the study and were not forced to participate. Participants were protected because I prioritised the participants' feelings, safety and comfort as far as possible. I did this through:

i.   Informed consent: The participants were thoroughly informed of the aims of the study and the purposes of their participation in a language and style that they could understand. They were informed that they could refuse to participate and could leave at any point in the study without prejudice.

ii.   Anonymity: As I was dealing with a vulnerable group, I kept individual identities concealed so that they would not be recognised by someone reading the study and thus be made vulnerable to judgement or persecution of any kind.

iii.   Confidentiality: I kept all information given to me that was expressly noted as being confidential out of the Findings or data for this study.

4.6 Conclusion

The study followed an interpretive, qualitative research design and methods. Data were generated from five semi-structured, in-depth interviews with women working for SWEAT in leadership roles at the time of the study. They were selected for their insights into the workings of the organization, as well as their knowledge of the problems, struggles and experiences of sex workers, as some of the participants were or have been sex workers themselves. The data were analysed using a thematic approach, with themes generated deductively from the analytical framework and theory discussed in Chapter Three. The next chapter discussed the key findings from this analysis.

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CHAPTER 5: FINDINGS

5.1 Introduction

The purpose of this study was to explore the lived experiences of vulnerable women in the sex work industry, especially with regards to their rights as citizens and what they do politically to try and secure these rights. The previous chapter engaged with relevant theory and developed an analytical framework that has been applied to the data that follows. This chapter will present this data, showing the (i) perceptions of sex workers on how sex work is commonly understood in gendered, racial and class terms, how (ii) this affects their lives, especially their rights as citizens, and (iii) what they do to address these challenges. The overall picture that emerges is one of sex workers experiencing gendered oppression that is differentiated across race and class. It becomes explicit in this chapter that sex workers experience intersectional patriarchy that differentiates somewhat the citizenship rights experienced by the women in the sex work industry. The chapter closes by detailing the overall engagements that occur between SWEAT, civil society, and the state in respect of this differentiated citizenship.

The participants' quotes are noted using their pseudonyms: Media Officer (MO), Advocacy Officer (AO), HC (Helpline Coordinator), Human Rights Officer (HRO), and Manager (M).

5.2 Variations of oppression: The intersection of gender, class and race in sex work

This section will discuss the experiences of sex workers, including within patriarchal spaces and institutions which are predominantly male-led. These spaces and institutions include religious organisations, specifically the church, common cultural practices around ethnic and racial identities, as well as practices linked to class status. In short, there are different kinds of control and oppression over women depending on class, occupation, and 'race', broadly speaking. Historically it has been understood that women have always been a marginal group in this country, however, what becomes evident through the interviews is that women in the sex work industry are oppressed and handled differently, depending on the form of sex work they do which is largely informed and intersects with their race and class. My study,

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therefore, explain how these different forms of sex work, by different women influence their experiences even though they commonly belong to the same industry.

5.2.1 Sex work and gender

The history of patriarchy and its inheritance in modern South Africa is exposed through the lives of these vulnerable women as they intersect through their gender, race, and class identification. This reality became evident in the interviews with SWEAT that showed that sex workers and their experience of oppression are not homogenous. The Helpline Coordinator said, "They only know sex workers to be some uneducated black poor woman who is suffering. They do not know that some of them come from very decent homes." Society sees sex workers as women fit into the stereotypical imagine which they have of these women. However, this paper to an extent shares a different image of what sex work looks like and who the sex workers are.

Therefore, for there to be an understanding of the oppressions faced by the different sex workers, there is a great need to understand the different forms of sex work and how they relate to race and class. As the Helpline Coordinator (HC) explained: "there is a need in understanding the different kinds of sex workers and the privileges and oppressions it comes with depending on the level in which one belongs to". In the interviews, the participants kept mentioning common terms used to refer to different forms of sex workers and within the sex work industry, namely, street sex workers, brothel and strip sex workers and internet sex workers and escorts. Importantly, the difference in these kinds of sex work and sex workers, to a significant degree reflect the different access to material resources and various oppressions sex workers experience. Furthermore, what the different forms of sex work reflect is that the women are not exposed to the same kinds of working conditions, treatment, stigmas, stereotypes, and discrimination in South Africa – which includes different forms of criminalization and delivery of citizenship rights and benefits. Hence:

> There are different types of sex workers, from the upper class to the lowest one. Do you know we have sex workers that are able to charge 2000-5000 an hour and there is someone who will charge 10-20 per hour? (HC)

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The Helpline Coordinator further explained that "There are different kinds of sex work that people need to understand, some people do sex work yet there is no penetration and it's still sex work". Meaning that, there are different kinds of visibility, vulnerabilities, resources, exposed to these women, because of the intersections of race and class in the industry.

5.2.2 *Street sex workers*

Street sex work is dominated by black working-class women. This form of sex work is the lowest in the hierarchy of the different forms of sex work, because of the low income, they are vulnerability, visible and subjected to violence. "Streets sex workers work under hard and extremely harsh conditions, having to find dangerous spots to work in because of their fear of being caught and arrested by the police in the streets" (HC). This means sometimes having to work under trees, in abandoned buildings, or in the bushes just to survive and make ends meet.

5.2.3 *Brothel & strip club sex workers*

Brothel and strip sex workers are a balanced mixture of different racial groups between, black working-class women, and white middle class women. This form of sex work pays better as they get paid in accordance with the contractual agreement of the structures they work for (Holsopple, 1998). Thus, there are low chances of these women finding themselves in situations that are compromising, violent and unaccounted for. This form of sex work guarantees some degree of security for these women by the systems and laws of the environments. This makes them less vulnerable and visible in society (Holsopple, 1998).

5.2.4 *Internet sex workers & escorts*

Internet and escort sex work is dominated by white middle class women. This form of sex work is at the top of the hierarchy of the different forms of sex work. Internet and escort sex worker work in the privacy of their homes they need to have a home with a clean and private bedroom; they need to have access to a computer and stable internet and privacy which requires a certain level of class identification, meaning, they need material goods. These women are less visible and as a result they are not victimised and affected by the stigmas and stereotypes that people have about sex workers.

> … white women have the privilege of doing sex work in their private spaces since they can afford to do so. But black women are always the target of these kinds of treatment and name calling because of patriarchy, culture, and morality. (Manager)

> Some of these women who are in the escorts and internet sex work are seasonal sex workers, to work in December because there is money there. Just because there are ones who find themselves in less vulnerable conditions than the others it does not mean that it is not sex work. (HC)

The various form of sex work also affects how sex workers differently assert themselves and their choices within society. For the ones who are visible in the work they do, it becomes hard for them to be accepted as part of society.

> There is so much judgement and discrimination. Some sex workers force themselves to be involved in the community, also depends [sic] if they have a backbone. Those who are not strong get affected. (HC)

The different forms of sex work also have implications on how these women are handled by the police, healthcare providers and members of society at large. So, unlike the brothel and internet sex workers, street sex work does not give the women an opportunity to be invisible, safe, and part of the normative society (Holsopple, 1998). The fact that they are black women and poor places them in a vulnerable position, but them being sex workers places them at a more disadvantage.

Many of these street workers come from extremely hierarchical patriarchal societies where they do not have a say about what happens with their bodies. The Manager (M) suggested that there is a need to also "understand the impact of patriarchy on women, the power and agency that it takes from the female body", while the Human Rights Officer (HRO) argued that "we come from a very long history when it comes to women's bodies, autonomy and agency. And somehow when freedom and liberation were given to some other women a lot

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of women that had already been in the background remained there [sic]". She further argued that: "These acts of violence reveal the power dynamics and issues of ownership over the female body, and where a woman is deemed to be an incapable person who needs to be 'decided for'". As M went on to say:

> In South Africa … women are not recognized as people who are able to take charge of their own lives and not respecting the rights of a woman as a capable human being [sic]. The fact that most of the communities have their own moral standards and beliefs and system of patriarchy is a challenge for many sex workers, leading to sex workers having to hide what it is they really do…Black women are always the target of these discriminatory acts because of patriarchy, culture, and morality.

The Media Officer (MO) added:

> I will speak to growing up and the systems in which we are brought up under, patriarchy, culture, people who do not believe that sex workers are human beings, mothers, and breadwinners…. also, there is a great need to understand the effect in which patriarchy has on sex workers, these kinds of stigmas affect sex workers and become so dominant and lethal in our society that most of the sex workers are forever afraid to speak of it and address its oppressions.

The Helpline Coordinator shared the story of the three women who were in sex work because of different reasons and how their cases were different in their husband's treatment and reception to their sex work occupation.

> I have known sex workers, like a lady who gave me consent to use her story when I go to presentations and speak of sex work. But do not use my name. The woman was married, and she was a sex worker for 20 years. She would leave the house in the morning and come back at night every day. When she wanted to rest, she would tell her husband she was on leave. She had someone who would make pay slips for her. She kept her money as cash and her co-founder would transfer her money into her

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account as salary. She had to do it, her husband was a drunkard and abusive and she never wanted to report him. [The] second one was 11 years in the industry, happily married had everything in life, she decided she wants to start working and she chose sex work. The last one was also married, had 6 children with her husband. The husband used to even drop her off at the brothel and bring lunch for the wife. The first woman was a black lady and the other two were white women who belonged to one industry but did different things.

5.2.5 *Sex work, 'race' and class*

Being a black, working-class woman working in an unconventional and illegal industry has made it hard for these women to find acceptance, even in the communities they belong to. The Media Officer expressed that in some communities "Some people even violate the children of sex workers; they are bullied by adults and children in these communities because the mother is a sex worker". This makes it difficult for sex workers who are in both the street sex work and brothel/strip clubs sex work to 'come out' to their families and communities that they are in the sex work industry. The Media Officer further explained that "People do not understand what it means for sex workers to come out and say they are sex workers, there are people who have had the most painful experiences because of coming out. Being rejected by their families and society". The Advocacy Officer (AO) shared her story too:

> I was judged and secluded at church, people in my line of work, people at church went to report me to the pastors and said I cannot be a youth leader or even come to church because what is it that I am teaching their children. One Pastor, Pastor Jeffrey sat down with me and explained to me I should not worry about those people because I am not the first person to be a sex worker, even the bible has sex workers. God was the first person to accept and know of sex work, the woman in the bible that was brough before the lord and the lord said ones who does not have sit let them be the first ones to throw stones at this woman and no one did. The lord then said, go woman and sin no more. So, we sin everyday and it is up to me if I want to go back to sin or not. (AO)

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Therefore, for women like streets sex workers who are visible and take power and ownership over their bodies become at risk with the state, community, families, and husbands as sex work is still see sex work as an illegal act. These expectations on how women are meant to act have an impact on ways in which women's 'proper' roles within patriarchal social and cultural systems are constructed and have a major influence on the construction of stigmas and stereotypes associated with this industry.

There are many stigmas and stereotypes associated with women in the industry, especially women because of cultural and moral beliefs that people hold within society and its various institutions, for example the church. These cultural and moral beliefs are influenced by patriarchal ideas of what women 'should' be and do (expectations from society). The Advocacy Officer explained her encounter with Christianity and the church as an institution: "I refer to this because I come from that religious background, so sex work is known as a taboo in church. But what will surprise you is when you look at who exactly is the clients of the sex workers? The community is, church elders, the pastors are the clients [sic]". These beliefs and moral standards that are held within society and by community leaders and influencers, like church leaders, present a significant threat to the lives of these sex workers. Religiously based views of women and their role in society have contributed, at least in part, to many hate crimes, such as sex workers being murdered and raped because of their occupation, which is deemed amoral.

> Stigma plays a big role in society. We have cases in the Eastern Cape where a sex worker was stoned to death when the community learnt she was a sex worker and how the community works is everything that goes wrong in there, they take the law into their own hand. (MO)

The Manager further highlighted that, "There is a sex worker in Mpumalanga where the community beat the sex worker and demanded the sex worker to move, and she was kicked out". In addition, the Helpline Coordinator mentioned that: "Some people throw sex workers with eggs. When they drive past corners, they throw them and when someone does that you

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are forced to go back home and that is the kind of brutality workers go through. They think they are evil, and dirty". These cases serve as a reflection of these stigmas around amorality, 'dirtiness' and evilness and how their association to sex work deprives these women of access to basic human rights and have instilled fear within them for their lives. According to (Seleka 2020), between 2018 and 2019 almost half of the 101 sex workers' deaths that were reported were found to be murder cases. There is an image that the media and society has created of what a sex worker looks like, which has resulted in the introduction of derogative terms used in referring to sex workers. Terms such as "Magosha" – which translates as prostitute in vernacular – and "prostitute" are commonly used and indicate the degradation of sex workers as human beings.

Even though these women are in the same industry what is evident is that the class and race intersection determine the way in which they will be visible to the community and its various structures, such as church organizations, neighbours (and perhaps Neighbourhood Watch groups), and the police services. It also makes it clear that sex workers are not a homogenous group of women. Their experiences with oppression and existing within society at large are differentiated by these intersections of race and class. Which informs how they are handled by society, the state, and its various structures. Street sex workers are deemed less important and have access to fewer rights because of their class identification and race.

5.3 Citizenship for sex workers

In terms of the Stokke's (2017) account of the politics of citizenship, for these different women in the sex work industry to be fully empowered as citizens they require not only civil and legal rights, but also rights of cultural belonging, political participation, and socio-economic rights. However, for the women in the sex work industry, who are in an illegal industry, and especially the most vulnerable like street sex workers, their access to many of the citizenship rights is drastically curtailed. This became evident through the interviews that citizenship is experienced in stratified ways for the sex workers that SWEAT represents. In what follows I identify the differentiated ways that sex workers experience rights of cultural belonging, legal rights, socio-economic, and political participation rights.

5.3.1 Cultural Belonging

The image created by the media and society has resulted in sex workers being treated like non-citizens who do not belong anywhere within the community. This applies to a significant degree for all sex workers, but it is especially the case for street sex workers, who are the most affected by the stigmas and stereotypes that are associated with sex work. Street sex workers are often portrayed as cultural outsiders, and this includes being rejected by their families and communities because of their profession being considered a taboo and against the traditional and moral believes of society. This is according to many cultural beliefs in South Africa, including those of the main cultural groups such as the Zulu, Venda and Xhosa culture. Ogana & Ogong (2013: 110) argue that "the privilege of patriarchy in the Zulu culture has meant that often women are denied the opportunity to question their own behaviour in relation to body ideal, size and shape". This means that a woman's body is continuously being seen as sacred and meant for a specific man in her life. Therefore, the women in the sex work industry are cast out, particularly those who have visibility have gone against these cultural standards. In this regard, the Advocacy Officer shared that:

> The stigma to sex work that it's [sic] an industry that filled with many illegal acts and that the people doing it are negligent for their kids [sic] their own lives and this is wrong because I have kids which I love and care about.

Notably, the loss of cultural belonging is different for different kinds of sex workers. It is bad for all but differs according to the kind of sex work – whether it is internet, escort and strip work, or sex street work. As the Advocacy Officer said:

> As a result of the stigma and discrimination issues white women in the industry stay private about being associated with sex work [sic]. They have their own fears, they are not like me who has survived everything poverty, rape, being arrested because of my blackness that places me at a disadvantage. These white women are women who grew up and were raised in privileged homes, they know nothing about the struggle. So, they still have

pride, I know of the struggle. I am a woman of boxes, any woman who has
been raped, I tick, any woman has been abused I tick, violated, tick, children,
tick, poverty, tick. So, they have not ticked those boxes. The community and
society still see a poor, Africa woman and not a poor white woman.

Therefore, while women in the other forms of sex work can choose to be invisible, belong
and part of society and its activities, access legal rights, participate in politics and benefit
socially and economically this is not the reality for street sex workers.

5.3.2 *Legal and Civil Rights*

All sex workers do not enjoy civil and legal rights equal to other citizens of a democratic state.
Many women in the sex work industry are legal citizens or residents South Africa through
their birth or residence rights, and even have the relevant identification documents,
However, their lived reality in engaging the police and legal system does not necessarily
match their formal legal status. Consequently, most lose some degree of their civil rights such
as personal security and protection, privacy, justice, legal representation, and the freedom
to choose because they are not considered to be 'proper' citizens.

In the interviews, the participants highlighted some of their major concerns regarding some
government departments that mistreat sex workers that are on the streets, namely, the
police, and the justice system. A common concern is the issue of police not prioritizing the
cases of sex workers', which then means violations against these women remain unresolved
and that justice does not prevail for many of these women. The Helpline Coordinator shared
that:

We recently looked at sex worker cases and the different causes, within this
process we realized that there are very few cases that went through the
system and go through the system.

The second major concern is the confiscation of condoms from sex workers by the police,
which makes them vulnerable to sexually transmitted diseases and unwanted pregnancy,

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and lastly the unfair arrests made in an arbitrary manner (for example, for not having condoms after the police have confiscated them). As noted by the following participants:

> There is a whole research and evidence on sex workers and the fact that it's a useless use of resources where one government department gives the needed resources and the other one taking the same needed resources and, in this case, I am referring to the department of health-giving sex workers condoms and the police confiscating these [sic]. (HRO)

> The laws are the ones who use condoms as proof to arrest us, they get a search warrant for my place, find condoms, and use it as proof of sex work. It is evidence, so this places me in a situation where I carry less condoms when I leave my place. (AO)

> Our justice system likes dealing with petty issues. If you call and report rape, they won't come, but if someone calls reporting being mugged, all the vans will rather come to you than go deal with an issue of human rights and violation. (HC)

The Helpline Coordinator further added that

> Another issue is one of going to the police station and telling them you are a sex worker and you have been raped...that is a double standard, you a sex worker, a male and you have been raped. It is as if you are speaking a different language, there is no help, just stigma and judgement.

The reception sex workers receive from the police makes these women even more vulnerable because they end up not knowing who to go to for safety in times of violations and a direct contravention of sex workers' human and legal rights, and thus diminishes their experience of being full citizens. The Media Officer explained:

> We got a phone call that invited us to a march in Durban to support another organization. 16 Sisonke members were arrested, and this was a legal March. So, we

were told the police were there, so there was a member from Sisonke that was out there who was Transgender and was targeted by the police from there and everyone from our organization was then arrested.

Therefore, many sex workers legally belong and are recognised as citizens in law but not in practice by law enforcement. Thus, they do not benefit from the civil rights that have been promised to them as rightful citizens of the country hence the treatment they receive.

5.3.3 *Socio-economic rights*

Many sex workers are excluded from basic socio-economic rights – for example access to adequate health care – because of the work they do. Labour laws in South Africa do not protect any illegal profession and this has always meant no work benefits for all forms of sex workers. However, while brothel & strip sex workers and internet & escort sex workers can afford a certain level of access to basic rights as citizens, this is much less the case for street sex workers. Additionally, this worsened during the Covid19 pandemic as many sex workers were unable to claim benefits because their profession is delegitimated by the state and criminalized. As the Human Rights Office said:

> I will make a reference to the period of Covid19 where many sex workers in the country could not go to an unemployment fund door, they have been working in the industry of more than 20 years... you ask yourself if you have been speaking to the government for 25 years and they still do not hear you now then when they will hear you? These people are faced with a pandemic and still there is no assistance from the government. Some are migrant workers, some never got the chance to apply for the R350 because of lack of documentation even when they are South Africans [sic]. ... In some communities' sex workers have been given the chance to get food parcels from their ward counsellors but it is hard for a sex worker who is known to be working to now must go ask for a food parcel because this hinders on the dignity of the sex worker. So, most of them could not go and ask for the food parcels.

It, therefore, became evident through the interviews that being in the sex work industry disadvantages these women in terms of their socio-economic needs and benefits of accessing relief grants from the state. Furthermore, access is harder for poorer street sex workers than for the wealthier internet sex workers.

5.3.4 *Political participation rights*

There are many loopholes in the current democratic institutions that participants identified and brought forth in the interviews that show how sex workers are side-lined and discriminated against by the police services on the one hand and by the larger justice and courts system on the other hand. According to the SWEAT Manager:

> There has been no assistance from the justice system, this is when I realized the many times and moments we had been used to attend meetings and be part of programs during the 16 days of activism yet here we are stranded with no one to assist us in this vulnerable moment...

The Human Rights Officer added:

> There is no assistance that has come from the police based on my knowledge. So, I will speak directly to the DoJ [Department of Justice], the fact that DoJ has sat with legislation that was supposed to be commented on and they keep on saying public commentary is open but we are not seeing it directly open so that people can participate.

Finally, the Advocacy Officer:
> So, every time we raise the sex workers issues, we are just being dismissed, so we will be told to submit a memorandum and then that will be the close of the chapter. No one care to follow up with us, we will be directed to the ministers Pas (personal assistants) and life goes not, we never get to hear from them. I think sometimes we are seen as crazy people and we are talking about the South African citizens who have the right to access the human rights and be protected by the law.

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Dismissed, ignored, used, are some of the words the participants used to explain the treatment they have received by the police department. SWEAT says there has been many attempts to assist the police department on how to handle sex workers and arrests. According to the Mail & Guardian (Smit, 2020):

> The relationship between sex workers and the South African Police Service has always been strained, with both male and female workers levelling allegations of discrimination and harassment against law enforcers. But sex workers say intensified policing during the nationwide lockdown has made matters far worse.

This reflects a pattern that has been in existence when it comes to the handling of street sex workers, always finding themselves at their most vulnerable when being attended by the police. The SWEAT manager noted that the relationship with the police and courts is poor:

> … all I can say… is everything is sitting there. The reports are all just piled up and no end to our cases and reports. We do not have so much relationship with them because there is little that we get from them.

Yet there are still many unfair, unlawful, and unresolved cases of sex workers, and this means a lack of justice for the community of sex workers together with their families. An example which the AO and MO highlighted were the cases of Ayanda and Robin who were sex workers and members of SWEAT. The Advocacy Officer stated that:

> Robin died inside the police station and every time we try to have an investigation we are just ignored. IPAD are the ones investigating, they are the ones who reported that there was a sex worker who died in the police station and when we go back to enquire more from the police, they say Robin committed suicide. [sic] This was not the first time Robin was arrested, there was nothing different about her being in those cells on the day, so we wonder who was with her in the cell? Why was Robin arrested when

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the regulations of lockdown had stated that all cells needed to be removed, so why was she arrested and kept in those cells even with these given regulations?

The Media Officer added:

> The case of Ayanda's death who died in 2018 January/March…. and last year January we called the green point police station, and we were told they were only sending the murder weapon for forensics 2 years later. Many courts and police refuse to support decriminalization because they fear the crime stats increasing and this is not a valid argument because we have so much research on countries and cases where sex work is criminalized and where it is not, how the numbers on GBV is different. We cannot govern or legislate around fear but facts.

The cases of Ayanda and Robin are a major highlight in this research where we notice the ignorance and dismissal that the participants speak about. Someone dying in police custody in our democracy is something that needs accountability and responsibility from the government and its departments. It symbolises the turning of a blind eye by the police and justice system in this country to those who are marginalized.

5.4 The agency developed by sex workers

The unequal distribution of citizenship rights, and the ongoing discrimination against street sex workers has inspired the women of SWEAT to come up with ways to engage the state in seeking recognition and delivery of full citizenship rights by the state. In describing this agency, this section describes how advocacy to overcome this form of exclusion from full citizenship has emerged. Key to the agency of sex workers is a civil society organization, the Sex Worker Education and Advocacy Task Force (SWEAT). SWEAT uses their political rights as a legal organization to engage the state and civil society, however, the reception to their engagements by the state is not supportive in helping them meet their goals, especially their main goal of decriminalization of sex work. The following section describes both SWEAT's forms of engagement with the state, and how the response of the state has shaped political participation.

5.4.1 *Forms of engagement with the state*

SWEAT's sole mandate in engaging the state has been to fight for the decriminalisation of the sex work industry, access rights and benefits, and full citizens for street sex workers. In supporting their fight SWEAT has done intensive research which supports decriminalisation, explaining how decriminalisation will solve and correct many of the oppressions and human rights issues and violations that occur even at the hands of the state. As the Advocacy Officer explained, the work SWEAT does is

> ... to change laws, around sex work, the life of sex workers, to make sure that government remains accountable to the constitution because a lot of the laws that are around sex work and regulate sex workers lives are quite unconstitutional. ... The legislation processes, the arrest of a sex worker; one would be found doing the act, one would have to be found with money in the hand, but you find that most of the time jumped over or a loophole is found through the by-laws. This means that this law that the government has drawn up is useless and does not work and is unconstitutional in that matter because everything needs to work in procedure and process, everything is protective.

When interviewed, the Manager said SWEAT engages the state on several levels. The first is through the 'invited spaces' of South Africa's democracy, like parliament. Engaging parliament includes attending committee meetings of the various parliamentary committees that may have an influence in helping them realise their agenda. This process also assists them to identify the members of parliament that can help in the change of legislation to place necessary pressure in parliament.

> We visit parliament a lot, communicate with the lobbying committee members and the whole collection of them as well as MPs. (AO)

SWEATs engagement with the state has been difficult, the Media Officer explained that

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...trying to lobby a government is a difficult process especially when you look at the years before the next elections (four years). So, every time there is a new government in place you must sort of start over because half of the people you have been lobbying in the last four years has now left. There is no real institutional memory because it is not a priority.

However, this has not stopped SWEAT political engagement with the state. In addition to parliament specifically, SWEAT reports reaching out to other organs of the state. However, the participants argued that most of the legal and democratic procedures do not work for decriminalisation of the industry. That has led SWEAT to use more informal mechanisms too, such as engaging many members of parliament on WhatsApp and with phone calls too.

Within the secondary area of state engagement, SWEAT pays special attention to specific organs of the state that deal with sex workers on a regular basis. Here they try to run sensitisation programs aimed at creating awareness and sharing knowledge on how sex workers need to be handled and treated by police and healthcare workers. SWEAT introduced these projects to try and improve the quality of services sex workers receive from these government departments. The Human Rights Officer explained that the sensitisation programs are "meant to assist and work together with police stations, if there is an issue at Delft police station the trainer would go there and host training of sensitization". The Human Rights Officer added:

We also understand sex work is criminalized and that the police need to police sex work. However, to us what is important is how you police sex workers and hence we have the sensitisation programs.

These programs are hosted by the advocacy group, through which the organization deploys different individuals to different police stations that are open to working with SWEAT. As the Media Officer commented:

We have tried writing letters but it is very disheartening but because we realise like everyone it's so easy to go into a frustrating mode if one does not get the response that they want. In the process of this I've also realized that once you come down a little bit, people that deal their lives so much with paperwork and meetings find it difficult to answer letters and templet type of engagements. Along this process we found that most people would rather prefer giving us their numbers for us to be able to contact them via WhatsApp, [sic] a lot of MPs are very responsive to the informal communication rather than the formal route and this is how we engage. In terms of lobbying we approach these different structures, around GBV aspect – multiparty women's caucus, health committee which is very important, EFFs gender desk, the ANC has not established their gender desk, youth desk of the ANC that also invited us to stuff, DSD has to do with the mothers for the future program, mothers who need support because of the discrimination they experience in society. So, these are the main people that we engage, and I would say this goes across all levels of government, the justice committee, police committee which is number one.

But this kind of informal communication does not benefit the NGO because of the lack of accountability and proof when things are done in this manner. Furthermore, the Manager spoke about the kinds of responses they receive from the government when engaging them for different matters.

The response from the state is ignorance, and ignores the rights of sex workers, they know that sex work exists…Their ignorance make [sic] sex workers vulnerable, it allows for sex workers to be violated in so many ways, at so many Sex workers are brutally killed, had their breast cut, throats, cut open and you need to tell me there is no one to account for these killings in our country.

5.4.2 *How state response affects participation*

SWEAT being an NGO follows many legal and constitutional ways of engaging the government this is inclusive of the attending invited spaces of engagements in the community at large and participating conventionally - by voting, attending committee

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meetings, writing letters, submitting MODs, workshops and more. Yet, this group also finds themselves being put in a position where they need to invent more creative, unconventional yet impactful ways to get the attention of the government more especially on issues of women being killed and raped and these cases remaining unresolved. The Media Officer explained they have hosted "some disruptive demonstrations that speak to not being heard and us wanting to get the attention of the government through these ways of engaging/confronting". For example, she talked about "a march to the human's rights commission; we did all the paperwork to march there but we were not welcome". She said,

> You could sense that this was not something they wanted, and this was disruptive, it was creative activism. We took the cage there and made a huge life size time life and one of our people here did a life size picture of Robin (the sex worker that dies as Mowbray) so a lot of it was disruptive and we could see … This was did this within the regulations since we could not have big mass things happening – usually, these sorts of demonstrations are planned and are made to make people uncomfortable which they do. We also had another one when the Mthethwa exhibition happened because we were invited but under rules that they put out for us and we decided we not going to do that, and we became very dramatic about it.

When hosting these kinds of creative demonstrations and creative activism they do follow regulations of what a march and a demonstration is meant to be. The Media Officer explained:

> In the worst-case scenario and a case that needs immediate attention you would phone individuals especially MPs that are committed to fixing wrongs. But it's one case at the time, I can call Naledi from the EFF and she would call the minister, she will get it done but at some point, we do not want to make those phone calls, but they need to be done for as long as we fight for the decrim. These are things that do not have longevity, but you need to be happy with at least saving someone's life at that point in time. We want a system in place.

The Helpline Coordinator added:

> Some of these departments listen, some do not listen. I would call them and tell them the reason why I am calling, and they will say leave your number I will get back to you. They are not interested, but I like some of them they do it in such a diplomatic way, they will allow you to speak and entertain you and somewhere in the conversation they will hint that they just not interested, and I think that is better than nothing because at least you were given an opportunity to talk.

The Media Officer highlighted, as did all the participants in this study, that the system needs to fight for sex workers, rather than fighting them. There need to be systems, starting with decriminalising sex work, that serve to protect sex work as a profession and that deliver legal and human rights to those who are part of it. However, the disadvantage of unconventional forms of participation is that many people who partake in these spaces are deemed to be unruly and bad citizens for the progress of democracy by the system. Furthermore, these unconventional ways of participating do not guarantee sustainable solutions to the many problems sex workers encounter today. Additionally, many democratic governments fail to see with such spaces and ways of engaging/interrogating the government offer for the restoration of the people's will and the reclamation of a truly democratic system that can be inclusive of marginalised and vulnerable people.

5.5 Conclusion

This chapter has outlined the differentiated way in which the sex workers of SWEAT experience patriarchal oppression such that gender, race and class intersect to align with forms of sex work. It has also demonstrated how this differentiation carries through into the uneven distribution of citizenship rights of sex workers, whether cultural belonging, legal standing, socio-economic rights, and rights of political participation experience. It has concluded by outlining some of the key forms of engagement undertaken by SWEAT, both through formal and informal means, and both through the invited spaces of the state and the invented spaces made by SWEAT itself. To date however, SWEAT's struggle for these full

citizenship rights remains frustrated, especially the key legal demand for the decriminalisation of sex work in South Africa.

CHAPTER 6: CONCLUSION

This mini-thesis examined the history of women as a marginalised, oppressed and discriminated group of people in South Africa and globally in relation to the women's experience in modern day South Africa. The research paper focused on a sub-group of women who belong to an industry that is illegal, the sex work industry. The women in the sex work industry were found to be oppressed and discriminated differently as citizens and the difference in their experiences was found to be a result of the various intersections of their race and class status. Through a case-study of SWEAT (Sex Worker Education and Advocacy Taskforce) in Cape Town, the different citizenship experiences of sex workers were identified, included their legal standing, access to rights, benefits, cultural belonging and the ability to participate politically and socially in South Africa. Additionally, the study looked at the struggles sex workers encounter when participating and how that has brought a different kind of political participation and agency.

It was found that sex workers in general are not treated like full citizens because of the nature of their work, and this has over the years affected their livelihood. More specifically, the thesis found that within sex work industry access to the rights of citizenship is differentiated in ways that reflect the intersection of race and class as well as patriarchal oppression. This means that the experiences of sex workers differ according to the kinds of sex work the women do, therefore some have worse experiences than others. The research paper discussed three different kinds of sex work: internet sex work, escorts and strippers, and street sex workers. These different kinds of sex workers have different experiences of citizenship rights based on face different forms of threats, treatment and experience of citizenship and participation.

This argument is demonstrated through the method of a case-study of SWEAT, a sex worker advocacy organization in Cape Town. The data and analysis for the thesis came from in-depth interviews with five women from the organization. The thesis uses Stokke's framework of politics of citizenship to structure the analysis, closely looking at citizenship stratified according to legal, socio-economic, cultural belonging and participation rights. The

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framework helped in analysing and uncovering the different experiences the women in sex worker, additionally looking at how their intersecting identities affected their experience in addition to what Stokke outlines about citizenship.

The image which the media and society have constructed, sex work generally as a profession and the people that belong to it is one where sex workers are considered as non-citizens who have no place in society. Sex work has been found to be harmful many of the women, but their belonging and acceptance into society has always it varied depending on the visibility and type of sex work performed - whether it is online, escort and strip job, or sex street work. The findings indicate that street sex workers are portrayed as cultural outcasts, to their families and communities. This was not the case for women who belonged to the other categories, at least to a degree, as they were found to have had a better experience of belonging.

It was further found that most sex workers did not have the same civil and legal rights as other citizens. Many of the women who worked in the sex business were found to be legal citizens or residents of South Africa because of their birth or residency rights. However, their lived reality in dealing with the police and the judicial system, in many cases were found to be not in correspondence with their formal legal standing. As a result, many of the women lost certain parts or all their civil rights, such as personal safety and security, privacy, justice, legal representation, and the freedom to choose, because they are not considered "real" citizens. During the interviews, participants expressed their significant concerns about government departments that mistreated sex workers on the streets, such as the police and the court system. Police do not prioritise the cases of sex workers, leading to violations against these women.

Additionally, many of the street sex workers were found to be denied basic socioeconomic rights, such as access to decent health care, protection under labour law and employment benefits. While brothel and strip club sex workers, as well as online and escort sex workers could obtain some basic rights as citizens, this was not the case for street sex workers.

Furthermore, the Covid-19 pandemic worsened these divides, where many were unable to claim for benefits because their profession is delegitimate by the state and criminalised.

Additionally, the thesis outlines how sex workers engage and participate in politics through SWEAT to assert their citizenship. The main objective in SWEATs engagement is to see the industry become legal and for sex workers to achieve access to full rights as citizens. The organization has done intensive research on how decriminalisation would work and look like in South Africa drawing inspiration from other countries that have it decriminalised. To achieve this goal, SWEAT has enabled and created different spaces for many of the women in the industry to belong and be heard. It has partnered with various organisations such as Asijiki and Sonke Gender Justice to represent the violations and address the loopholes which were found in the citizenship experiences of these women. The inequalities in participation and treatment towards sex workers have led to many women reverting to unconventional spaces of participation and engagements such as attending meetings where they are formally invited and they use the spaces to be heard by shutting down the meeting or boycotting the meetings, contacting certain ministers and members of parliament using the informal platform of WhatsApp to get assistance on various cases.

In conclusion then, the findings show that women in the sex work industry have a differentiated and stratified experienced of citizenship based on race and class which leads to different kinds of rights and forms of participation. SWEAT has given the many sex workers a voice to be heard and their advocacy work continues to have an impact on many women who are still visible to the public and are vulnerable as a result. The fight for decriminalisation within the industry is still an ongoing one, which still needs education to the public, cooperation from the government and recognition for the women being citizenships first before being sex workers. This recognition of all sex workers being treated as citizens first regardless of race and class will eliminate many stigmas and stereotypes and assist in dealing with the high gender-based violence cases.

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APPENDIX 1: Interview Schedule

UNIVERSITY of the
WESTERN CAPE

Interview Schedule

Research Title: Understanding how vulnerable women engage the state through participation: Advocating for sex workers' rights in Cape Town

Researcher details: Ponatshego Moloto

Participants: Members of the Sex Workers' Education and Advocacy Taskforce (SWEAT) organization

Preliminary Questions:

1. What is your role in the organization?

2. From your perspective, how would you describe the work that SWEAT does?

3. What are your goals in engaging the state? Which departments of government at local, provincial, and national government do you engage?

4. Are there any governmental/civil society or other platform that you are invited to as an organization? What are the attitudes of the people in these spaces towards your work and the goals or aims of SWEAT?

5. What is your take on the various perceptions that exist about sex work and sex workers?

6. What kinds of response do you receive from the state on the issues and demands you bring forth on behalf of sex workers in Cape Town?

7. What assistance do you receive from the justice system (courts and police officers) as an organization?

8. Do you think decriminalization of sex work will happen anytime in the next 3 years? Why?

9. Do you think that perceptions of sex workers and the occupation of sex work, as well as who sex workers actually are in terms of their socio-political identities (e.g. black, working-class, etc), affect the ways in which they feel able to full participate in society? Can you offer details in support of your answer?

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These questions form a basis for a conversation between the researchers and participants; additional questions may be asked and answered in the context of each interview in response to issues that are raised by participants. These cannot fully be anticipated in advance, but they will relate to issues raised here and in the proposal.

Additional Questions:
 1. How do you engage the state? 1.1 Does SWEAT have any demonstration (Strikes, Marches, Campaigns)