

Prostitution in the Philippines and Thailand with Special Reference to the Political Economy of Female Sexuality: Some Criminological Perspectives

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The aim of this paper is to explain the recent expansion of female prostitution and of HIV/AIDS as its consequence in the Philippines and Thailand. In section two was presented an overview of the major theoretical frameworks within which prostitution has been analysed. Sections three provided an overview of sexuality and gender relations in the Philippines and Thailand. It could be focused in particular on how they have changed historically and also explained how changing conceptions of sexuality have been utilised by the Philippine and Thai governments for political and economic purposes. Section four briefly compared the situation in the two countries, emphasising the economic reasons why women choose prostitution aspect of criminological perspectives. The recent expansion of prostitution in the Philippines and Thailand is caused by the growth of foreign presence as a result of specific development strategies. It is based on and reinforces patriarchal ideology. Because of the importance of earning foreign currency, the Philippine and Thai governments have promoted tacitly prostitution in tourism and labour-export. Prostitution is a rational choice for some women who suffer from poverty, because of recent socio-economic transformations, lack of education and employment opportunities. Moreover, certain cultural factors encourage women to enter prostitution. However, prostitution is technically illegal in both countries and because of this legal status; prostitutes are put in a vulnerable position in society. If prostitution is accepted as work, legal provisions like other occupations should be provided. In the countries studies, prosperity has for too long been dependent on the continuation of female subordination and poverty, and they have neglected to pay attention to the long-term effect of HIV/AIDS on prostitutes.

Key words : Prostitution, Philippines, Thailand, Political Economy, Female Sexuality, Criminological Perspectives

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Introduction

Prostitution is one of the oldest professions in the world (Bishop & Robinson, 1998: 219). It exists all over the world. Prostitution continues to flourish but it never disappears. We can trace the oldest evidence of prostitution to ancient cultures in India, the west coast of Africa and the near east. At that time, prostitution was closely linked with women's creative energy and hence was not necessarily stigmatised. However, this all changed as patriarchal societies began to take over. Female sexuality came to be the locus of men's domination. In the colonial era, white settlers bought a local female prostitute, which shows that those who had power were buyers, and those who did not have power were sellers of sex. In addition, female sexuality was controlled not only by gender but also by class and race. Prostitution in the Philippines and Thailand is not a recent phenomenon. However, since the 1960s, a massive growth of prostitution has occurred in both countries as a result of increased foreign presence. In the Philippines and Thailand, though prostitution is illegal, numerous forms of services related to sexual relations are found, such as escort services and eros centres. These are often disguised forms of prostitution and are legally sanctioned. Furthermore, law and its enforcement apply mainly to women, while clients, pimps and brothel owners have remained relatively untouched (Truong, 1990: 2). Moreover, since

the emergence of HIV/AIDS, prostitutes have increasingly been subjected to state surveillance and regulation, through the introduction of ID cards and blood testing to prove that prostitutes are free infection. Such intervention provides protection not for women, but mainly for men.

It was begun by suggesting that 'prostitution is one of the oldest professions in the world'. Prostitution is often referred to casually in this way. However, can we speak of prostitution as a profession? If so, there sufficient legal provision for it as waged work? If prostitution is the result of the men's control of female sexuality, prostitution will continue to exist so long as the ideology of male sexual needs persists. However, prostitution can also be explained as women's option for adequately paid productive work. Because it is an illegal activity, the protection which is provided for other types of work is denied. The questions it was discussed in this paper are as follows: why, despite the fact that prostitution is illegal in the Philippines and Thailand, is it flourishing, and how and why has the practice of prostitution served men and their interests? Prostitution is often discussed in terms of promiscuity and vice. It is often talked about as a violation of human rights or women's rights or as a result of poverty. However, it is rarely discussed under the perspective of state and government's economic policy. Poverty alone does not fully explain the expansion of prostitution. The problem of prostitution in the Philippines and Thailand is rooted in unequal

power relations, not only between rich countries and poor countries but also between male and female inside these countries. It can be argued how these unequal relations have an affect in the sphere of politics and practice. Therefore, the purpose of this paper is to explain the recent expansion of prostitution and of HIV/AIDS as its consequence, in the Philippines and Thailand, in relation to the political economy of female sexuality and labour.

This paper consists of the following five sections. The first section is introduction. Next, in the section two is presented an overview of the major theoretical frameworks within which prostitution has been analysed. It examines definitions of prostitution, what sexuality is, and how feminist theory has treated the issue of prostitution. It is necessary to understand sexuality in terms of gender relations and how sexuality has come to be used as a tool of male dominance. The section three provides an overview of sexuality and gender relations in the both Philippines and Thailand. It is focused in particular on how they have changed historically, and what factors influenced this change. This is important because the co-modification of female sexuality has been brought about by changing perceptions of sexuality. It is explained how changing conceptions of sexuality have been utilised by the Philippine and Thailand government for political and economic purposes. Section four briefly compares the situation in the two countries, emphasising the economic reasons

why women choose prostitution.

Theorising Prostitution and Sexuality

Definition of prostitution

To define prostitution is problematic because the notion of prostitution and the extent of its stigmatisation and condemnation vary from culture to culture and era to era. Even within the framework of western culture, it is difficult to define it precisely (Farley, 2009). The problem becomes even greater when an attempt is made to define it in cross-cultural perspective. For example, 'the majority of "prostitutes" in Africa cannot be categorised clearly and the term "prostitutes" is not generally appropriate to the exchange of sexual services for money (Sanders & Sambo, 1991)'. Caution is needed in applying western notions about prostitution to the sexual practises of individuals in different cultures.

Traditionally, the sociological study of prostitution has been set within the context of the sociology of crime and deviance. However, prostitution is not always subject to criminalization and in some cultures the practice of prostitution may be regarded as a sacred rite. For example, in ancient Babylon, the practice of 'prostitution' was connected with religious rituals, because the concept of sexuality was linked with the sacredness of fertility or

mysticism about birth and human life (Vuylsteke *et al.*, 2009).

According to the Encyclopaedia Britannica (1973-1974), prostitution was defined as ‘the practice of habitual or intermittent sexual union, more or less promiscuous for mercenary inducement. It is thus characterised by three major elements: payment, promiscuity, and emotional indifference’ (Cohen, 1982: 411). The three assumptions underlining this definition are that sexual intercourse within socially recognised unions is morally accepted, unpaid and accompanied by emotional attachment. However, these three assumptions are controversial. First of all, in terms of payment, some form of payment is found in social arrangements such as marriage and courtship. For instance, in Thai traditional marriage arrangements, the bridegroom gave silver to the bride’s parents as compensation for the parents’ expenses in bringing up a girl, which means the proprietary rights of a girl were transferred from her parents to her husband (Lee, 1991: 81). Second, Davis (1976) suggests, that because some form of payment is found in all social arrangements such as marriage and courtship, the element of promiscuity must be retained in the definition in order to differentiate prostitution from other types of relation between the sexes. However, Polsky (1967), who defined prostitution as the granting of ‘non-marital sex as a vocation’, argues against including promiscuity as a defining feature of prostitution since women (and

men) who have sexual intercourse on an indiscriminate basis are not considered prostitutes by official agencies and the public. Last of all, in terms of emotional indifference, the relationships between prostitute and clients are often not simply commercial exchanges. That is: the exchanges are not only economic but also social transactions which may continue for some time (Ruxrungtham *et al.*, 2004).

Feminist theorists have likened prostitution to marriage. They argue that legal marriage and polygamy is simply a form of undercover prostitution (Farley, 2009). They argue marriage is a contract to sell their sexual and other services to individual men in exchange for economic security and/or protection from other men (Vuylsteke *et al.*, 2009). The only difference between marriage/polygamy and prostitution is in the price and the length of time the contract runs (De Beauvoir, 1988: 569). It is not only ‘eastern’ women who have been considered property. According to Barnett (1976), ‘western’ women have historically been conceived of men’s property. As a result, women’s behaviour is more limited than that of men. Legally and socially, men are endowed to claim women’s services. Laws on divorce, rape, child custody, alimony, and employment are examples of this. Women are not fully endowed in law to claim her body as her own. For example, many still have no legal right to abortion. From this perspective, prostitutes cannot claim to be selling their own sexual property, and they are denied

the moral right to claim the returns from their labour, because women's ownership of her body does not legally belong to women. In addition, in Southeast Asia, women can be seen not as individual property but as state property because prostitutes are utilised to serve state interests (Ruxrungtham *et al.*, 2004).

In sum, it is difficult to arrive at a general definition of prostitution and we need a wider working definition. Most social scientists agree that prostitution involves the co-modification of sexuality within the marketplace and that the appropriation of women's bodies by men occurs through the medium of a cash nexus (Jackson & Scott, 1996: 20). However, we need to examine prostitution within the context of wide gender relations and the socio-economic position of women (Farley, 2009). If we examine it only in terms of the cash nexus, we cannot explain why men are the main buyers of sex, why (male and female) prostitution exists largely for men, why men are seen as having sexual 'needs' which must be met and why prostitution is often explained as providing a necessary service, i.e. if men do not have access to a regular sexual partner, then an 'outlet' must be found elsewhere (Jackson & Scott, 1996: 20). These questions can only be explained by relating prostitution to the social construction of male sexuality.

The social construction of sexuality

What does sexuality mean? Sexuality has broad meanings. It encompasses erotic desires, practices and identities. It is sometimes used to include the sense of ourselves as women or men. However, "gender" is the term used to cover all aspects of what it means to be a woman or a man and to refer to the social and cultural distinctions between women and men (Vuylsteke *et al.*, 2009). According to the definition by Jackson and Scott, sexuality is not only 'sex acts' but also sexual feelings and relationships. There are two main views of sexuality; one is the essentialist view of sexuality, and the other is the social constructionist view. In the essentialist view, sexuality is conceptualised as a natural instinct or drive which demands fulfilment through sexual activity. It is a 'natural phenomenon', universal and unchanging, something that is part of the biological makes up of each individual. The division of sexual attributes is believed to be based not only on gender but also race and class. Generally, men are supposed to have a stronger sexual drive than women. Also, African and Afro-Caribbean women are believed to be highly sexed, lascivious and promiscuous, and Asian women are considered to be exotic and sexually compliant (Farley, 2009). On the other hand, in the social constructionist view, our sexual feelings and activities, the ways in which we think about sexuality, and our sexual identities, are not

biologically determined but are the products of social and historical forces. This is not to say that biology has no influence on sexuality. Rather, proponents of this view argue that the influence of biology on sexuality is limited. Sexuality is, as with all other social behaviour, learned, acquired, and formed within human relationships and derives from concrete personal and social situations (Eviota, 1992: 21). We learn patterns of behaviour as well as the meanings attached to such behaviour.

In most cultures, male and female of sexual behaviour is seen to be different. As part of their socialisation, boys learn that having sex, particularly intercourse with a woman, is a central aspect of being masculine (Richardson, 1993: 83). It provides them with all the privileges, status and reward that imply. In this sense, power and domination are central to the current construction of male sexuality (Farley, 2009). By being sexual, a man asserts his status and power over others and his identity as masculine. That is why men often boast about sexuality and talk of sex (Richardson, 1993: 83). On the other hand, female sexuality has been defined as different from male sexuality. Sex is seen as both more important to and more uncontrollable for men than it is for women as the result of men's greater sexual urges. Men are seen as naturally the 'dominant' or 'active', whereas women are sexually 'submissive' or 'passive'. Consequently, men 'demand' sex and women 'supply' it. Social constructionists argue

that these different expressions of sexuality are based on ideology rather than genetics (Ruxrungtham *et al.*, 2004). Sexuality is located in a network of social relationships. Sexuality affects and is affected by social, political, economic and religious factors. Therefore, sexuality is as much political as it is physical (Eviota, 1992: 21). The meaning of sexual relations has always changed but no matter what the variations in meaning, a socially constructed sexual relation is a power relation and within this relationship of power, men often exercise institutional control over women's sexuality.

Sexuality and prostitution in the both Philippines and Thailand

Sexuality and gender relations in the both Philippines and Thailand

Sexuality and gender relations in the Philippines

In the pre-Spanish Philippines, gender relations and images of gender were relatively equal but through colonial state and religious institutions, over the course of 300 years, the symbolic content of both maleness and femaleness were reshaped into something similar to that of the Spanish motherland (Blanc-Szanton, 1990: 380; Mello *et al.*, 2006). Prior to Spanish rule, the local populace lived within a subsistence economy with a

comparatively fluid social structure and division of labour. Sexuality was relatively freely expressed, and chastity was not regarded as important for either men or women (Eviota, 1992: 23). Though sexual relationships with strangers was theoretically forbidden under the kin-based organisation of these communities, only extramarital relations were considered inappropriate for women, which showed the beginning of some control of female sexuality by men within marriage (Mello *et al.*, 2006; Vuylsteke *et al.*, 2009).

However, under Spanish rule, the sexual life of the Filipinos was redefined with a strongly religious element. Native women were baptised, dressed to hide the shame of their nakedness and bound by Christian notions of good and evil (Blanc-Szanton, 1990: 380). Young village girls were trained to obey their fathers and the local religious leaders, to cast their eyes down, to be pure, and to pray with the rosary. Meanwhile, the girls of the colonial elite were watched over by duennas, learning enough to read the missal and write their names (Upadhyay & Hindin, 2006).

The colonials brought with them an attitude that the prime purpose of sexuality was as procreation and that sexuality was tied to morality. This led to an emphasis on purity, chastity and virginity and an attitude that extramarital sex was 'sinful' (Roces, 2009). However, they acknowledged the sexual urges of men. *Querida* is this example¹⁾. The male sexual

is considered to be a male privilege and Filipino 'machismo' is often expressed in the following ways, by extensive pre-marital and extra-marital sexual involvement, demonstrations of male fertility through the early and rapid production of children, negative attitudes to ward male contraceptives, a dominant manner to ward women, disdain and disregard for domestic responsibilities, disapproval of their wives engaging in paid work outside the home, and emphasis on physical strength and often violence of settling disagreements (Eviota, 1992: 24; Lee, 1999).

To meet men's demands, while at the same time maintaining the institutions of marriage and family, women became classified as either 'good' or 'bad'; wives and mothers were the 'good' women and prostitutes and mistresses were the 'bad' women. The 'bad' women were utilised to gratify the sexual and other needs of men which were not satisfied within legitimate of 'sacramental' marital relationship with 'good' women (Hindin & Adair, 2002; Rocés, 2009). They started to distinguish between married procreative sex as virtuous and sex for pure pleasure as illicit. This double standard led to a change in sexual roles during the Spanish colonial era. A woman's chastity was seen as her

1) *Querida* is mistresses in western terms, but the system consists of a wide spectrum of relationships, ranging from short - term liaisons to life time attachments with children, whose inheritance rights the law guarantees.

most prized asset, and placed social limitations on a woman's behaviour. 'The feminine' should be chaste, sober, modest, bashful and submissive (Eviota, 1992: 24). These Catholic values of the 'Madonna-whore' with its emphasis on chastity and virginity drove many jilted or raped women to become prostitutes. It was the desire to avoid 'hiya'²⁾. In addition, the introduced double standard exaggerated the differences in the definitions of men and women as sexual beings (Lee, 1999).

When the USA came to the Philippines with ideals of equality and freedom, the women especially elite women responded to the American ideal with enthusiasm. Not only in the urban areas but also in the countryside, women who were educated by the colonial government were encouraged to reject Spanish influences and speak their native mind (Hindin & Adair, 2002). A resurgence of native female independence, entrepreneurship, and ingenuity occurred. The conservatives lamented the loss of Hispanic values, religious and social, such as; moral precepts, sobriety, chastity, obedience, truth and arduous toil, and did not welcome the American values of democracy, fraternity and equality (Upadhyay & Hindin, 2006).

Since the 1950s, and thanks to the liberating effects of modernity, better education, progressive laws, and new employment opportunities were

2) *Hiya* is usually translated as shame. Rather, an anxiety that comes when one's ego is threatened by the loss of community support is suitable.

achieved among middle-class and elite women (Lee, 1999). Ferdinand Marcos promoted and utilised liberalised gender images to gain political capital. He instituted the National Commission on the Role of Filipino Women, established in 1975 in the international year of women and also *Balikatansa Kaumlaran* (Shoulder - to Shoulder for progress), an organisation led by Imelda Marcos, aimed at "raising the consciousness of Filipino women" about their important role (Blanc-Szanton, 1990: 374). However, both organisations dealt with feminine projects such as beautifications, nutrition, cottage industries, youth development, arts and cultures, rather than women's economic and political participation, which reveals an internal contradiction between message and action.

In the 1980's and 2005's, new contradictory images of women could be found being employed by the capitalist, authoritarian regime, with built-in Western Judeo-Christian preconceptions about women grafted onto earlier Mediterranean ones (Upadhyay & Hindin, 2006). On the one hand, Filipino women, who had resisted colonial encroachments and were being further freed by modernity, can be seen as being quite equal to men compared to their counterparts in most developed countries (Vuylsteke *et al.*, 2009). On the other hand, there is a new emphasis on the image of women as primarily wives and mothers, and/or as male sex objects (Roces, 2009). The latter accelerated large-scale prostitution derived from

the military presence, tourism and overseas migration. These stereotypes were moulded by the media and government institutions. The images of Filipino women were manipulated by the state and used as key metaphors.

Sexuality and gender relations in the Thailand

In Thailand, women are said to enjoy freedom and independence, because of local residence. Also, they are said to have an important role in household economics, especially in the countryside, and a high rate of labour participation (Ariyabuddhiphongs & Kampama, 2009). However, these factors do not mean their role is valued or given any legitimacy. Theravada Buddhism has a great influence on gender images and the interpretation of sexuality in Thailand where 95 percent of the population and Buddhists (Nakavachara, 2010). Theravada Buddhism has had an influence on shaping the law, the cultural frameworks and social life of its people (Chaikummao *et al.*, 2003). Therefore, we cannot understand gender relations and sexuality without considering the influence of Buddhism (Ross *et al.*, 2007).

Though it is not known exactly when Buddhism arrived in Thailand, the oldest compilation of the Buddhist canons with commentaries in Siamese prose is the Traibhumi of Phra Ruang (the three-World Cosmography) which dates from 1345 AD. Since its appearance, this body of text has been utilised

for Thai polity and religious practices (VanLandingham, 2004). It was used as a basis for the formulation of Thai law until the turn of this century and the text has been revised and amended, especially when new rulers were from different ethnic groups, in order to justify their rules. Unlike the Philippines, Thailand was never colonised and so gender relations and sexuality were not changed by colonial influence (Ariyabuddhiphongs & Kampama, 2009). It can be argued that how gender relations and sexuality were changed in Thailand through looking at the transition of law.

In Buddhist discourse, the husband must minister to his wife with respect, courtesy and fidelity, and he was to allow her authority in the household (Truong, 1990: 146). Adultery committed by a woman was defined as an offence because of her *karma* and was not accompanied by concrete punishment. However, the *mangra is at* law in the *Sukbothai* period gave husband the authority in the household and the right of a lie nation over his wife (Chaikummao *et al.*, 2003). According to the law women could not participate in public affairs and received unequal treatment in matters related to sexuality (Srirak *et al.*, 2005). Adultery committed by women was subject to death, or a fine to be paid to the husband by the lover. Adultery remained within the sanctity of the family and therefore it was considered a private offence and no public judgement was exacted. Adultery was punishable only when

caught and therefore women were protected from physical violence without substantiated causes (Ross *et al.*, 2007).

However, under the Three Seals laws, a code of conduct, compiled under the reign of Rama (1782-1809) of the Bangkok period and finalised in 1805, the husband's authority over the household and the penalties for sexual crimes such as adultery committed by women were more severe (Nakavachara, 2010). According to this law, a good woman should not let more than one man gain access to her body. This code prohibited a woman from having premarital or extramarital sex, yet at the same time it approved polygamy with three categories of wives: the principal wife (*miaklangmuang*) whose parents consented to her marriage, the secondary wife (*miaklangnok*) who was proposed to marry a married man, and the slave wife (*miaklangtbas*) who was paid out of misery or hardship. Adultery committed by women was considered as legal offences and subject to public intervention (Srirak *et al.*, 2005). Through marriage the parents transferred the custody of their daughter to the husband. This custody gave the husband the traditional right of alienation over his wife. A man could sell, give away or pawn any of his wives without her concern, except for the principal wife. He could administer corporal punishment, provided that the degree of punishment was 'in proportion to her misdeed'. The right of parents to sell their children and that of a husband to sell his wives

was not abolished until 1905 (Haritaworn, 2007). After the abolition of this code in 1903, it was endorsed to the "Committee for Promoting Moral Values of Thai Ladies" by the government in 1979 and its influence still on both men's and women's behaviour remains (Ariyabuddhiphongs & Kampama, 2009).

Now, in Thailand, three traditional models of sexual relations can still be found (Chaikummao *et al.*, 2003). First, taking a wife and being a husband and father; second, taking a minor wife or concubine and being a lover and father; and third, being the client of a prostitute. It is possible for wealthy men to take a wife and a minor wife (or wives) and at the same time visit prostitutes (Haritaworn, 2007). Thai men are expected to be faithful to their wives but they can visit prostitutes without facing social opprobrium. They rarely consider it as adultery. They often consider it as "letting off steam". Many wives tolerate their husbands' behaviour (Ross *et al.*, 2007). However, the situation for women is different. While the husband's promiscuous behaviour is acceptable and does not upset the first and second marital relationships, a wife and minor wife are expected to be perfectly faithful to their husband (Rasamimari *et al.*, 2007). These three categorisations among women serve high status Thai men's masculine prestige as a symbol of their wealth and virility.

The law seems to view women's sexuality as the property of men. The influence of the law of the three seals still remains and if a woman

loses her virginity, is separated from or abandoned by her husband and over she is considered as 'lost' or 'gone rotten' which is one of the reasons why women enter into prostitution (Harrison, 1995: 129). Through the fundamental notions of the law of the Three Seals, Thai society is generous to men's promiscuity and polygamy. However, women especially amongst the middle classes are taught repeatedly, "Don't let more than one man gain access to your body", "A woman's virtue depends on her husband", "Be passive, submissive, yielding to men in relations sexual and otherwise" (Ariyabuddhiphongs & Kampama, 2009). The increasing influence of middle class values in many spheres of life has spread this teaching to the working class as well.

Prostitution in the both Philippines and Thailand

Prostitution in the Philippines

The Philippines became independent from the USA in 1946 (Roces, 2009). However, the latter continued to maintain military bases in the Philippines because of its strategic importance, while, for the Philippine government, much income was derived from rentals on the bases and the accompanying service industries around the bases. In the Philippines, the US base in Subic was established in 1901 during US rule. Before World War II, Olongapo near Subic Naval Base was already an established centre of

a night-life, with about five cabarets. In the 1960s, with the escalation of the Vietnam War, a large number of US servicemen came to Olongapo from South Vietnam for rest and recreation (R&R). for example, in Olongapo, known as the 'liberty city of the US Seventh Fleet', there were more than 500 day and night clubs, bars, restaurants, sauna baths and massage clinics (Roces, 2009; Upadhyay & Hindin, 2006). From 1964 until 1973, the year of the Vietnam cease-fire, a daily average of 9,000 military personnel were going out to Olongapo and millions of dollars were spent on R&R business (Eviota, 1992: 136).

The leases of the Subic Bay and Clark Air Force Bases' renewed by a 1979 agreement between the two countries and Marcos' government received millions of dollars in US military and economic aid. For example, Clark Air Force Base injected 50 million dollars into the Philippine economy in 1981 and Subic Bay Base injected 120 million dollars (Roces, 2009). This income was indispensable to enable the Marcos government to pay back foreign debt and also expand the country's police and military forces (Lee, 1999). In spite of the Vietnam cease-fire, more than 500 clubs and other facilities were still found in Olongapo in 1979 (Eviota, 1992: 136). In this year, Olongapo had 9,056 registered hostesses and entertainers and about 8,000 streetwalkers. By 1983 in Olongapo, there were 16,000 female prostitutes among a population of about 200,000

(Lee, 1991: 80). Angeles city near the Clark Air Base had another 8,000 women working as prostitutes (Upadhyay & Hindin, 2006).

The majority of prostitutes are from the Eastern Visayas and Bicol regions, known as the country's most economically devastated areas, whose inhabitants make a living by tenant-farming, small-fishing, and seasonal-labour. Pimps often go these areas to recruit 12-14 year old attractive girls. They give parents P50 (or about 4 dollars in the late 1970s) and they take these girls with them. They promise the parents to educate their daughters. However, in reality the pimps train these girls to be entertainers and eventually set them up as prostitutes. Their main earnings are from sexual transactions. Besides that, prostitutes earn money as stage dancers and strippers, or as hostesses through tips and commission for their drinks, shares from bar fines (fines paid to clubs to take women out) and wages from massage. On average, in 2006, registered hostesses earned a minimum of P500 (about 40 dollars) a month, though the figure would vary according to the presence of ships (Roces, 2009).

Prostitution is illegal in the Philippines. However, since the state gained tax revenue from disguised forms of prostitution, the state was often involved in keeping it established. The state and establishment owners were sometimes indistinguishable. One third of Olongapo city-council members in 1979 were directly involved or had interests in the industry.

Officials through city ordinances prohibited soliciting outside clubs to ensure their income, because they did not get a share from the sexual transactions themselves, except through hotel receipts. This ordinance requires that all women have a night-off pass from the club from the club operator when they go out with customers in order to distinguish them from streetwalkers (Upadhyay & Hindin, 2006). Income is assured for operators by means of shares in club commissions and bar fines. In addition, the new labour code required prostitutes to obtain licenses, and pay taxes as formal wage work. At the same time, it technically entitled prostitutes to worker's benefits such as social security, benefits, maternity, sick pay and leave; although in practice they could not claim them. Prostitutes were also required to have regular health check-ups in Social Hygiene sponsored by the USA in order to be certified as free from STDs (Roces, 2009).

Prostitution in the Thailand

After the cease-fire of the Vietnam War, the infrastructure related to 'R&R' was diminished and the state needed to compensate for the deficit (Beyrer, 2001; Nakavachara, 2010). The government strongly supported the growth of the tourist industry. Since the United Nations' declaration of 1967 as 'the year of the Tourist', Thailand established the Tourism Authority of Thailand in 1979 and, like the Philippines,

promoted international tourism (Rasamimari *et al.*, 2007; Lacher & Nepal, 2010). Loans from such international organisations as the World Bank and Asian Development Bank were spent on the construction of infrastructure such as luxury hotels and paved roads in sightseeing areas as part of a strategy for achieving economic growth via tourism. However, their tourism-oriented policy also generated large-scale prostitution (Ross *et al.*, 2007; VanLandingham, 2004).

For the Philippines as well as Thailand, tourism is an important means of earning foreign currency. Tourism is the second biggest income-earning sector (Lacher & Nepal, 2010). Successive governments promoted tourism to cover a decrease in export in the late 1980s since, even in the first half of the decade; earnings from tourism sometimes exceeded those from the staple commodity, rice. Prostitution is illegal in Thailand (Ariyabuddhipongs & Kampama, 2009). However, because of state development policy, the government has sometimes openly supported prostitution. Mr Boonchu Rajanasathien, the deputy Prime Minister, at a meeting of governors to promote the tourism industry from all over Thailand in October 1980, the year of tourism, was reported to have made the following statement: *"Within the next two years, we have a need of money. Therefore I ask all governors to consider the natural scenery in your provinces, together with some forms of entertainment than some of you might consider*

disgusting and shameful because they are forms of sexual entertainment that attract tourists. Such forms of entertainment should not be prohibited if only because you are morally fastidious. Yet explicit obscenities that may lead to damaging moral consequences should be avoided, within a reasonable limit. We must to this because we have to consider the jobs that will be created for the people."

Not only politicians, but also the police tacitly permit prostitution. It is known that politicians, the military and the police are often pulling the strings behind the scenes (VanLandingham, 2004; Rasamimari *et al.*, 2007). Mattani Rutnin, a Thai scholar, as commented, "Corruption among police officers who protect the interest of brothel owners and brokers for monetary reasons is a known fact and an endless embarrassment of the Police Department" (Muecke, 1992; Nakavachara, 2010).

Prostitution exists mainly in area where foreigners are heavily concentrated (Ariyabuddhipongs & Kampama, 2009). Tourism brochures emphasise women's youth, beauty, and compliance and are usually sexually explicit. Here are some examples of female sexuality being sold in advertisements in tour brochures. *"Thailand is a world full of extremes and the possibilities are limitless. Anything goes in this exotic country - especially when it comes to girls. Yet visitors to Thailand cannot always find the exciting places where they can indulge in unknown pleasures. It is frustrating to have to ask the hotel receptionist in broken English where you can pick up*

pretty girls. Rosie Reisen has come up with the answer. For the first time in history you can book a trip to Thailand with erotic pleasures included in the price (Heyzer, 1986: 52) ”.

Prostitution as crime in the Philippines and Thailand: Criminological Perspectives

Comparison between the Philippines and Thailand

In the previous section, as I explained how the concepts of sexuality and gender relations have changed in the Philippines and Thailand. This explanation provided a background for understanding the utilisation of female sexuality by the respective governments as a development strategy. Here briefly compare the situations within these two countries.

Though the religious and colonial processes and experiences were different, the same characteristics of gender relationship and sexuality can be found both in the Philippines and Thailand. Both societies flatter men for their promiscuity, while women are required to be chaste and are forbidden to have premarital or extramarital sexual relationships (Upadhyay & Hindin, 2006). Men, on the other hand, are allowed to have promiscuous sexual relationships. This double standard has led in both places to a classification of women as good and bad. The role of a good woman is having children and

that of a bad woman is satisfying men's sexual needs. If a woman cannot fulfil the requirement to be a 'good' one, her body is then transformed into a tool to earn a living. This is the general rule in these patriarchal societies (Beyrer, 2001).

The emphasis on chastity restricts the sphere of a woman's activity. Women are considered to be naturally suited to, and expected to be responsible for, child-care and the housework. The woman's place is limited within the household (Newman *et al.*, 2011). On the other hand, men are expected to be the breadwinners (Ariyabuddhiphongs & Kampama, 2009). Based on differential notions of male and female sexuality, the image of the 'good' women was created, characterised by sobriety, modesty, bashfulness, submissiveness, passivity, subservience and materialism (Eviota, 1992: 28). This image has led women into feminine servicing work such as nursing, teaching, domestic services, and prostitution. These feminine images are often expressed in tourism pamphlets and brochures for recruiting overseas migrant workers.

Based on this masculinise ideology, both governments promoted R & R, tourism, and prostitution. During the Vietnam War, the US concluded treaties with these two countries and large numbers of American servicemen came from South Vietnam to these two countries for R & R. After the US withdrawal from Vietnam, both governments needed another policy to make up for R & R and to repay foreign

currency debts. The solution was sex tourism (Lacher & Nepal, 2010). However, in the Philippines, due to the existence of the American military bases, even after the cease-fire of Vietnam War, prostitution remained around the US bases in Angeles and Olongapo, and continued until the closure of the US bases in 1991 and 2002 respectively (Aheto & Gbesemete, 2005; Roces, 2009).

In both countries, tourism is an important foreign currency earner. Both governments control female sexuality and use it as a tool for earning money. Even though prostitution is illegal, they accept it tacitly, because they need it to maximise the income from tourists. Both of the governments were involved in prostitution, publicly through taxing income earned through prostitution and privately through the involvement of government official in the management of brothels. In addition, international organisations such as the World Bank and IMF through their loans indirectly supported the used of such tourism as a development strategy. While the scale of prostitution has been reduced by feminist opposition groups, prostitutes are now recruited in Thailand and the Philippines to work in the countries of their clients (Roces, 2009). Indeed, one of the roots of labour migration in these countries was tourism. The way the Philippine and Thai governments promote prostitution tacitly in R &R, tourism and labour-export, in order to earn foreign currency, is another

example of men's control over female sexuality. The states' interest represents men's interests and for this purpose the states control female sexuality. In this way, the background of the recent expansion of prostitution must be seen in relation to the political economy of female sexuality and labour.

What about women are experiences working as prostitutes in Thailand and the Philippines? In Thailand, prostitutes are often characterised as dutiful daughters, encouraged or driven into prostitution as part of a household livelihood strategy (Rigg, 1997: 134). They also earn a merit through helping their families. They maintain links with their families even after starting to work as prostitutes. They send their earnings home regularly to alleviate their family's economic hardship. So, prostitution for them is a survival strategy, not only for themselves, but also for their families (Ariyabuddhiphongs & Kampama, 2009). By contrast, in the Philippines, to be prostitutes is a survival strategy for the women themselves, rather than for their families (Roces, 2009). In most cases, they have limited contact with their kin and keep a distance from their hometown because they feel ashamed. Prostitution gives prostitutes a degree of economic autonomy, which enables them to create female-headed or female-only households, and frees them from dominating husbands and fathers. However, prostitutes in both countries cannot avoid stigma. It is not until they quit prostitution

that they can re-enter the ‘normal’ world.

Socio-Economic Transformation and Job Opportunities for Women

In the Philippines and Thailand, most of the prostitutes working around US military bases or tourist places are from rural areas which are influenced by social change and do not receive benefit from development (Beyrer, 2001; Mello *et al.*, 2006). Because of the huge economic difference, people are said to be pushed to the cities in the hope of getting jobs (Aheto & Gbesemete, 2005). In this section, it can be argued that economy is importance, to shed light on why women enter prostitution, and mainly focusing on Thailand, and also look at the economic differences between the Philippines and Thailand, and the connection between this factor and prostitution.

Thailand achieved dramatic development in the 1980s. However, there is a huge economic gap between Bangkok and other regions such as the northeast, north, and south regions. The agricultural sector in those three regions accounted for 32 -37 per cent of gross domestic product, while in Bangkok, the share of the agriculture sector was only 3 per cent, compared with 47 and 50 per cent for industry and services respectively. Bangkok accounts for half of total gross domestic product, although it has only 16 per cent of the country’s population. Looking at family earnings by region, those in

Bangkok are relatively higher than in other regions. Furthermore, the school attendance rate in secondary education in urban areas, particularly Bangkok, is higher than in rural areas. Only 14 per cent of rural children are educated beyond the compulsory primary level, compared with 80 per cent in Bangkok (Lacher & Nepal, 2010; Newman *et al.*, 2011).

Rural poverty has been exacerbated by the rapid structural transformation of the Thai economy (Parnwell, 1996). Rural areas are engaged mainly in agriculture. In 1960, agriculture was the most significant sector of the economy, but in 2000, only 12 per cent of Thailand’s GDP and 23 per cent of export came from agriculture, compared with 40 and 91 per cent respectively in 1960. Since the early 1970s, manufactured exports have expanded at a rapid rate and in 1986; exports of manufactured products exceeded those of agricultural produce. Consequently, manufacturing, services and finance have become dominant. Despite the success of the manufacturing sector, it does not generate enough employment because of its emphasis on capital-intensive techniques (Lacher & Nepal, 2010). Thus, this rapid structural transformation of the Thai economy has caused problems of unemployment.

In addition, the role and status of Thai women in the traditional agricultural economy has been changed and transformed after Thailand’s integration into the world capitalist system and the introduction of cash crop

production caused by the Green revolution in the 1960s (Newman *et al.*, 2011). Women in pre-modern Thai peasant society enjoyed equal economic status with men as they played an important role in agricultural production (Parnwell, 1996: 20). Men were not the main income-earners of the family until the emergence of cash crops. However, cash crop production and the introduction of mechanisation have reduced the importance of female labour and knowledge in rice production, placing men as the bread winners and central to agricultural production. As a result, women's status in communities became lower and they had to depend on men economically, and thus they were excluded by them.

In this way, inequalities of income distribution between Bangkok and other regions, lack of employment opportunity and the rapid socio-economic transition stimulate migration from rural to urban areas. These push factors to migrate from rural to urban areas in Thailand, mentioned above, and are found in the Philippines as well. In rural areas in the Philippines, most of the people are landless and tenant farmers (Mello *et al.*, 2006; Rocas, 2009). Their lives are vulnerable because of land reform, and the emergence of cash crops caused by the green revolution.

It can be argued that the importance of socio-economic transformations and employment opportunities for women in explaining the rise of prostitution. In both countries, the distribution

of wealth is unequal between rural and urban area. This gap is expanded by the rapid structural transformation. This transformation changed women's role in agricultural sectors and brought about unemployment issues. People migrate from rural to urban areas in the hope of getting a job (Newman *et al.*, 2011). Prostitution can bring a higher income compared with other jobs. It is a rational choice for young women who do not have a high education and many opportunities to get a job in a for male. Therefore, though each person has a different motivation to enter prostitution, it is certain that prostitution is a relatively better choice among the limited choices available to them.

However, prostitution is technically illegal in both countries and because of this legal status; prostitutes are put in a disadvantageous position in society. If prostitution is accepted as work, it should be governed by legal provisions like other occupations. Both countries regulate female prostitutes through compelling them to register and carry an ID card and take a health checks for STDs including HIV/AIDS (Beyrer *et al.*, 2009). These measures were introduced because the governments were worried about the decline in income from tourism. However, they protect not female prostitutes, but only male clients. To avoid female prostitutes contracting AIDS, measures should be taken to provide protection for them, too.

Conclusion

This paper has tried to explain the recent expansion of prostitution and of HIV/AIDS pandemic as its consequence in the Philippines and Thailand. In section two, I introduced the definition of prostitution. Opinions differ in terms of how to deal with payment, promiscuity, emotional difference, and coercion. In general there is an agreement on the point that prostitution involves the co-modification of sexuality and the appropriation of women's bodies by men, through the medium of a cash nexus. However, if prostitution relates only to the cash nexus, why is it mainly men who buy and women who sell around the US bases and tourist places in the Philippines and Thailand? To understand this, I touched on gender relations and the socio-economic position of women. Secondly, the theoretical analysis of prostitution was explained, using three feminist theories: radical, liberal and Marxist feminist perspectives. Radical feminists consider prostitution to be a result of men's control over female bodies. They cannot accept prostitution as work. On the other hand, liberal feminists accept prostitution as work and they consider prostitution as a rational choice under the conditions of limited occupational choice. Marxist feminists see prostitution in terms of female poverty and view prostitutes as women who are struggling for their survival. In section three, I explained how the notion of sexuality and

gender relations has changed in the Philippines and Thailand in order to understand power relations between men and women. In both the Philippines and Thailand, women's sexuality is considered an object and controlled by the patriarchal ideology. Men are treated as human beings with natural sexual needs and sexual promiscuity is accepted for and practised by men without any negative social sanction, whereas virginity is imposed as the most important asset of a 'decent' woman. Based on this male-dominated ideology mentioned above, the Philippine and Thai governments have utilised female sexuality to achieve a development strategy. In the Philippines and Thailand, although prostitution is ostensibly illegal, the authorities did not oppose it. On the contrary, they promoted it tacitly and were involved in it publicly and privately, under the notion of men's control over the female body. Moreover, the states' policies in the way they deal with female sexuality have not changed. It is also important to consider the great material differences in wealth between rural-urban areas in the Philippines and Thailand. Poverty is one of the reasons women migrate from rural to urban areas and abroad. In addition, prostitution provides higher earnings compared to other occupations. Currently, prostitution is illegal in the Philippines and Thailand. This illegal position puts prostitutes in a dangerous position in relation to pimps, clients and police and limits their protection from HIV/AIDS. The

anti-prostitution laws punish only the women, which is discriminatory. It should punish the clients and agents that violate these laws. However, anti-prostitution laws will not change the situation of women working in the sex industry. Prostitution should be decriminalised, while the political and economic system must be changed. Secondly, mandatory testing is a violation of human rights and the effectiveness of mandatory testing is doubtful. Testing should be accompanied by provision of alternative jobs and welfare support to prostitutes who are HIV positive. In the Philippines, prostitutes are technically entitled to receive social welfare systems such as sick leave; however, most of them cannot claim it. If prostitutes are HIV positive, it makes them more economically and socially vulnerable, more desperate to make money, and less able to protect themselves from their clients. Prostitutes, especially those who are forced into the business, do not have economic alternatives available to them and cannot leave from sex work even though they are unable to continue in this industry. Often they continue working to cover the increased expenses brought by their health problems. Without explicit provision for alternative incomes to make it possible for prostitutes to stop working, it is uncertain how effective mandatory testing plans could be. It is a fact that it is easy to buy a certificate that states a prostitute is uninfected. In the Philippines, some prostitutes get a new paper every three months, and it costs less than

the HIV test. The Thai government introduced a new anti-prostitution law under which men visiting brothels are arrested and pimps and brothel owners are imposed to penalties in 1996. However, as long as prostitution is illegal and prostitutes do not have power to express their own rights, HIV will be exchanged between buyer and seller (Beyrer *et al.*, 2009). The recent expansion of prostitution in the Philippines and Thailand is associated with increased foreign presence as a result of specific development strategies. It is based on and reinforces patriarchal ideology. Prostitution is a rational choice for some women who suffer from poverty, because of recent socio-economic transformations, lack of education and employment opportunities. Moreover, certain cultural factors, such as filial duty, mentioned in section three, encourage women to enter prostitution. However, prostitution is technically illegal in both countries and because of this legal status; prostitutes are put in a vulnerable position in society. If prostitution is accepted as work, it should be governed by legal provisions like other occupations. In the countries studied, national prosperity has for too long been dependent on the continuation of female subordination and poverty, and they have neglected to pay attention to the long-term effect of HIV/AIDS on prostitutes.

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필리핀과 타이 매춘에 대한 범죄학적 연구

최 관

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이 논문은 필리핀과 타일랜드에서의 매춘범죄의 현상과 그 결과로서의 HIV/AIDS 현상 등에 대해 범죄학적 관점에서 고찰하는 것이 목적이다. 이를 위해, 2절에서는 매춘범죄에 대한 정의 및 분석 그리고 이론적 틀을 살펴보는데 중점을 두었으며, 3절에서는 필리핀과 태국에서의 성적인 성 (Sexuality)과 사회적인 성(Gender) 사이의 관계를 고찰함과 동시에 역사적으로 어떻게 변화되어 있는지도 살펴보았다. 또한, 이렇게 변화된 “성”에 대한 개념들이 어떻게 필리핀 그리고 태국 정부에 의해서 정치적 / 경제적인 목적달성을 위해서 왜곡되어 왔는지에 중점을 두었다. 그리고 4절에서는 왜 여성들이 경제적인 목적과 욕구를 충족시키기 위해서 매춘이라는 수단을 선택할 수밖에 없는지에 대해, 필리핀과 태국 두 나라의 상황들을 비교 고찰하였다.

주제어 : 매춘, 필리핀, 태국, 정치경제, 여성, 범죄학적 관점