

The Intersectionality of Commercial Sex Work: Kenya Sex Workers Alliance

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Abstract. The commercial sex work industry allows many women to find economic empowerment and work to care for their families. However, in a patriarchy women are asked to be caretakers, in a system that offers little support. The organization Kenya Sex Worker Alliance (KESWA) aids sex workers, while actively working to destigmatize the sex work industry, instead, crafting sex work as a labor sector.

In Kenya, the commercial sex work industry offers an opportunity for women to gain economic empowerment by owning their sexuality. Sex work is defined as the voluntary consensual sale of sexual services and entertainment. As an industry, sex work is a growing sector of the Kenyan economy under neoliberal and globalized economic conditions, which makes sex work a strategic option for women coping with lack of social services and safety nets. Looking at the commercial sex work industry using the gender and development theoretical approach crafts a comprehensive understanding of the rationale that brought women to their situations. Through sex work, many women are able to provide for their families in a failing system that has routinely decreased funding to healthcare, education, food support, and other social welfare programs. However, a patriarchal society dictates that women fulfill the role of caretakers. Because of the absence of social resources, sex workers are exposed to health risks and legal infractions. The organization Kenya Sex Worker Alliance (KESWA) works to reclaim and clarify the term sex work to advocate on behalf of sex workers. Breaking down and redefining sex work allows for policies that better protect the rights and needs of sex workers upholding their basic human rights. It is necessary to consider the entirety of the impacts to those who choose to sell sex, to adequately protect sex workers and improve healthcare in the sex industry.

Because of the holistic perspective, the gender and development (GAD) approach is helpful when understanding the commercial sex work industry in Kenya, and taking special care to acknowledge the many factors at play. The gender and development theoretical approach takes a holistic perspective looking at all aspects of women's lives in order to understand the social, cultural, and economic reasons for women's choices (Adumo, 2020). The GAD approach takes a special focus on highlighting women's contributions inside and outside the household, including non-commodity production (Adumo, 2020). The Gender and Development approach provides a strong framework for understanding commercial sex work in the context of patriarchy, colonialism, and neoliberalism.

It is important to frame the boundaries of sex work within the context of African societies, where intimate relationships often include gifts, money, and sex, blurring the line with sex work (Česnulytė, 2015). Further, women usually exchange sex along with other services in order to meet men's reproductive needs. Because of their identity as women, marriage and other exchanges of services often ensure women stability in harsh socio-economic conditions. In other words, marriage frequently guarantees women a higher quality of life, thus marriage is an economic exchange for many women. However, commercial sex work refers to "the exchange of money or goods for sexual services. It always involves a sex worker and a client and it frequently also involves a third party" (Overs, 2002, p.2). In this definition, clients usually include men who explicitly pay cash or other resources in exchange for sexual services or other entertainment services.

Given Kenya's history under British colonial rule, Kenya holds many patriarchal colonial systems that stem from European colonial states. These patriarchal colonial systems socially position women in subordinate roles as "caretakers," where women's primary role becomes

fulfilling a reproductive and caretaking responsibility (Česnulytė 2015). In addition to their role as “caretakers,” women often must support their families by seeking additional sources of income to support their under-resourced families. Because of the social construction of women as “caretakers,” society offers few opportunities for professional success for women, thus keeping women in a cycle of oppression under male control.

Additionally, the growing wealth disparity in Kenya offers new economic challenges that intersect with gender differences and disparities, disproportionately impacting women (Owano 2014). Beginning in 2010, Kenya began decreasing funding to the healthcare sector, significantly impacting the poorest and most reliant population. With the defunding of the healthcare system, the poorest and most dependent group was forced to dedicate over forty percent of their non-food spending on their healthcare needs (Kimathi 2017). This systemic change, paired with Kenya’s reduced spending on education, food support, and other social welfare programs, placed a greater burden on women to meet their economic needs (Pile and Ward 2003). Further, the structural adjustment programs enacted in the 1990s which sought to promote export diversification led to lower wages for women (Lowthers 2017). In response to a changing economic economy, informal industries—including the commercial sex work industry—provided means of survival for women in the absence of state support. The commercial sex work industry extends an opportunity for women to provide for their families or themselves, while other industries exclude them from accessing economic support.

Further studies found that depending on the different labor markets, female labor migrants engage in different sexual commerce. Female heads of household will establish transactional sexual relationships in exchange for goods or money (Lowthers 2017). However,

commercial sex, or sex for employment, also exists frequently with the same purpose of working.

One group of women who engage in sex work as either part-time or full-time employment is the female seasonal migrant workers who also work in the cut flower industry. Because the cut flower industry is seasonal employment, female migrant workers move in and out of full-time sex work to supplement their paycheck and support their families. During the cut flower season, women supplement their paycheck by also laboring in the commercial sex work industry. In many cases, migrant workers have sex with managers and supervisors at the flower farms in exchange for employment or promotion (Lowthers, 2017). The cut flower industry serves as an example of the many industries that under patriarchy treat women as expendable and exploitable because of the traditional ideal of the gender division of labor.

The same patriarchal system that burdens women with care-taking responsibility and subsequently leads them to sex work also villainizes and marginalizes women for taking ownership of their bodies in the name of economic empowerment (Česnulytė 2017). Further, the patriarchal system seeks control over women's bodies as a means to uphold power structures that privilege men. In Kenya, the Kenyan State Law outlaws sex work as well as other related activities, which leads to less protection of workers. This criminalization of sex work results in an increase in violence, sexual assaults, and broadly abuse. The Kenyan Penal Code establishes that living off of earnings from prostitution and soliciting sex provides grounds for a criminal conviction (Česnulytė 2017). The lack of legal rights and protections causes sex workers to be vulnerable to both arrest and abuse by law enforcement (Kenyan Sex Workers Alliance, 2018). Further, because sex worker is not legal or protected, sex workers receive little to no healthcare,

which puts them at a greater risk of sexually transmitted infections and diseases, such as HIV/AIDS (Česnulytė 2017).

In response to the stigmatization and criminalization of sex work, the Kenya Sex Workers Alliance (KESWA) emerged in 2010 following the first African-wide convention held in Johannesburg, South Africa which was led by sex workers, with the hope of prompting global conversation on the need for human rights within the sex worker industry (Česnulytė 2015). The organization Kenya Sex Workers Alliance, also known as Key Affected Population Health and Legal Rights Alliance, seeks to push against these stigmas, address violence, policy discrimination, as well as protect the health of Kenya sex workers. Specifically, KESWA was formed by uniting smaller existing Kenyan sex worker groups to build a platform to amplify the voices of Kenyan sex workers within civil society across Kenya. With the birth of KESWA, grew a centralized movement representing nearly 75 member groups of Kenyan sex workers who share their unique and diverse perspectives. The Kenya Sex Workers Alliance has the vision to create “a Kenyan Society that recognizes sex work as work and promote equal protection on human rights which are foundational of a democratic society” (Kenya Sex Workers Alliance 2018). Today, KESWA aims to build coalitions on the local, national, and regional levels in order to better protect sex workers across the region. Additionally, KESWA strengthens existing legal frameworks to meet the basic human rights needs of sex workers.

One critical aspect of KESWA’s work is to build exposure to the reality of sex workers as well as the sex work industry in order to combat negative stigmas. In her TED Talk titled “The Danger of a Single Story,” Chimamanda Ngozi Adichie describes the importance of explaining the entirety of someone’s situation or story. After describing numerous stories where people fail to understand the full picture, she reflects on her own life stating “What struck me was this: She

had felt sorry for me even before she saw me. Her default position toward me, as an African, was a kind of patronizing, well-meaning pity” (Adichie, 2009). She concludes by reflecting on her roommate’s single story of Africa as “a single story of catastrophe. In this single story, there was no possibility of Africans being similar to her in any way, no possibility of feelings more complex than pity, no possibility of a connection as human equals” (Adichie, 2009). Adichie’s words communicate the importance of understanding the complexity of situations as opposed to quickly jumping to conclusions. This concept readily applies to the commercial sex work industry and KESWA’s work destigmatizing sex work. Describing the nuance of the situations that drive people to sex work helps to create a complex picture that allows for a stronger understanding to draft and pass to protect sex workers. In other words, through a social campaign the general public begins to understand the reality, lives, and situations sex workers face which allows for the acceptance of individuals’ life choices.

In their work, KESWA has advocated for the discourse surrounding selling sex to use the term ‘sex work,’ which depicts sex work as a labor category as opposed to an illegal negatively stigmatized activity (Česnulytė 2015). KESWA’s primary form of structural growth aims to increase the visibility of sex workers through mobilizing and integrating sex work into news and popular culture (Kenya Sex Workers Alliance 2019). It is essential to increase visibility in order to distinguish between voluntary adult sex work and human trafficking, as often these two terms are conflated with one another (Kenya Sex Workers Alliance 2019). KESWA works hard to make these distinctions and advocate on behalf of legal, healthcare, and other benefits that come from legitimizing sex work.

As the sex work industry continues to grow as a sector of the Kenyan economy, it is important to redefine and reconceptualize sex work. The organization Kenya Sex Workers

Alliance aims to destigmatize sex work as a step towards crafting legislation to protect sex workers and promote health and safety. Forming a complete narrative of sex work, through a gender and development theoretical approach, helps to create a conceptualize the areas where government fails to adequately provide, while simultaneously, criminalizing sex work. Sex work is a developing economic sector that requires support and development.

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