

Child prostitution in sub-Saharan Africa: Bringing back the agenda

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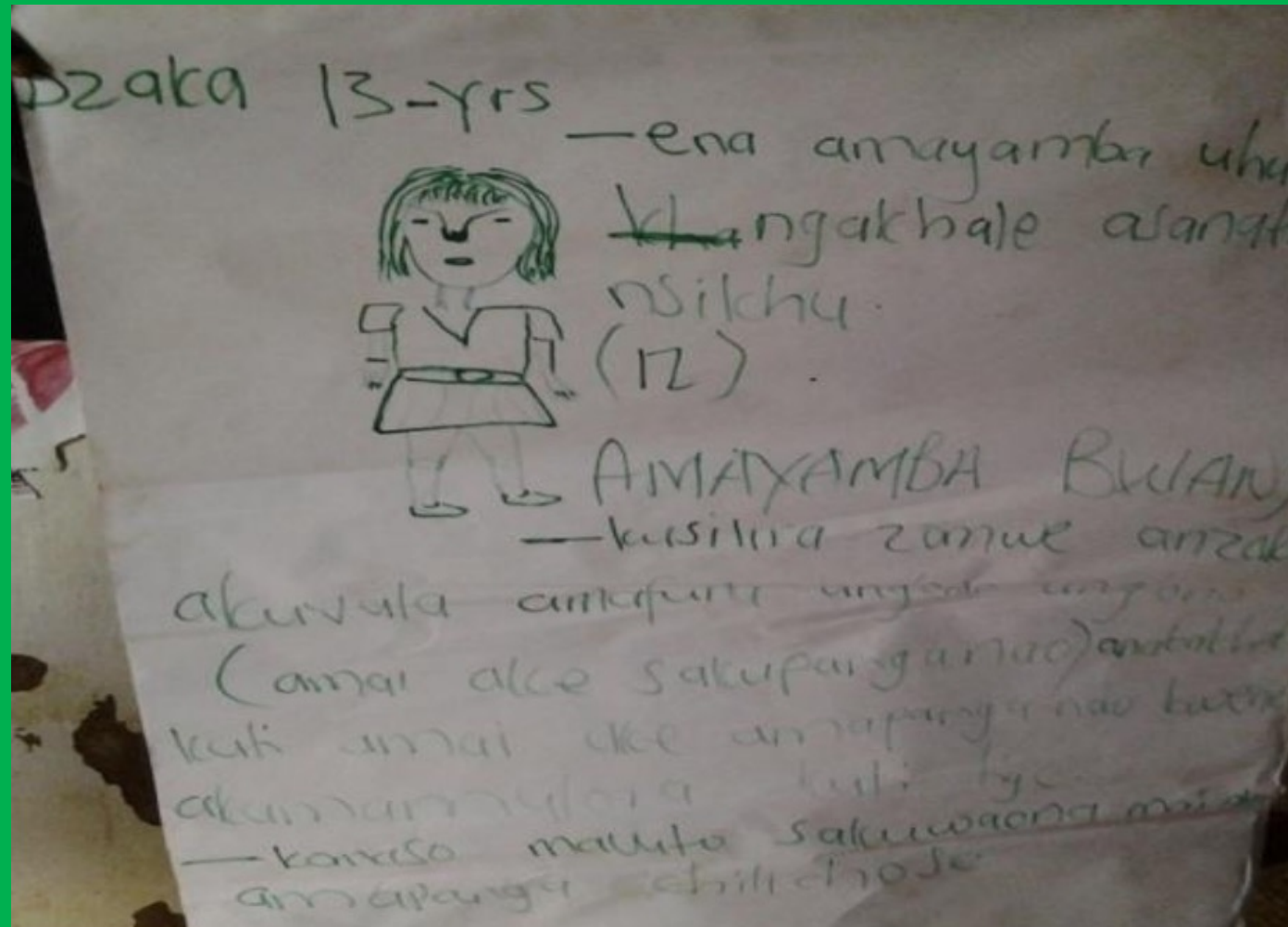
March 14-15, 2023.

1. Why are children & young involved in prostitution?
2. How are children & young people involved in prostitution?
3. What are children and young people's experiences of prostitution?
- 4. How are children and young people involved in and with experiences of prostitution supported?**

Child Prostitution: A form of modern slavery

The **USE** of **children** for sex in exchange for some form of remuneration, monetary or otherwise

- Worst form of child exploitation
- A form of child slavery



Theorisation of Child Prostitution

Children's Rights Approach:
Convention on the Rights of the Child

Structure & Agency: Involvement as a personal decision and/or as a result of structural factors – involvement as economic decision, indentured etc

Feminist perspectives – women's exercising agency or being objectified

Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography

African Charter on the Rights and Welfare of the Child - **Article 27**; **Article 29** & African Youth Charter - Article 23 (also, Article 15)

ILO's Convention 182

African Union 

An Integrated, Prosperous and Peaceful Africa

AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD



Safeguarding the African child: Why is the children's rights approach inadequate?

Underage girls Raid stirs debate

by [Kondwani Kamiyala](#) — 21/10/2021 in Front Page, National News, News 5 min read



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Efforts by Ministry of Gender, Community Development and Social Welfare to rescue young girls suspected sex trafficking have drawn mixed reactions from activists.

At least seven girls aged between 14 and 16 were rounded up in Biwi Township in Lilongwe on Tuesday in an operation Minister of Gender, Community Development and Social Welfare Patricia Kaliati led her ministry officials and armed police. She said the raid was meant to fight sex trafficking of young girls in the country.

During the raid in Lower Biwi area the young girls were rounded up in rest houses, lodges and b



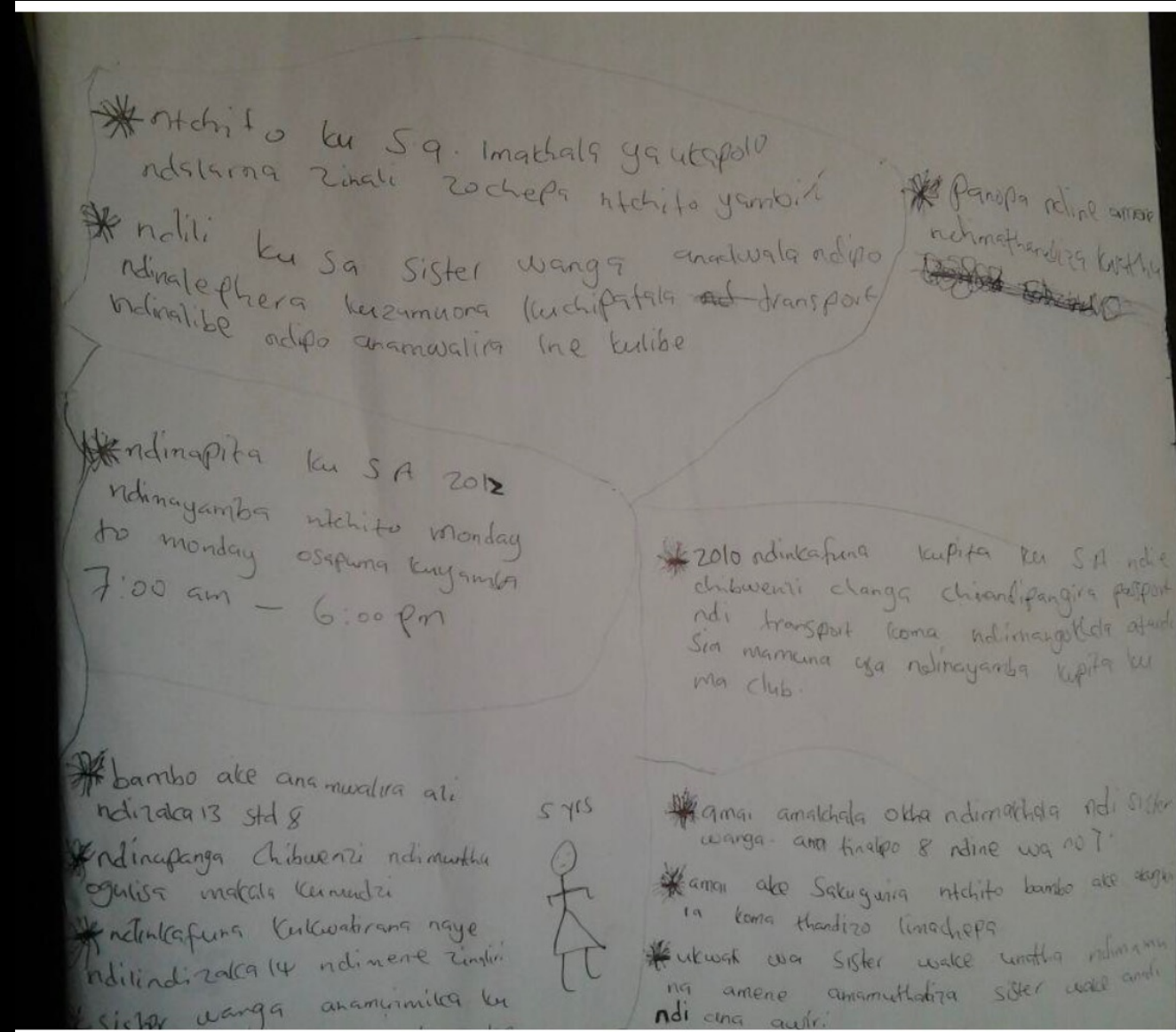
Loni's life story

- Abducted
- Worked at a brothel
- Forced to work
- Denied food
- Sleep with clients
- Harmed – cut using a razor blade
- Escaped (& rescued)



Labani's story

- “My job in South Africa was no different from slavery. I was getting peanuts as my salary despite working every day of the week”.
- She was 13 years old when her father died, still in Standard 8.
- Nearly married at 13 but “my sister took me to stay with her”.
- “I am currently the one who supports my mother, who is in her old age”



Re-focusing the lens:

Engaging intersectionality & the
capability approach

Re-focusing the lens: The capability approach

- Concerned with human rights and social justice, the approach refers to ‘capabilities’, the freedom of human beings to: “lead the kind of lives they value – and have reason to value’ (Sen, 1999 p. 18), and *functionings*, what people actually do, or are.
- A core concept of the approach is **freedom of choice to lead a valued life** and achieve what will **contribute to well-being**.



Capabilities	Description
Life	Being able to live to the end of a human life of normal length; not dying prematurely, or before one's life is so reduced as to be not worth living.
Bodily Health	Being able to have good health, including reproductive health; to be adequately nourished; to have adequate shelter.
Bodily Integrity	Being secure against violent assault, including sexual assault and domestic violence and having opportunities for choice in matters of reproduction.
Senses, Imagination, and Thought.	Being able to: <ul style="list-style-type: none"> - think, and reason – and to do these things in a “truly human” way, a way informed and cultivated by an adequate education. - use imagination and thought in connection with experiencing and producing works and events of one's own choice. - use one's mind in ways protected by guarantees of freedom of expression with respect to both political and artistic speech, and freedom of religious exercise.
Emotions.	Not having one's emotional development blighted by fear and anxiety.
Practical Reason	Being able to form a conception of the good and to engage in critical reflection about the planning of one's life.
Affiliation	Having the social bases of self-respect and non-humiliation; being able to be treated as a dignified being whose worth is equal to that of others. This entails provisions of non-discrimination on the basis of race, sex, sexual orientation, ethnicity, caste, religion, national origin.

(Source: Nussbaum 2003, pp. 41–42)

Re-focusing the lens: The capability approach

- “We can only have an adequate theory of gender justice, and of social justice more generally, if we are willing to make claims about fundamental entitlements that are to some extent independent of the preferences that people happen to have, preferences shaped, often, by unjust background conditions” (Nussbaum, 2003, p. 40)



Re-focusing the lens: No one leaves

- **Adaptive preferences (Nussbaum, 2005):** child prostitution grounded within key structural conditions which constrain girls' and young women's choices to the extent that involvement in prostitution for them emerge as an option/norm despite describing the experience as being "less than human"
- **Ambiguous agency:** It is instrumental to identify 'freedoms' and 'unfreedoms' – the **obligation to do something one would not choose to do**, if there were any plausible alternative - (Sen, 2005; Nussbaum, 2005; Bordonaro & Payne, 2012). , p. 153)
 - *Any sense of agency exercised in unconstrained, or significantly less constrained, circumstances for children and young people living in precarious circumstances*

No one leaves

Normalisation of prostitution (& transactional sex)

“Zoyamwira” [hereditary], “za m’magazi” [Involvement is “genetic” [in the bloodline]

“For us, it is prostitution”

Restricted choices

Survival involvement: poverty, orphanhood...

(adult & child prostitution – where do you draw the line)

Prostitution leaves girls and young women with little opportunity to ‘plan’ their lives or be treated with dignity as people of equal worth to that of others (Nussbaum, 2003).



Re-conceptualising involvement in prostitution
as:

1. *happenings* constrained by circumstances and structural factors; and
2. not only occurring within but also generate an **intersectionality** of experiences requiring different policy & practice interventions to ensure effective & long lasting 'safeguarding' of children (Cho, Crenshaw & McCall, 2013)

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