

Association for Moral and Social Hygiene

ORCHARD HOUSE, GREAT SMITH STREET, LONDON, S.W.1.

LEAGUE OF NATIONS AND TRAFFIC IN WOMEN.

Memorandum

ON

Prohibition of Foreign Women in Tolerated Houses.

During the Third Assembly of the League of Nations (September, 1922), the following Resolution was adopted :—

“ THAT, in view of the fact that the system of State Regulation which exists in certain countries is thought in many quarters to encourage the traffic in women, the Advisory Committee should be asked by the Council to consider whether, pending the abolition of the system, it could be agreed that no foreign woman should be employed or carry on her profession as a prostitute in any licensed houses, and that the recommendations of the Advisory Committee on the subject should be included in its next report to the Council.”

ATTITUDE OF THE A.M. & S.H.

The Executive Committee of the A.M. & S.H. has carefully considered this matter and is unable to support any proposal for an international agreement prohibiting foreign women in licensed brothels. It is convinced that the only effective method of checking the traffic in women is the universal abolition of the Regulation system. To get rid of the organised traffic we must get rid of the organised market (*i.e.*, the licensed or tolerated brothel).

Nevertheless, the resolution is a most important one and we are glad that it was supported by Mrs. Coombe Tennant (Gt. Britain) and Mrs. Dale (Australian Commonwealth) and adopted by the Assembly, as it must inevitably raise the whole question of Regulation and the tolerated brothels, and we are specially pleased to note that the words “ pending the abolition of the system ” were carried without any country voting against them.

It will be seen that the Resolution does not definitely recommend such international agreement, but only asks the Advisory Committee to consider the question.

The Advisory Committee on the Traffic in Women and Children meets in March, 1923, and it will have this resolution to deal with. Any recommendation of the Advisory Committee will be sent to the Council of the League of Nations and thence to the Assembly, but it will have no binding force till passed by the Assembly.

What will be the attitude of British social organisations towards the question of prohibiting foreign women to be in “ maisons tolérées ”? British representatives on the Advisory Committee are :

(Chairman) Mr. S. W. Harris (of the Home Office),
Miss Baker (International Bureau for the Suppression of Traffic in Women and Children),
Mr. S. Cohen (Jewish Association for the Protection of Women and Girls).

These official representatives will undoubtedly be interested in the view taken by other British Societies.

The A.M. & S.H. attitude on these matters is necessarily defined by the principles of the International Abolitionist Federation. We are out for the total abolition of “ maisons de tolérance,” and we cannot have anything to do with attempts to improve the brothel regulations nor can we give active assistance even to schemes designed to afford greater protection to the women in the brothels. We fully sympathise with and appreciate the intention, but no Abolitionist can support special legislation or regulations concerning prostitutes, or servants, in licensed brothels for the following reasons.

OUR REASON FOR OPPOSING.

In nearly every country in the world where State Regulated Prostitution exists it has no legal basis and no statutory recognition. It is, in fact, an illegality. Great Britain is almost the only country which licensed prostitution by Statute, under the C.D. Acts. If, however, we consent to laying down regulations forbidding foreign women to be in licensed houses this has two important results :—

- (a) It implies acquiescence in the presence in such houses of women who are *not* foreigners, as either prostitutes or servants.
- (b) It gives legal recognition and status to the "maisons de tolérance" and to the whole system of regulated prostitution.

PRACTICAL DIFFICULTIES.

(a) **Police des Mœurs.**—Any such regulations would have to be carried out by and through the assistance of the "police des mœurs." Flexner, in paying a tribute to the excellent reputation of the European police, adds :

"But this exemplary reputation does not belong to the morals police. Once more, the head officials are nowhere involved ; charges of corruption and grave impropriety on the part of the patrolmen in the morals service are, however, all too common. The situation created by regulation is indeed an impossible one.

"Prostitution is treated as inevitable ; it is authorised and "regulated" on the ground that men will indulge themselves. And yet the morals police who are closest to it are expected to hold aloof ? Again, women are exploited by pimps, by liquor-dealers, by bordell-keepers ; yet regulation assumes that the morals police who are every moment in position to sell favors, exemptions and privileges will refrain from doing so." (*Prostitution in Europe*, p. 270).

It is essential to the brothel-keepers that they should be able to obtain what is so graphically and terribly described as "fresh goods" ; it is repugnant to the authorities of any country that their own nationals should be in their own brothels. The conjunction of these two factors open up possibilities of almost certain bribery and corruption.

In the view of this Association the "police des mœurs" in all Regulationist countries are too closely connected with the brothel-keepers to be a suitable or reliable body to entrust with the carrying-out of regulations for the protection of women in brothels. The "maisons tolérées" are so closely linked on the one hand with the "police des mœurs," and on the other hand with the Traffic in Women, that the three really form one system. Any attempt to enlist one part of the system in destroying another part is not likely to be successful.

Moreover, the proposal does not include any suggestion of repatriation. Foreign women turned out of a licensed house will either remove themselves (or be removed) to one of the many unlicensed houses which everywhere exist in the shadow of the licensed ones. It would be in the power of the morals police either to turn them out of, or to allow them to remain in, the licensed house. Whichever course they took, such foreign women would be liable to even greater intimidation by the police than are the non-foreign women. We are unable to see, therefore, from a practical point of view, how such a measure would reduce the traffic in women, but we do see that it is likely to promote grave abuses under the special powers exercised by the "police des mœurs."

(b) **Determination of Foreign Nationality.**—A smaller point but a practical one is the fact that even under the best administrative conditions the proposal could not be carried out without a special definition, agreed to by international covenant, as to what is meant by the term "foreign women." The complexities of the nationality laws in the various countries render such a definition extraordinarily difficult and offer the greatest possibilities of error and fraud in proving nationality. Even if a suitable working definition of "foreign woman" could be internationally agreed upon it would, in a large number of cases, be evaded by deliberate lying and by falsification or exchange of papers.

An example of the difficulties in deciding nationality appears in "The Times" (December 7th, 1922). An Englishwoman married a Dutchman. He left her. On application to the Dutch Consul, she was informed she was not a Dutch subject as she had failed to register every three years in accordance with Dutch law. According to English law, however, she was still Dutch in consequence of her marriage.

There are other grounds of principle and humanity (such as the wrongness and cruelty of all special measures taken either for or against "prostitutes" as prostitutes) which compel this Association to abstain from giving support to this proposal, but our main objection is that, as Abolitionists, we cannot do anything to improve a system or an institution which we declare to be abominable, nor can we agree to a proposal which implicitly recognises the brothel slavery of any woman, foreign or otherwise.

EXECUTIVE COMMITTEE,
ASSOCIATION FOR MORAL AND SOCIAL HYGIENE.

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Orchard House,
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