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MOTHERS PRACTICING PROSTITUTION AND CHILDREN'S RIGHTS

Case study

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Abstract

A large number of women who practice prostitution get pregnant and have the child. When a mother continues practicing prostitution while at the same time trying to fulfill parental responsibilities, the child's rights could end up being violated because of the characteristics of the two roles the woman adopts. The present paper presents the case study of a child of schooling age and whose mother practiced prostitution. The child was put in foster care after the mother's death and the case study follows his evolution from birth until the research started, the focus of the study revolving around the four fundamental right of the child: the right to be raised by the parents, the right to education, the right to health and the right to protection against abuses.

1. Introduction

Researchers in the field of sexual services have paid little attention to the children of the women who practice prostitution. It is obvious, though, that prostitution doesn't only affect the individual who practices it, but it also becomes an important existential aspect of their family's members, such as the parents, brothers or children.

Prostitution is defined as providing sexual services in exchange of a sum of money or other assets, therefore the prostitute is the person who offers these sexual favours in exchange for the mentioned benefits. Prostitution, as a form of sexual services, has multiples forms – the most common distinction found in the literature refers to indoor and outdoor prostitution. Escorts, call girls, street sex-workers, lap-dancers, brothel workers, massage parlour workers, are only a few ways of practicing prostitution, each of these being associated with varying degrees of stigmatization from society and varying degrees of violence (from client toward sex workers). Also, sexual services are classified according to the comfort level of the environment in which these services are provided and according to the rates charged by sex workers for their services.

The case study presented in this paper aims to describe the life experience of a child whose mother has practiced street prostitution (at the starting point of this study, the legislation of our country in the area of prostitution was going through a changing process, from the incrimination and punishing of prostitution with imprisonment to its decriminalisation in the New Penal Code, enforced on the 1st of February 2014). According to a classification made by Harcourt and Donovan (2005), street prostitution is a direct form of sex work in which the clients are solicited on the street, park or other public places and serviced in side streets, vehicles, or short stay premises. Street prostitution is considered in the specialized literature (Dalla, 2001;

Weitzer, 2005) to be the most degrading form of sex work, mainly due to the numerous abuses that sex workers are exposed to, and also for the stigmatization that comes with it.

According to Miller, (1993, as cited in Dalla, 2001), women who practice street prostitution live in constant danger, as they are frequently raped, beaten or exploited by their pimps, clients or boyfriends. Shdaimah and Wiechelt (2012) have established that for most women who practice prostitution, this was perceived as the only way to obtain money, food, clothes, a place to live, drugs or even love. Furthermore, these women saw prostitution as the only way of survival even if they were aware of the risks they were exposed to. Other problems faced by those who practice street prostitution are drug consumption (Pauw and Brener, 2003; Sallmann, 2010; Weber et. al, 2002), risks regarding their health (Phrasisombath et al., 2012; Pyett and Warr, 1999c), financial instability (Jeal and Salisbury, 2004) and difficulties in maintaining a couple relationship (Warr and Pyett, 1999b; Hedin and Mansson, 2004).

In the context of practicing street prostitution, many women become pregnant and have the babies. The research conducted by Jeal and Salisbury (2004) established that 65% of the sample composed of sex workers had babies. Another research conducted by Dalla (2001) established that out of 31 women who practice street prostitution, 26 of them had children, although many of the children had been removed from their mothers' care by the state.

Children's separation from the mother, in the context of practicing prostitution was also discussed in Pyett and Warr's paper (1997). Their findings showed that even though the maternity rate between outdoor and indoor prostitutes is somewhat similar, those who are engaged in the outdoor sector are more likely to be separated from their children.

Sloss, Harper and Budd (2004: 106) have concluded that the women who practice street prostitution perceived their parental experience as incompatible with their occupation. The participants asserted that they had inadequate resources for their children, such as safe housing, because of their inconsistent and inadequate income. Furthermore, almost a third of the survey participants believed that their work forced them to expect too much from their children; they often relied on their children to care for their younger siblings or themselves. Moreover, they assumed that they were unreliable and unavailable to their children due to spending time on the streets or in jail, or losing custody of their children. Other negative aspects that are common for these children are the potential contacts with the mother's clients, the access to drugs and the risk of finding their mother dead because of accidental drug overdose (McClelland & Newell, 2008). In the context of low earnings and numerous risky situations faced by the women who practice street prostitution, the question that derives is to what degree are the rights of the children who are born and raised by a mother who is engaged in this activity respected.

2. Case report

The case study presented in this paper is part of the ongoing PhD work "Assuming the maternal role in the context of practicing prostitution". The research initiated aims to identify the impact that the mothers' engagement in street prostitution has upon the rights of the children (the right to education, the right to health, the right to be raised by his/her parents and the right to protection against abuse.)

The information presented in this paper was obtained through document analysis, observation, semi directive interview with one of the specialists who managed the case, and also through semi directive interview with the child. We mention that although we followed the structure of the

interview guide, the interview with the children had, as Yin suggested (2005: 114) the appearance of a guided conversation rather than that of structured questions. This way, we adapted our discourse to the child and his emotional state arising from certain content evoked.

The questions addressed in the interview with the child were related to his childhood experience, without addressing aspects regarding the mother's occupation -street prostitution-. The child gave his agreement in participating to the study, whilst his caretaker gave his consent, being fully informed about the role of the child in the study.

2.1. The right to be raised by his parents

At the time of the study the little girl, T.I.S. was 12 years old. She was born in a single-parent family, the father being unknown. Her mother, T.I.E. has graduated the 8th grade and didn't have a job, and was involved in street prostitution. She gave birth at the age of 20, at about one year distance after first getting involved in street prostitution. The child, T.I.S, was raised by the mother for 3 months. During this time interval we do not have any information regarding the relationship between mother and child or about mother's occupation.

At three months old, the child, T.I.S. was left by the mother into the care of the two acquaintances, husband and wife, P.V. and P.A. The child describes these two people as being "big hearted". The girl lived with them for about 5 years. This arrangement for the child's care didn't represent a special measure of protection imposed by authorities, being based only on the agreement between the two parties involved. The lack of material resources necessary for raising the child, as well as the lack an individual who could replace the mother while she was on the street, were the main reasons the agreement was made.

During this time, the mother, T.I.E. was present in the child's life by visiting at

uneven periods of time at the couple P,V. and P.A.'s house, by bringing different gifts to the child and also giving money to those who were raising her. The living conditions of the couple entrusted with the care of the child were modest, as the living space consisted only of a fully furnished living room. The only financial income was provided by Mr. P.V. and the money received from the mother T.I.E. at irregular periods of time. Because of the low earnings the family decided to go abroad when the girl was 5 years old. She was left into the care of a close person of the family to whom the girl refers to as "grandmother", although there was no family relationship between them. The separation between the child and P.A and P.V. was very difficult and it was perceived as a loss: "I felt like any child who knows he has to go. I got used to them and I felt sorry. But I got used to it." The house of the "grandmother", just like the one of the P.A and P.V family consisted of a single room, in which the two lived. This arrangement lasted for about a year. During this period of time contact between T.I.E. and her mother was interrupted, but the couple P.A. and P.V, maintained contact with T.I.S. by phone or by sending packages with necessary things for her.

It is also important to mention that other long periods of time in which the girl did not have contact with her mother occurred when the later one was deprived of liberty for a period of 4 months, respectively a year, for committing the crime of prostitution. Because of the strong emotional connection between the couple P.A and P.V, and the child T.I.S., their return to the country implied that the child moved back in their family, but only for a small period of time, the child being taken by the mother shortly after.

The girl returned to her mother's care at the age of 6 and a half. This happened with certain difficulties due to the strong emotional attachment between the girl and the couple that formerly took care of her.:

"...like any child I missed P.A and P.V, because I lived a long time with them, but we kept in touch." The couple asked the mother T.I.E. that the girl remain in their care, but having a social network and a financial security at that moment, made the mother decline their request.

When asked about the place they were going to live, the mother told the child only that it was "at somebody's place". After this moment, T.I.S. has lived with her mother and her boyfriend, Mr. V.I, for about 2 years until the mother's death. The living area in which T.I.S and her mother lived had four rooms, belonged to V.I.'s mother, Mrs. V.M., and housed eleven people – the children and in-laws of Mrs. V.M.

In this building, T.I.S. lived in a room with the mother and her boyfriend who was equipped, as the girl said, with "what any family has". During the period of time in which the mother was responsible for the child's care, the financial income was brought in by the mother who practiced street prostitution, as V.M did not have a job. The mother used to go on the street especially by night and sometimes during the day, in which case, T.I.S. was watched over by Mr. V.I. or by the other members of the family. Regarding the latter, the girl says that they had a warm attitude towards her "they brought me presents, and played with me, they called me, they came to me, they would kiss me..."

The girl's interactions with V.I. were mainly positive, as well as the way he was perceived by the girl: "He is kind, generous, and not at all aggressive. When he would buy something he would share it with me...when my mother scolded me, he would defend me..." For the time spent together, she called V.I. "father", although she was aware that he was only her mother's boyfriend. The girl started having curiosities related to her biological father, thus asking her mother questions to which the mother avoided answering: "I used to ask her about my father, but she always said...*I'll tell you later*, and afterwards she

would forget, and I would forget too because I was small.”

Besides the night-time working hours, the mother took care of raising the girl. T.I.S. describes her mother’s attitude as being warm “she kissed and cuddled me” even if the mother also represented the authority in the educational process of the child. The child used to respond to the mother’s affection in her own way, through letters for her mother and other similar gestures.

At the age of nine T.I.S. lost her mother, her death being related to prostitution practice. This was the moment when the case of T.I.S. entered into the Child Protective Services’ attention. Even though Mr. V.I. and his mother requested that the girl remained into their care through legal procedures, the uncertain relationship between the mother T.I.E. and Mr. V.I. led to a negative response from the authorities.

Because there were no relatives identified who could assume the child’s care, he was placed in foster care into the same family where her 3 year old brother was placed. It is important to mention that the two brothers didn’t know each other before this moment. Regarding this aspect the girl mentioned that her mother would have probably liked to tell her about his existence but “maybe she forgot”. At the moment of the study the relationship between T.I.S. and her brother was close and harmonious, being completely integrated in the foster family, and the relations with all family members being also positive. From the moment when the special measure was established for her, T.I.S. maintained contact with the couple P.A. and P.V. by phone and through visits. The relation with her mother’s boyfriend was interrupted, the assumption being that he was executing a custodial sentence.

Due to the fact that the child remained without a legal representative after her mother’s death, it was decided that internal adoption was in the best interest of the two siblings. Up until the moment the research was conducted but an adoptive

family for T.I.S. and her brother was not found .

2.2. The right to education

The responsibility of educating T.I.S. was assumed by each person who took her into her/ his care for a certain period of time. Thus, for the time in which the girl lived at the P.A. and P.V. couple, she was accompanied to kindergarten by Mrs. P.A., her husband being occupied with his job. The same continued when the girl moved to the “grandmother”. It is important to note that even if she changed house, she didn’t change the kindergarten she attended, the two houses being relatively close to each other, thus the child was not submitted to changes regarding this aspect. The grandmother’s involvement in T.I.S.’s educational process was not limited only to helping her in attending kindergarten. She took an active role in this regard while T.I.S. was at home: “She thought me how to write, to count, sometimes I was stubborn but in the end she helped me.”

The child’s return into her mother’s care led to interrupting the attendance of kindergarten and postponing her entry in school with a year due to some difficulties faced by the mother when she tried to register T.I.S. to school. Once at school, the mother made sure T.I.S. did not skip any classes at school as she took her to and from school daily, helped her with developing her writing skills and read her stories. Thus T.I.S. had a good start in school, being assisted in doing homework by the mother and a sister-in-law of Mr. V.M.: “Mom asked her to help me at doing homework because she had other things to do.” As for the other inhabitants, T.I.S. said they weren’t schooled so they couldn’t help.

During the time in which T.I.S. was raised by her mother, she was the one who established the schedule of the girl. In this regard, T.I.S., said that the mother’s rules were about: “...how long I could spend in front of the TV, when I should do my

homework, what I had to do...More rules...After I played on the computer, I had to do my homework.”

Furthermore, regarding the child's socialization, T.I.E. carefully supervised the girl's interactions. Thus, T.I.S. describes her playing activities in this period as mostly solitary, the only peers available for play being described as having behavioural problems: "...because I didn't like their company. They had an inappropriate vocabulary. And because I didn't used to use those words or involving in other mischiefs that they were doing, I preferred not to go out on the street to play....and this why my mom never gave me the permission to play with them.”

Apart from these negative influences, T.I.E. assured the child's socialization by spending time with her and sometimes by involving her boyfriend in these leisure activities.

At the time of the research, T.I.S. had very good results in school, occupying the first position in the hierarchy of the class, according to the school average obtained in the previous school year. Her studying style was rhythmic, sustained, she had an active participation in the lessons and she fitted in the class discipline, being flexible.

2.3. The right to health

The child's records did not show any significant health issues. The child had been hospitalized only two times, when she was into the care of P.V. and P.A., for childhood related illnesses. During her hospitalization T.I.S. received visits from the P.A. and P.V. but not from her mother. When she was into her mother's care routine medical check-ups were recorded, and also the treatment administered by the mother when the problems were considered less serious (colds, viruses). At the time of the study, T.I.S. was under the evidence of a family physician and her state of health was a good one.

2.4. The right to protection against abuse

Studying the available sources of information, we could not identify evidences of child abuse. Nevertheless it is still uncertain what the effects of the multiple separations from significant people in her childhood can have on the development of her personality.

3. Discussions

Although the information obtained through the case study is only representative for this situation and cannot be generalized, it underlines the differences between assuming the maternal role when a woman is practicing prostitution and when one has a normal, legal occupation. As it could be seen in this study, being a prostitute has created a particular context of fulfilling the parental responsibilities, in which maternity was indirectly assumed through the help of back-up people.

From our point of view, in the case of child T.I.S. the mother's occupation strongly influenced her right to be raised by her parents and the child's family relations. By its nature, prostitution lead to uncertainty regarding the paternity of a child, due to the large number of sexual partners that a woman involved in this activity has. We could observe that the relation between the child and her father was inexistent, his paternity being unrecognized. In this context we could also see that the affective investment of the child was made in relation with her mother's boyfriend.

The mother-daughter relationship was directly affected by the practice of prostitution. So, if the arrangement regarding the child's care made by the mother had a financial motivation, the bond between mother and daughter was maintained with alternations and interruptions, when the mother was deprived of liberty for practicing prostitution; more than that, the mother's death was related to the practice of prostitution.

The reunion between the child and her mother, involved repeated affective losses

for her, specifically in the relationship with the people who took the role of caregivers in raising her.

When the mother took her child back, she was still practicing prostitution and was involved in a cohabitating relationship, living together with the family members of her partner. This fact lead us to believe that the initial separation between the girl and mother was mostly due to the absence of a social support network, that could take the responsibility of looking out after the child when the mother was on the street, rather than due to the lack of financial resources. This is supported by the fact the mother took the child back into her care as soon as there were signs of availability and acceptance from the partner and his family members. We could also determine that, once the reunion was made, practicing prostitution during the night time was possible only through the support provided by the mother's partner or his family, regarding the care of the child.

The repeated transfer of the child from one familial environment to another was made each time through the agreement of those who took the responsibility of caring for the child: the mother, P.A. and P.V., and "the grandmother". This situation confirms the aspects noted by Bletzer (2005) who determined the fact that even though most of the children of the women who practiced prostitution were in the care of family, most of these arrangements were informal and rarely replaced with legal guardianship.

We could observe in this paper the fact that the informal arrangements made by the mother for raising her child allowed the fulfilling of the child educational needs. In the preschoolage T.I.S. attended kindergarten, her participation to the educational activities which were held in the education unit being constant. Although we could not obtain information regarding the criteria on which the mother selected the people in whose care to leave her child, we could observe their focus on child education. Although

the child's registration in school was made with delay by the mother, there was a permanent concern regarding the behavioural rules and her cognitive acquisitions.

Also, we could observe the mother's concern for the socialization process of the child, as an influence factor for her developing personality. In this regard, the mother's rules were aimed at removing those peers which could have a negative influence on the child evolution. It is possible that, among other factors, the adult's interest for the child education had contributed to the high school performances that the child had achieved at the moment of the study.

Through our study, we didn't identify any influence of the mother's practice of prostitution on the child's right to health. The necessary steps formaintaining and recovering health status were made by those which assumed the caregiver role in relation with child T.I.S.

Through our study we aimed to establish the degree to which the child's rights of protection against abuses was respected and protected, and we did not identify any abusive situations. This fact allows us to believe that the arrangements done by the mother for the child's carein a moment when she was unable to raise her, had as an objective the child'sprotection against potential abuse situations.

This study was conducted after the mother's deaththerefore we cannot present the feeling that triggered the event of separation from her child when she was three monthsold. Sloss and Harper (2004: 336) pointed out in their study the different reactions of the street sex workers mothers which faced this situation: while some shared feelings of relief when their children were no longer in their care, most of the women reported depressive states, anger, sadness, anxiety, loneliness.

Our paper underlines the negative aspects of this activity, not only for the woman practicing it, but also for the possibilitiesof raising a child. Although we do not know

the reasons for which the mother in this case study started practicing prostitution, her orientation towards a safe family environment for her children became obvious. Based on our goals, we can assert that the arrangement made by the mother assured the fulfilments of material, educational and health needs of the child, protection against abuses, but also has implied an intermittent mother-daughter relationship.

Of course each case is particular, regarding the children's rights in the context of practicing prostitution by the mother and this fact requires the enhancement of research in the field. The conditions in which these children are raised must be known, especially by the authorities. Only this way can they be protected and have access to the necessary resources for a normal future.

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