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INTRODUCTION

“Harlot,” “whore,” “prostitute” are only a few cursed names tagged to women who sell their body for a living. Ostracized objects of desire and moral flaw, sex workers tend to be invisible to the public eye and mostly belong to the darker side of Mauritian society: illegal brothels, secluded streets or public gardens. Recently, however, they have become more visible in some towns, in public gardens and during daylight hours. A 2013 tabloid stated that a prostitute, a mother of small children, was arrested for offering her services, while her client was released. This seems to raise a few questions that warrant further investigation. This paper aims to look deeper into the legal context of this taboo society by perusing Mauritian prostitution-related laws. In other terms, are laws and ethics crushing women’s rights, by using honour or code of conduct only on the prostitutes, and freeing those who are also accomplices of this act? This is just one side of the coin: high-class sex workers or call girls are usually not put in the same category. Are the laws only reserved to low-class prostitutes? Indeed, this makes us categorize sex workers into two groups: high-class and low-class prostitutes, as the same law does not seem to apply to everyone. Furthermore, this paper shall adopt a historical approach to this “underworld” society by highlighting the history of prostitution in Mauritius, which has existed since the first colonial settlers. Finally, we shall try to unveil the portrayal of sex workers as they are depicted in contemporary Mauritian literature. In short, the female prostitute is usually looked down upon, treated as a criminal and, so to speak, feared by different institutions – marriage, religion and politics. However, they are a presence that must not be ignored. Turning a blind eye to their presence and their dilemma is not a solution – neither for society nor for the women.

FICTIONAL NARRATIVES AND HISTORICAL NARRATIVES

But let me introduce myself: I am Sheila, one of the secretaries who work at *Le Château de Réduit*. How did I, *ene tifi malbar* [a Hindu girl], grab this plum job? Well, when I applied for it in 1940, I never dreamt I had a chance. [...] But make it, I did,

and you should have seen their [the inhabitants'] faces. They passed on the story that I must have gone to bed with the colonial secretary. No less! (Dhookit 9-10)

Targets of physical, sexual and psychological abuse in a patriarchal society, women, even if they are not sex workers, have to bear the negative and degrading reflections of society. Written by an anonymous author, probably during or after the Second World War, and found in copybooks in the editor's late father's belongings, *The Diary of Sheila*, in the opening pages, introduces the stereotypes of women in colonial society: professional success seems impossible unless the woman prostitutes or sells herself in exchange for a job. One may wonder how sex workers were treated at a time when even a girl from a "good" family was very likely to have her reputation tarnished for being too modern, or as the editor puts it, "an exceptional and determined girl who is ahead of her time, who questions the prejudices of the day, and who keeps hoping for a better future not only for herself but also for her own country" (Dhookit 6).

In this section, we shall quickly go through the theory which questions whether history and literature can be linked. Looking at history with the aid of primary sources such as fictional literature can broaden the perspective of history, since a piece of literature can speak volumes about the way a specific period of time was viewed by its contemporaries. However, some theorists seem to separate the two. In "Can Fictional Narratives be true?", Paul Ricoeur claims that history has "the intriguing ambiguity of meaning" and that this merging of both "reality" and fiction in one word is mostly seen in the French term "histoire," which means both "history" and "story" (Ricoeur 3-4). Nevertheless, according to Ricoeur, history and historical discourse must not be equated. He states that there is a "behind the text or an outside the text that merits consideration in historical inquiry" (qtd. in Laughery 4). Indeed, the difference between "history" and "fiction" resides in the fact that "the historian 'finds' his stories, whereas the fiction writer 'invents' his. This conception of the historian's task, however, renders unclear and vague the extent to which 'invention' also plays a part in the historian's operations" (Whit, 6-7). Ricoeur also states that it is not his "intention to cancel or to obscure the differences between history and the whole set of fictional narratives in terms of their truth-claims." According to him, "documents and archives are the 'sources' of evidence for historical inquiry. Fictional narratives, on the other hand, ignore the burden of providing evidences of that kind" (qtd. in Laughery 9).

Quoting Ricoeur, Gregory J. Laughery also underlines that even if “the historical text” may seem “fictive,” it still claims “to be a representation of reality”:

And its way of asserting its claim is to support it by the verification procedures proper to history as a science. In other words, history is both a literary artefact and a representation of reality. It is a literary artefact to the extent that, like all literary texts, it tends to assume the status of a self-contained system of symbols. It is a representation of reality to the extent that the world it depicts - which is the ‘works world’ - is assumed to stand for some actual occurrences in the ‘real’ world. (Laughery 9)

Moreover, while historical discourse and fiction can be treated as “stories”, insofar as both are configured through the imagination, “historical discourse cannot be reduced to fictional literature” (Laughery 20), since “historians create and construct historical discourse as a *représentance* of something that was there in the world” (Laughery 12). Another belief, such as Hayden White’s major presuppositions, is that the historian invents as much as finds, and that narratives are a mode of recounting, not a mode of discovery (White 315-24). Our aim is far from treating literary texts as historical veracities, but it is clear that literary texts reveal episodes of the past, which can hold some historical importance. As highlighted by Linda Hutcheon in “Historiographic Metafiction: Parody and the Intertextuality of History”, “the ontological line between historical past and literature is not effaced (see Thiher 190), but underlined. The past really did exist, but we can only ‘know’ that past today through its texts, and therein lies its connection to the literary” (Hutcheon 10).

However, we shall not linger on the theory of fictional reality and historical discourse, but we shall try to see how female prostitution is portrayed throughout history, by using both data from history books and literary fiction. Under the French rule (1715-1810) and the British rule (1810-1968), sex work must have existed in Mauritius, even if it is quite difficult to obtain past data on the subject. As Arnold Clarkson states in *History of Prostitution*, “there seems no evidence that the elemental sex instinct, ‘the ever-raging animal in man’ as Plato called it, has been altered in the slightest degree by all the centuries of culture and education” (Clarkson 296-301). In research carried out in African countries, it was mentioned that, before the abolition of slavery, practically all sex workers were slaves. Women were sold and bought for sexual services. The same must have applied in Mauritius, as slaves were the property of their masters under the *Code Noir*. In Mauritius,

the population census showed quite a lack of equilibrium in the presence of men and women. Baron d'Unienville, a statistician, noted down the number of inhabitants in the island in 1830:

Table 1: Inhabitants in 1830

	Men	Women
Whites	2636	1452
Freed slaves	2114	2753
Slaves	45338	19445

Source: Moutou, Benjamin. « Sommes-nous tous des métis ? » *Le Mauricien*, 2 July 2013.

Illicit relationships were therefore inevitable, if one takes into consideration the disparity in the number of women and men, especially among Whites. Evenor Hitié, a journalist and a writer, states in her book, *Histoire de Maurice (ancienne Ile de France)* in 1897:

Eloignés de la mère patrie, mais gorgés d'or et de richesse, jouissant, dans l'opulence, de tous les plaisirs enivrants de la table ; il ne manquait à ces nouveaux Lucullus que les plaisirs voluptueux et désordonnés des sardanaples. Les jeunes indiennes et les jeunes filles malgaches, les Ovas particulièrement, partagèrent la couche licencieuse de ces hommes qui ne mirent plus de bornes à leurs scandales et à leur immoralité. Nous ne dirons pas le nombre de jeunes filles, à peine dans l'âge de puberté, arrachées des bras de leurs mères ; les femmes enlevées du lit de leur mari... (Hitié 13-14)

In Mauritius, sexuality being a taboo subject, the questions surrounding prostitution are rarely raised and sex workers become invisible creatures of the night. Authors of the colonial period have talked of prostitutes. Malcolm de Chazal's *Judas*, published in 1967, uses the Biblical figure of Marie-Madeleine and insists on how her walking style differentiates her from other women. In his novel *La Poupée de chair*, written in 1932, Arthur Martial mentions how Liloa, a young Hindu girl, is sold by her mother for a bottle of rum, to Jean, a white Casanova. Some contemporary writers have also brought up this issue. Ananda Devi's novel *Rue la Poudrière*, published in 1988, refers to a very real street, in an old area of Port-Louis. Before the 1950s, this street was frequented by prostitutes and lined with *maisons closes* well known to visiting sailors, tourists and local bourgeois (Lionnet 97-98). A historian, Auguste Toussaint, explains that during the twentieth century, sex workers operated mainly in two areas of the city. "La Plaine

Verte” was mainly a Muslim quarter, whereas Black and Hindu women worked on the other side of the city. As Toussaint states:

Parmi les prostituées on compte aussi nombre d’Africaines de toutes les nuances du noir au brun et d’indo-africaines. Elles sont établies au faubourg de l’Ouest et surtout aux rues de la Poudrière et d’Entrecasteaux. Les blanches et les Chinoises sont l’exception. (Toussaint 501-02)

In a footnote, Toussaint adds that, as prostitution was illegal in all British empires, Mauritian police force tried to hunt down sex workers, but they were rarely successful in their endeavour:

Mais, comme il n’existe pas dans la colonie de brigade de mœurs proprement dite, le contrôle des maisons mal famées reste assez difficile. (Toussaint 502)

However, during the fifties and sixties, with urbanization and the increase of office buildings, prostitutes were forced to move from the city to other areas of the island, especially to the sandy areas (Lionnet 90-111). This destruction of their “headquarters” is shown in the final paragraphs of Ananda Devi’s novel. The depreciating vocabulary around the sex worker is also quite evident and *Rue la Poudrière* portrays the prostitute as being vulnerable. Different from others, alcoholic, eccentric and abusive, the grouped women are together but alone, smoking, refusing to speak of their past. Another novel by Ananda Devi, *Eve de ses décombres*, published in 2006 and adapted to the big screen in 2012 under the title of *Les Enfants de Troumaron*, also deals with the societal issue of sex work. Barlen Pyamootoo’s *Bénarès*, published in 1999, puts forward the whole business of prostitution: the narrator and his friend decide to bring home two women. As they live in Bénarès, a secluded village in Mauritius, they are taken by their taxi driver friend, Jimi, to the capital of Port-Louis and to disadvantaged and poor suburbs like Sainte Croix. In this novel, the whole world of prostitution is uncovered: the areas, the streets, the pimps and the women who house young women in exchange for a cut of their income. As Françoise Lionnet’s puts it, “the city” can be described “in terms of unrestrained sexuality or deviant femininity” (Lionnet 91) where ruined childhood, depersonalization and marginality of many women are brought to light. In sega music, sex workers are also marginalized and ostracized (André 49-72). Evaluated according to society’s norms and from the male perspective, the sex worker is just a sexual object, a merchandise to be exploited for sale and abused.

It is crucial to note that we have not come across male prostitutes in Mauritian literature whereas gender stereotypes regarding female prostitutes are numerous. Treated as fallen, voiceless women, pegged as “hookers,” female sex workers have many names in the French language:

Femme-papillon, femme-volage, femme-désordre, femme-putain. Dans le nouveau jargon, c'est chacal qui désigne la femme qui s'acharne sur les hommes. (Boolell 21-35)

Even in our day, in the midst of civilization, public opinion turns against the dishonoured rather than the dishonourer, and the laws in the country seem to punish only low-class prostitutes.

LEGAL FRAMEWORK OF PROSTITUTION

The *Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others* was approved by the General Assembly resolution 317 (IV) of 2 December 1949 and was implemented on 25 July 1951 (*UNESCO Report*). Published in 2001, a report on the trafficking of persons, made in a 1998 study, clearly states that young girls and secondary school-age girls, from all areas of Mauritius and Rodrigues, are tempted by their peers, by family members or by businessmen to become prostitutes (*Trafficking in Persons Report 2001*). In the NGO's report, it was even mentioned that girls are also sold into sex work or forced into it in exchange for food and shelter. Taxi drivers are also accomplices of this trade. It has been pointed out that girls and boys whose mothers engage in prostitution are more vulnerable to being forced into it at a young age. There are reports that some women addicted to drugs are forced into sex work by their boyfriends, who act as their pimps (*Report 2013*). Here, *Rue la Poudrière* evidently comes to mind, with the father who sells his daughter to Mallacre, the pimp. According to newspaper articles, young girls are also trapped into prostitution, despite denunciations. In September 2012, an adolescent, the neighbour of a woman engaged in sex work, was raped by the latter's drunkard client. In fact, young girls and adolescents are exposed to sexual exploitation very early in some areas (“Dans une poche de pauvreté”).

Despite being illegal in Mauritius, and a risky business, prostitution seems to flourish. In many newspaper articles, one can usually read that not only nightclubs but also casinos offer the services of quality sex workers to the tourists and “the privileged classes.” Many massage centres have been

forced to close down following a raid by the police (“Prostitution: sur le divan des masseuses”). During the reporting period, the government failed to demonstrate sufficient progress in its anti-trafficking law enforcement efforts. In fact, the government seemed to only address child sex trafficking. In 2002, the Government implemented a five-year action plan with a series of recommendations to combat child prostitution. However, only child victims were identified, with no mention of any adult females as victims of forced prostitution. Since the report in 2001, Mauritian laws have hardened. The *Combating of Trafficking in Persons Act of 2009* prohibits all forms of trafficking of adults and children and prescribes penalties of up to fifteen years of imprisonment for convicted offenders. The only solution that has been proposed to improve existing laws is to give severe punishment to prostitutes, pimps and customers – up to eight years of imprisonment and Rs 100,000 fines. To what extent is this applied, though? Some more newspaper articles could be mentioned, in which only the women are accused of being the bearer of crimes. What about the male partners? Accused by the District Court des Hautes Plaines-Wilhems in Curepipe, under article 91 A of the *Criminal Code (Supplementary) Act* for soliciting another person for an immoral purpose, a young lady accused of prostitution was condemned to pay a fine of Rs 10,000. It was in May 2011. The client was cross-examined and revealed that he had been tempted into having illicit sexual intercourse (“Relation sexuelle dans un salon de massage”). Women from Madagascar, who came on a tourist visa, were arrested for prostitution or for “soliciting males for immoral purpose” (“Deux Malgaches écrouées”) but what about punishing the men? Why are their arrests not mentioned?

The question one may ask is whether there is a real wish to combat adult prostitution. The hypocrisy in combating sex work is evident and the legal framework around prostitution can be analysed from a feminist point of view.

TOWARDS A FEMINIST PORTRAYAL OF PROSTITUTES

The feminists’ points of view differ whenever the question of sex work is raised. The life of sex workers leads to many gender issues surrounding equality and personal choice. Anti-prostitution feminists and pro-prostitution feminists usually battle on the subject. According to Dianne Post, a human rights lawyer, the very idea that women should be available for men’s sexual desires goes against all notions of gender equality. Prostitution is acknowledged as violence against women and a tool of oppression. In Mauritius, the

organization Le Parapluie Rouge, a symbol of protection for sex workers, usually fights for the legalization of sex work and against the discrimination faced by prostitutes (Herisson). However, Gunilla Ekberg, a Swedish lawyer, states that by legalizing sex work, the State will be able to impose regulations with which to control one class of women. Furthermore, sex work, which she affirms to be the “colonization of women,” reflects and maintains inequality between men and women. On the other hand, according to pro-prostitution feminists, sex work is just another type of bad job, like domestic work, construction work and so on. Some adult women say that sex work is a form of livelihood rather than a form of oppression, and that the harm in sex work comes not from the act of selling sex but from the stigma, disgrace and violence surrounding it, because it is of an illegal and hidden nature. They blame patriarchy, inequality, discrimination, religious control and fear of women (“Argument”).

However, do these women really wish to remain sex workers? Has there been any survey study done with prostitutes in Mauritius regarding their decision? Has Mauritius made a report on the mortality rate of sex workers or their average life span? A Canadian report on prostitution and pornography concluded that girls and women in sex work have a mortality rate forty times higher than the national average. The average life span for a woman after entering prostitution is four years, with fifty per cent of deaths due to murder (“Argument”). What does Mauritius show us? In a 2009 newspaper article, the body of Marie Ange Milazar, a sex worker, eight months pregnant, was discovered under a bridge near the Jardin de la Compagnie in Port-Louis, a well-known base for prostitutes. The murderers, three young men, reminding us of Jack the Ripper, tortured, raped and killed her after obtaining information about the whereabouts of other sex workers (“Procès”).

According to Jacquetta Newman and Linda A. White in *Women, Politics and Public Policy*, despite the conflicting points of view, all feminists agree on three main points. First of all, they are against the current legal policy which imposes criminal penalties against women who offer sex in exchange for money. Furthermore, they agree that genuine consent is the only rule for legitimate sex, whether it be commercial or non-commercial. Finally, all feminists believe that commercial sex workers are subject to economic coercion, are often victims of violence, and that very little is being done to address their problems (247). Our objective is not to fight for or against the legalization of prostitution. Our aim is to state the facts about Mauritius as they are and as they are seen in literary works. Most adult women who are in prostitution have been in this trade since their adolescence. At a very young age, they

learn that their body is not theirs but belongs to others. Many sex workers even look down upon women who do other jobs, which they consider dirtier than theirs. In *Rue La Poudrière*, Paule hits her lover because he asks her to take on a job as a servant. One thing is clear: the moral dilemmas surrounding prostitution cannot be dealt with so easily because the (re)construction of a damaged other or of an “injured identity” – as Wendy Brown puts it in *States of Injury, Power and Freedom in Late Modernity* (1995) – is quite difficult without proper psychological and financial structures. One may add that the subjugation of women is clearly seen in the role of the sex worker. As argued by Catharine Mackinnon, “if prostitution is a free choice, why are the women with the fewest choices the ones most often found doing it?” (vol.1: 13-31). She further adds that “in prostitution, women have sex with men they would never otherwise have sex with. The money thus acts as a form of force, not as a measure of consent. It acts like physical force does in rape” (MacKinnon, “It’s wrong to pay for sex”). Paule, in *Rue la Poudrière*, felt nothing for her first client. In the end, Mallacre, the pimp, asked her to sleep with her last client and, in the dark room, she never doubted that he would send her father to her. In Mauritian literature, the female sex workers are poverty-stricken and refuse to speak of their past. We can extrapolate and consider some prostitutes, especially those who have entered prostitution during their adolescence or before, as going through capture-bonding syndrome. Paule, in *Rue la Poudrière*, goes through Stockholm or capture-bonding syndrome, which can be seen as a form of traumatic bonding. Sold by her father, she expresses empathy and sympathy and has positive feelings towards Mallacre, the pimp.

CONCLUSION

The Government of Mauritius expanded its legal framework by enacting the *Combating Trafficking in Persons Act, Act No. 2 of 2009*, which provides a comprehensive framework to combat the aforementioned crime. This law provides a maximum of 15 years of imprisonment for offenders of trafficking laws, including those who knowingly aid traffickers. In addition to clearly establishing the trafficking of children as a criminal offense, the *Combating Trafficking in Persons Act* establishes a requirement for Internet service providers to inform the police of any information, which suggests or alludes to trafficking on its server. Failure to report such matters is a criminal offense (United States Department of Labour’s Bureau of International Labour Affairs, *Findings on the Worst Forms of Child Labour 2009*).

Laws meant to punish pimps, clients and prostitutes exist but the overall impression is that very little is being done to find the reasons behind low-class sex work. This paper is just an introduction to the study of prostitution in Mauritius. A lot of research is yet to be done to uncover the lives and the daily battles of female sex workers. Organizations such as Le Parapluie Rouge or Women in Networking (WIN), among others, exist but their voices often go unheard. Prostitutes have become visible in contemporary Mauritian literature but have they gained the sympathy of a large part of society and the laws? Indeed, it would be difficult, if not impossible, to make a complete representation of sex work in Mauritius: a whole volume on the topic would be necessary. Our main focus is therefore on prostitution as it is unveiled in Mauritian newspapers and novels, and as limited as it may seem, we could learn something on this subject.

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