

# 4

## Female Offenders Who Organised Others for Prostitution

► **Abstract:** *This chapter discusses women's involvement in sex work management – an offence defined under Section 358 of the Chinese Criminal Law 1997 and an issue that more or less equates to pimping in the western contexts. It begins with a summary of the Chinese vice laws, and this is followed by a review of previous studies in relation to the subject. It then presents the empirical data to explore the socio-demographic characteristics of the female sex work organisers, their motivations for organising others into prostitution, the role they played, their relationships with female sex workers, and their own perspectives of participating in the sex trade. Finally, it concludes the findings with a couple of implications for policy and practice.*

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The issue of organising others for prostitution (sex work management) in China equates more or less to that of pimping in international criminology. According to O'Neill and Campbell (2007: 48), the issue of pimping 'represents a relatively hidden dimension to street sex work illustrated clearly by the lack of official statistics and the lack of research'. For the same reason, the nature, extent, and impact of sex work management remains unclear in China. In this chapter, I examine women's involvement in this illicit service sector in post-Mao China. To place the issue in the local context, I begin with a summary of the Chinese vice laws and a brief discussion of the sex trade that re-emerged in the reform era.

## **The vice laws and offences of 'organising others for prostitution'**

Maoist China announced the elimination of prostitution in 1956 when it proclaimed its socialist status (Dutton & Xu, 2005). Since then official statistics indicated that prostitution no longer existed in the country (Ren, 1999). However, the sex trade has flourished since 1978 (Zhang, 2011) and is regarded as one of the 'troublesome forms of offence', and the 'newly targeted areas of illegality' in reform China (Dutton & Xu, 2005: 126).

Upon a simplified moral analysis, resurgence of prostitution was identified in the early days of the reform era as the evidence of capitalist pollution and indication of a decline in socialist values that accompanied economic growth (Jeffreys, 1997). Without much evidence, Chinese leadership believes that prostitution pollutes 'China's moral soul' (Gil et al., 1994: 330) and 'destabilises state rule and the socialist system' (Zheng, 2014: 202).

In socialist China, female prostitutes were regarded as victims of male sexual exploitation (Jeffreys, 2004; Ren, 1999). This perception remains valid today especially in official discourse, and the Chinese vice laws deem prostitution a form of exploitation. To suppress the sex trade, an array of administrative penalties are available for sex workers and their clients. At the same time, third parties between sex workers and their clients are criminalised. Section 358 of the *CCL* 1997 specifies the offence of 'organising others for prostitution':

Anyone who organises others for, or forces others into, prostitution shall be punished with between five and ten years imprisonment. Anyone who

commits such crime with an aggregating factor(s) shall be punished with ten years imprisonment or a life sentence. Anyone who commits such crime with an aggregating factor(s) under extremely serious circumstances shall be punished with a life sentence or the death penalty. A financial penalty shall be imposed concurrently. (Section 358)

Aggravating factors are specified as: (1) organising others for prostitution with serious circumstances; (2) forcing girls under 14 years of age into prostitution; (3) forcing several or more persons, or repeatedly forcing others into prostitution; (4) forcing others into prostitution following rape; or (5) causing serious injuries or deaths of persons forced into prostitution, or others serious consequences.

According to a statutory interpretation jointly issued by the Supreme People's Court (SPC) and the Supreme People's Procuratorate (SPP) in 1992, 'organising' is defined as 'exercising control over several or more persons to sell sex. 'Control' includes recruiting, employing, forcing, inducing, accommodating, and other such acts' (Article 2(1)). Clearly, the law seeks to penalise all third party individuals as long as they become involved in any transaction between sex workers and their clients. To achieve this objective, Section 358 offers a separate paragraph specifying the offence of 'assisting organising others for prostitution', which is punishable with a maximum ten-year imprisonment along with a financial penalty. In this chapter, I refer to all third party organisers in this context as 'organisers' or 'sex work organisers'.

Evidence shows that policymakers, from an abolitionist perspective, wish to utilise criminal law to suppress the sex industry. Law enforcement takes the format of campaign style policing, and there have been intermittent top-to-bottom nationwide crackdowns since 1983 (Shan, 1995). In the 'counter-six-evils' campaign launched in 1989, prostitution was targeted specifically, along with pornography, trafficking and selling of women and children, drug offences, gambling, and using superstition to trick people. Since then, anti-prostitution has been frequently on the agenda of *yanda* campaigns which rely heavily on authoritarian means to respond to serious crimes that become an imminent threat to social order. Anti-prostitution campaigns, known as *saohuang* (literally, 'sweeping yellow'), aim to dismantle the sex industry – 'yellow' is a generic term for pornography and prostitution (Zhong, 2009). However, *saohuang* and the interventionary strategies on the whole have not achieved their intended goal (Gil et al., 1994; Zhang, 2011).

## Sex work management in post-Mao China: a review of literature

Since sex work is illegal in China, the sex trade operates entirely underground, and brothels are usually formed under the guise of entertainment establishments and service sector businesses (French, 2006; Hershatter, 1997; Zhang, 2011). As streetwalking is not an option, sex workers have to adopt alternative methods to contact clients, including working individually through advertising, working within entertainment establishments or with individual third party organisers to obtain work.

However, few studies have been conducted to measure quantitatively the extent of the sex trade in China, nor has research done much to characterise individuals who are involved in sex work management. Scholarly work on prostitution in transitional China suggests that some sex workers are organised by others, but the proportion of this category of sex workers and the number of those who organise them remain unknown. Consequently, the segregated number for female organisers is not available.

Yang (2012: 55) observes that women are increasingly seen to be brought into the criminal justice system for sex work management. This claim is supported by a number of regional studies (see, e.g., M. H. Wang, 2003; B. Y. Zhang, 2010). B. Y. Zhang (2010) suggests that the number of women who were engaged in organising others for prostitution was significantly higher than that of men. There are two possible explanations for this. First, with the flourish of the sex industry in the reform era, prostitution, which has gradually burgeoned as part of the consumer culture, is showing little sign of disappearing (Zhang, 2011), and instead is thriving (Ghosh, 2013). Since streetwalking is not possible, third parties are needed to facilitate transactions between sex workers and their clients. While male prostitutes do exist, the majority of sex workers are females (Pan, 2014; *South China Morning Post*, 2014), and women are thought more likely than men to befriend female sex workers and establish personal and working relationships with them. Second, as explained earlier, *saohuang* campaigns have been launched intermittently for nearly two decades. Over the years, the local police investigators have devised various detective tactics (Jeffreys, 1997; *Xinhua News*, 2014e, f) which enable them to achieve high arrest rates in a *saohuang* campaign. Consequently, more individuals are being brought into the penal system for sex work management than before, and many of them are women.

However, the criminalisation of sex work organisers has not slowed down the growth of the sex industry (Zheng, 2014), nor does it seem to have deterred individuals from engaging in the illicit services.

In the sex trade in post-Mao China, female sex workers are commonly called *xiaojie*. According to Zhang (2011), *xiaojie* is preferred because it carries more social acceptance than the term ‘prostitutes’ and is more ambiguous than ‘sex workers’. Women who directly manage *xiaojie* within entertainment facilities as well as independent female sex work organisers are called *mami*, similar to ‘mammies’ in English, whilst their male counterparts are called *jitou*, literally, ‘the head of hens’.

The operational format of sex work management is complex and determined by a number of factors, such as financial resources of individual organisers, locality, profiles of *xiaojie* and clients, and the level of law enforcement pressure. Organisers are highly diverse in terms of social status, economic power, and connections with authorities. Table 4.1 illustrates the dynamic nature of sex work management and the positions of individual organisers within it.

As Table 4.1 shows, sex workers may be organised by a variety of ostensible business establishments or by individual organisers. Both corporate and individual organisers are assisted by a range of individuals who facilitate sex work management. Usually high grade entertainment establishments are owned by business people with a considerable level of economic power and social connections, often with the police and local officials, or may even be run by the latter (Liu, 2007; *Xinhua News*, 2014e, f). According to *Xinhua News* (2014e, f), high grade entertainment establishments operate in a well-organised manner with a hierarchical structure, clear division of labour, internal rules and disciplines in order to exercise strict control over not only the *xiaojie* but also the *mami* and *jitou*, who manage the *xiaojie* on a daily basis. The owners of these entertainment facilities profit substantially from hedonistic consumption of commercial sex users and *xiaojie*’s selling of sex.

Lower grade entertainment facilities usually have a simpler structure and often entail only one line of business. Typical examples are karaoke bars, sauna parlours, roadside hostels, and hairdressers, and they accommodate a small number of sex workers managed by owners directly, or by one or more *mami/jitou* who are also responsible for recruiting *xiaojie* and maintaining the client base (Pan, 2000; Yao et al., 2012).

**TABLE 4.1** *Business format and individuals' positions in sex work management*

Business structure	Primary organisers	Other organisers
High grade entertainment establishments (such as hotels, night clubs, karaoke halls, leisure clubs)	Actual owners (actually own and manage the entertainment facilities) Paper owners, known as 'statutory representatives' (registered as the owners, but do not actually own and manage the entertainment facilities, e.g., YX)	Everyone in the management structure (such as managers, e.g., WXJ, and supervisors/client managers, known as <i>mami/jitou</i> ), and other facilitators for sex work management (such as security guards, bouncers, cashiers)
Lower grade entertainment facilities (such as roadside saunas, massage parlours, karaoke bars, hairdressers)	Owners (managing sex workers directly) 'Smart' owners (using <i>mami/jitou</i> to manage sex workers)	<i>Mami/jitou</i> , and other facilitators for sex work management, e.g., ZR
Independent individual organisers (individuals organising others for prostitution without a formal business structure)	Individual organisers and direct associates (known as <i>mami/jitou</i> ), e.g., CL, YL, and LLN	Anyone assisting individual organisers to facilitate sex work management, e.g., LLL, WJ, and WFL

*Note:* YX, WXJ, ZR, CL, YL, LLN, LLL, WJ, and WFL are the respondents. Their positions in sex work management are indicated here, whilst their involvement in the illicit service sector is discussed in detail in the sections that follow.

Independent *mami* and *jitou* operate the sex trade on their own, usually in rented premises or within entertainment establishments. Some may provide accommodation for *xiaojie* (*ibid.*).

As regards the organiser-*xiaojie* relation, Jeffreys (1997: 49) observes that owners of the entertainment facilities were often 'caricatured as voracious money-grabbers', thus exploiters. However, according to Pan (2000), some sex work organisers had no strategies for managing *xiaojie* and profiting from them. The employed *mami* and *jitou* were under various pressures and could be sacked for failure to perform 'satisfactorily' (Pan, 2000; Lu, 2014). Previous research suggests that apart from monetary gain, sexual desire is also a motivation of *xiaojie* for working in the sex industry (Gil et al., 1994), and some organisers complained about younger, good looking *xiaojie* 'doing it for fun', ignoring rules, and being difficult to manage (Pan, 2014). Hence, there are mixed views about what really happens in sex work management, and very little research

has been done to find out the truth of the lives of female organisers. In the following sections, I explore my empirical findings from the interviews with the respondents who were convicted of organising others for prostitution.

## Profile of the females who organised others for prostitution

As of July 2013, 76 female prisoners in the sample prison were convicted of organising others for prostitution and formed 3.2 per cent of the overall prison population. It is consistent with the findings in a previous study (M. H. Wang, 2003) which suggests that sex work management is prevalent among female law-breakers. Table 4.2 illustrates the socio-demographic profile of the nine participants.

As illustrated in Table 4.2, the female organisers here were largely in their twenties and thirties. All of them had primary level education

TABLE 4.2 Profile of the respondents convicted of organising others for prostitution ( $n = 9$ ), July 2013

Respondent	Age	Ethnicity	Domicile	Education	Marital status	Occupation	Prison term (years)
CL	28	Han	City	Junior middle	Married	Unemployed	6.5
LLL	23	Han	City	Primary school	Single	Unemployed migrant	6
LLN	24	Han	City	Junior middle (d)	Single	Unemployed	5
WFL	20	Han	City	Junior middle (d)	Single	Unemployed migrant	6
WJ	36	Han	City	Junior middle (d)	Married	Unemployed migrant	10
WXJ	53	Han	City	Senior middle	Married	Retired cadre*	8
YL	34	Han	City	College	Single	Unemployed migrant	7
YX	28	Han	City	Junior middle	Single	Company director	5
ZR	35	Han	City	Junior middle	Married	Migrant worker*	5

Notes: WXJ was a retired cadre from a state-owned corporation.

ZR was employed as a *mami* in a small sauna prior to arrest.

LLN, WFL, and WJ were junior middle school dropouts.

or higher. Prior to their arrests, all nine respondents were residing in cities, but five of them were rural migrants. The four urban residents were retired, self-employed, employed in an entertainment facility, and unemployed, respectively, before being involved in the sex trade. The interviews reveal that five respondents who claimed to be unemployed were actually living on profits from organising *xiaojie* for prostitution. Although on the surface the respondents had a variety of employment status, the interviews suggest that they shared similar social conditions with the *xiaojie* whom they were managing (see also Gil et al., 1994).

In the interviews, I found that all of the nine respondents in this category had very good verbal communication skills. This is consistent with the findings of Pan (2014) who observes that *mami* commonly had excellent people skills and incredibly good memories.

As the female offenders discussed in Chapter 3, all the respondents here were raised in a stable family. None of them reported childhood abuses or dramatic turbulence in adult life. Also, none of them were habitual or repeat offenders. Therefore, the socio-demographic profile of the female sex work organisers here differs considerably from that of traditional pimps depicted in western literature, who are typically male, with a wide repertoire of offending (Day, 2007; Hodgson, 1997; Hoigard & Finstad, 1992; May et al., 2000; Shackleton, 1997) although perpetrators sometimes are females (Sanders et al., 2009).

## Women's pathways into sex work management

The data shows that prior to engaging in the sex trade all of the respondents had opportunities to access the sex trade either by virtue of ownership or employment, via friends or intimate partners, or through being *xiaojie* previously. The in-depth analysis of data has enabled my findings to be drawn into some typologies of women's pathways into sex work management.

### Women as owners or employees of entertainment facilities

As illustrated in Table 4.1, some high grade entertainment establishments may use 'paper owners' who are registered as the owners, known as 'statutory representatives', but these businesses are actually owned and run by 'actual owners' who profit from operating in the sex trade.

According to media sources, paper owners tend to be rural migrants or low-income urban citizens who are usually acquaintances of the actual owners. Paper owners usually receive small annual dividends, but have no involvement in the management, and they are often caught in the *saohuang* campaign and accused of organising others for prostitution (see Wei, 2014). It appears that the actual owners use the paper owners to shield themselves from police detection. YX was apparently a paper owner, although she was an urban resident, running a small legitimate business at that time, so financially did not have to be in that position:

I had some spare money, and was looking for investment opportunities. A friend of mine persuaded me to invest in a hotel. I gave her 80,000 yuan. She later rented a hotel, and asked her older brother to manage it. My friend and I were statutory representatives of the hotel, but neither of us was involved in managing it. I knew there were *xiaojie* there, but I never said anything.

WXJ was 53 years old when she became the general manager of a hotel complex comprising a hotel, a sauna parlour, and a massage salon in a five-floor building located in the city centre. She explained how she got involved:

I retired from a supervisory position in a state-owned corporation. Although I was receiving a generous retirement salary, I thought I could use my experience to make more money, plus I was bored at home. I recommended myself to the owners of a local hotel... I knew what was going on, but I let it continue.

Clearly, neither of the women was in real financial need, but both had a desire for more money. There was a money-making opportunity, and they took it. As discussed in previous chapters, the general desire of getting rich is a risk factor in reform China – a transitional society – where disciplines are weakened with increasing moral ambiguities, and where more than ever ‘deviance is normal’ (Taylor et al., 1973: 282).

Like WXJ, ZR was also involved in sex work management by virtue of employment. She was a *mami* employed by a small sauna which accommodated five to six *xiaojie* at a time. She entered into the sex trade during a hard time in life:

My husband was imprisoned for selling drugs in 2009. In order to visit him regularly, I left our children at home to look for a job in the city close to him. Initially I worked in a factory, but the wage was too low to get by. An acquaintance of mine recommended me to the sauna. Money was a lot better, and I was able to afford our children’s school fees and our living costs.

Apparently ZR was tempted by the monetary reward of the ‘work’, but as we can see she barely had any other channels to receive money and support when facing financial difficulties. However, by law as long as a third party individual has acted between sex workers and their clients, exploitation is deemed, and the contextual circumstances surrounding law-breaking are immaterial.

### Independent individual sex work organisers

CL, YL, and LLN were independent individual organisers who shared common characteristics – young, motivated, independent, and confident – and all of them were keen to ‘get rich’. CL was previously employed as a DJ in a night club where she got to know *xiaojie* and had the ‘connection’ with the sex trade:

Initially I was asked by several *xiaojie* to be their *mami*. They said they no longer wanted to work for the night club where they had to drink a lot with clients before doing business with them... They made me think actually managing *xiaojie* could be a good business... Soon I rented a sauna of my own where I had a number of *xiaojie* working with me.

Here we can see *xiaojie* are not always ‘recruited’ by their organisers. Sex workers today, as their organisers, may exercise active agencies to negotiate their conditions for work and respond to problems in life. And the ‘business’ was rewarding, which provided CL not only profit, but also a high self-esteem: ‘I had a good reputation among *xiaojie* and their clients’.

Like CL, YL was also a highly motivated young woman. After being cheated out of all her savings by a fraudulent recruitment agency, she had to work as a *xiaojie* to survive until she found a ‘good’ opportunity to turn her life around:

It (working as a *xiaojie*) lasted for about ten months until I realised I could be a *mami* myself. By then I had a stable client base and also a lot of *xiaojie* friends. I thought it could be a good start. Previously I had exhausted all possibilities to secure a decent job or set up a business of my own... My goal was 500,000 yuan which was the amount that I needed to open a 4S shop to run a car sale business.

The criminal markets indeed have opened up opportunities to ambitious individuals with limited resources, such as YL and CL, who were willing to take risks to get rich and succeed. However, it would be wrong to rely on the rational choice theory (Clarke, 1992) here to explain the women’s involvement in criminal market activities, as Hobbs (2012) reminds us

that the 'situated conditions' in which such decisions are made should not be ignored. Here the situated conditions of the respondents included the eagerness for money and success on the one hand, and the lack of legitimate channels to achieve their goal on the other. It was in these conditions that engaging in illicit business practice became irresistible and inevitable, and that the respondents decided to be part of it. In sex work management, in addition to the economic incentive, the respondents appeared also to be motivated by 'leisure consumption' (Smith, 2013) associated with the sex trade.

As indicated earlier, the sex trade in China operates largely in entertainment establishments, which provide opulent surroundings that are considered suitable for business and pleasure. However, nightlife there is costly, and, as observed elsewhere such as Britain, is often associated with vice and crime (Winlow & Hall, 2006). The data shows that as *xiaojie* (see Jeffreys, 1999: 53), young female sex work organisers, besides powerful economic incentives, were also motivated by the desire of enjoying themselves in pleasant surroundings, and LLN made this point clear:

I made a friend in a karaoke bar, who was the floor manager there. He suggested that I should organise some *xiaojie* for them. The rewards were 100–200 yuan commission per transaction, plus enjoying their karaoke hall free of charge. That was too tempting to resist.

Here the ability to consume entertainment facilities, as 'experiential consuming' (Malbon, 1999: 183), was apparently a strong incentive. In this form of consumption, as observed in the western contexts, nothing material is 'taken home', but the experiences gleaned from participation in it are integral to the creation of 'identity' (*ibid.*). Here, as some individuals in the West (Smith, 2013), the respondents were captured by consumer capitalism and drawn toward criminal opportunities which enabled them to participate in the consumer display.

### **Women as intimate partners of men who organise others for prostitution**

WFL, LLL, and WJ were induced into sex work management by their intimate partners. WFL met her boyfriend at the age of 19. He told her he was running a wedding planning company. According to WFL, he was 14 years her senior, charming and commercially sophisticated:

He asked whether I'd like to work for him. I said 'yes'. He then took my ID card 'for some registration', but never returned it to me. Later I found he was

actually organising *xiaojie*, and I made two attempts to leave him, but failed. The second time he went to my hometown to look for me. He locked me up in a hotel room, and kept saying how much he loved me... I went back with him.

LLL, who was 23 years old, had a very similar experience to WFL. Arguably these young women were initially victims of deception, intimate coercion, or male domination, but their position was blurred by their subsequent voluntary participation in criminal activities and the financial benefits that they gained from it, as WFL explained: 'My boyfriend said we had to do it because we needed money for our future family... Also, he always gave me money to spend, bought me nice clothes, and often took me out for meals'. Similarly, WFL also frankly admitted the power of consumption as an incentive: 'I did not want to have anything to do with it (the sex trade), but honestly we did make money from it. I always had money to buy things – designer bags, clothes, and other stuff like that'. As Yan (2009) observed, consumerism has been increasingly recognised as a feature in post-Mao Chinese society, which undeniably has an impact on women. In the West, it is argued that the pervasiveness of consumption in contemporary social life has highly criminogenic consequences (Hall et al., 2008). In Britain, for example, it is claimed that the recent rise in consumer culture has had particular gendered implications for the identity construction of young women, and the association between feminine consumption and young women's involvement in crime has been acknowledged (Sharpe, 2012). This seems also to be the case in China (see, e.g., Bo & Huang, 1994; Kang, 2005: 88) and is now further confirmed by the data in this study.

In Chapter 3, I discussed the passive female members in BSSCO. Observing the Confucian female virtue, they simply followed their men and did what they were doing. Here, 46-year-old WJ was in a similar, although slightly worse, position:

My husband started to take young girls to the city in 2005. Later he asked me to do it with them. He said he needed me because it was not convenient for men to go everywhere with *xiaojie*. I did not want to go... I was selling shoes in the market, and the business was ok. He was very angry, and threatened to divorce me. I couldn't afford divorce.

In a traditional patriarchal society, men are superior over women in a family. Although women today do not have to rely on their husbands for income, a husband is still the centre of the family, especially in rural

areas. For married women, a good family life, which includes having a husband who is a good father, is their life achievement and cannot be given up (Liu & Chan, 1999). Consequently, for WJ, when faced with the choice of divorce or joining her husband's 'business', the latter of course prevailed.

Hence, although the respondents had varied life circumstances and different pathways into sex work management, economic gain and material consumption were clearly their motivations. However, the data also shows that for some, entry into the illicit trade could be said to be more an outcome of a life event than an active life choice.

## Female organisers' role in the sex trade

WXJ and YX as an owner and a senior manager, respectively, of entertainment establishments which ran the sex trade, were legally responsible for omitting to act to stop the wrongdoing. However, all the other respondents played an operational role – some were active players, whilst the others were passive participants and played a secondary or supplementary role.

Sex work management is essentially a service offered in the criminal market. It is in demand because *xiaojie*, who are largely rural migrants (Gil et al., 1994) with no social connections in cities where the sex trade operates, usually need the assistance from others to guide them into the trade (Liu, 2012; Wei, 2014). Generally, *xiaojie* demand a system that provides them a place to work, clients, and guaranteed payment with limited costs (Pan, 2000, 2014). More importantly, they demand a mechanism that devises certain protections against violence from clients and law enforcement interruption. Sex work organisers commonly offer these services to *xiaojie*. In addition, commercial sex users also rely on third party organisers to patronise sex services.

Sex work management therefore entails an array of routine activities, in which independent *mami* played an active and multiple role, including recruiting, accommodating, and training *xiaojie*, looking for suitable venues for *xiaojie* to work, maintaining and expanding a client base, negotiating with and paying fees to other parties who facilitate their operations. As YL explained, 'It (managing *xiaojie*) was hard work. Ensuring commissions were paid, retaining popular *xiaojie*, maintaining a regular client base, and avoiding police detection could

be incredibly challenging'. The interviews reveal that violence against *xiaojie* by clients was not unusual, and *mami* more or less assumed responsibility for the *xiaojie* whom they were managing. Again, as YL noted:

An independent *xiaojie* in our area was killed by a sadistic male client who dismembered her body. Everybody (in our circle) was frightened... Following the incident, a few more *xiaojie* joined me. After all I had a regular client base, and I had more or less dealt with the clients before.

Managing *xiaojie* incurs running costs, too. To carry out the business successfully, YL even enrolled in an MBA course to enhance her management skills. Other sources (see, e.g., Lu, 2014; Pan, 2000; Wei, 2014) suggest that *mami* were commonly pressurised, and their income was unstable, which was affected by many factors beyond their control.

Apart from the active *mami*, there were passive female sex work organisers among the respondents. The latter were either working for the owners of entertainment facilities such as ZR, or facilitating the primary individual organisers such as WFL, whose role, although auxiliary, was business-related:

My job was to have business cards printed and distributed to local hotels. I was also responsible for advertising our business in local newspapers and on the internet. We usually said we were providing PR services. My boyfriend said it was easier for a woman to collect money from clients. So I did that as well.

The job for LLL and ZR was simpler. What they needed to do was to 'take *xiaojie* to the clients', as 'it was not convenient for a man to do.' WJ's role was house-keeping. She was responsible for looking after the small roadside hotel which they rented to live in and also accommodate several *xiaojie* who were 'doing business' there as well. According to WJ: 'My husband was managing the "big things". I was tidying and cleaning the rooms, shopping, cooking ... , and also looking after our kids.' Apparently, a *mami*'s role depended on her position in the business. As argued in Chapter 3, women's position in the criminal world appears to mirror that of Chinese women on the whole in post-Mao China: here, some women, triggered by the desires of getting rich and material consumption, were actively playing a key role in the criminal markets, whilst the others, who were less active, were dominated by men and accepted a traditional female gender position.

## The relationship between female organisers and *xiaojie*

International literature suggests that sex workers' relationships with their organisers were ambivalent (May et al., 2000) and far more complex than popular stereotypes would suggest (Sanders et al., 2009). These claims are echoed in the Chinese context. Yao and colleagues (2012) argue that the relationship between organisers and *xiaojie* is reciprocal. As discussed earlier, some *xiaojie* turn to *mami* for assistance, and *mami* provide the services and get paid. In this sense, *mami* and *xiaojie* coexist.

The data indicates a contractual relationship between the *xiaojie* and their *mami* similar to that identified in other cultural contexts (see Shackleton, 1997; Sanders, 2005). Although usually the contract was not clearly defined, the 'terms and conditions' were well observed through mutual understanding. For example, except YX and WXJ, all other respondents confirmed receiving commission which was typically a small portion of the *xiaojie*'s earnings. The amount was in the range of ten yuan to 20–30 per cent of the fee paid by a client to the *xiaojie* per transaction. The rates were always negotiated and agreed in advance. No evidence here suggests that *xiaojie* had to hand over the majority of their earnings to the *mami*. This is possible because, as previous studies suggested, the majority of *xiaojie*, although young, were mature women with individual agencies and capable of negotiating between their organisers and clients (Jeffreys, 1997; Yao et al., 2012; Zheng, 2014).

The interviews also expose that *xiaojie* preferred *mami* rather than *jitou* to organise work for them, as being of the same sex made it easier for them to establish mutual understanding and trust. Sometimes, the *mami-xiaojie* relation could be intimate and personal, and female organisers who were kind to and cared for their *xiaojie* could earn their loyalty, as CL illustrated:

*Xiaojie* were following me because not only was I *youbenshi* (capable), but also I understood them. As a woman myself, I knew exactly what they wanted, and what they tried to avoid. Honestly I treated them as colleagues and friends. They called me 'Li Jie' (sister Li) which was nice.

Previous studies indicate that while sometimes vulnerable, young migrant women were manipulated into sex work, more frequently *xiaojie* were introduced to the sex trade by acquaintances or recruited through adverts (Pan, 2014; Liu, 2012). According to the respondents, *xiaojie* were

largely their friends and acquaintances, although sometimes *xiaojie* were recruited via advertisement.

International literature suggests that drug dependence, along with coercion and violence, was often used by pimps as a means of securing compliance from prostitutes (May & Hunter, 2007; Edwards, 1987; May et al., 2000; Miller, 1995; Pitcher et al., 2006). However, this is not revealed in the interviews. The findings here lend strong support to previous research in China which suggests that sex work organisers exercised little, if any, coercion or physical control over *xiaojie* (Pan, 2014; Zheng, 2014), although there are contradictory accounts (see, e.g., Ghosh, 2013; Liu, 2012; Ren, 1999) which indicate the pervasiveness of violence and physical coercion in the management of prostitutes for exploitation, as that reported in other cultural contexts (see Faugier & Sargeant, 1997; Hodgson, 1997; May et al., 2000).

In the West, pimps were found to target vulnerable individuals in need of friendship (see, e.g., Barry, 1995). In Britain, May et al. (2000) reported that young women were inducted into the sex trade, and subsequently controlled and exploited by a boyfriend. This apparently was not part of the stories of the female respondents here. However, YL mentioned that two friends of hers were forced by their boyfriends to sell sex.

Although physical coercion, violence, and abusive constraint are not revealed in the interviews, the data does indicate that the respondents exercised a certain level of control over *xiaojie* to ensure that the latter committed themselves to 'work' and also pay commissions, and sometimes there were rules in place to enable viable business operations, as YL explained:

I worked out different methods to ensure payment was made by clients to *xiaojie*, and commissions were made by *xiaojie* to me. I did have my rules ... For example, I warned them not to go out with clients because they could get hurt and that would of course also cause trouble to me ... I did show *xiaojie* that I was looking after them... Actually several of them were good friends of mine.

Apart from such 'control', no evidence suggests there was coercion, financial and physical control, or influence exercised over *xiaojie* by the respondents, nor does any evidence show that *xiaojie* were financially or emotionally dependant on them. These accounts are highly creditable because, firstly, as discussed earlier, *xiaojie* are capable of exercising their own agencies to seek out assistance from *mami* and negotiate how *mami* can improve their work conditions and income, and, secondly, *mami* and *xiaojie* often share the same backgrounds and social conditions. They

socialise in the same circles and have an equal footing in negotiation. The difference between them is only that they choose different types of work in the same industry, in accordance with personal preferences and individual circumstances. This explains why when facing law enforcement actions *xiaojie* and their organisers are allies (Jeffreys, 1997).

In a different social context, Sanders et al. (2009) argue that if exploitation has to be deemed as a nature of sex work management, it may not be clear cut as to who exploits and who is exploited. Similarly, in China, Pan (2014) observes that sometimes *mami* were verbally abused by *xiaojie* for introducing them to 'bad' clients. Here, for example, ZR was more a maid for *xiaojie* than a stereotypical *mami* – a money-sucking exploiter. The data makes it clear that the *mami-xiaojie* relation in reality does not match precisely that which the vice laws assume.

Hence, although we cannot deny that exploitation and other criminal acts do exist in the sex trade in China, it is wrong to perceive modern-day sex workers always as venerable victims of exploitation and abuses, and their organisers, largely women, always as cold-blooded money grabbers as commonly depicted in the media. As we have seen, *xiaojie* and their female organisers both belong to the marginalised social groups and are victims of the rapid social changes. They coexist in an environment fostered in neoliberal China, where 'being rich' is the mainstream goal, but opportunities for them to achieve that goal are limited, and where what can or cannot be traded in the marketplace is often ambiguous.

## Female organisers' perspectives on sex work management

Earlier I argued that the theory of rational choice cannot be relied on to explain women's participation in money-driven criminal activities, as the situated conditions in which individuals make those decisions must be taken into consideration. The data indicates that the situated conditions for the respondents comprised a number of moral and legal ambiguities, and the first one concerns the nature of sex work management. Typically, the interviewees argued that '*xiaojie* were doing it voluntarily', and 'we helped them earn better money', as YL explained: 'I do not understand why it is harmful. To me there was a market with willing sellers and buyers who demand our services. We were just agents bringing *xiaojie* and clients together, and that was what they both wanted'. In fact, there has

been long-standing, complex moral debate about prostitution (Sandel, 2012), and whether or not sex work is voluntary is a matter of opinion. In China, evidence suggests that some women who sell their bodies for sex are coerced largely by poverty or lack of illegitimate opportunities to create wealth (see Liu, 2012; Pan, 2000, 2014). Therefore, it may be said that sex work is a survival strategy for some marginalised individuals. However, people who oppose the sex trade argue that prostitution is a form of corruption that demeans women and promotes bad attitudes towards sex (Sandel, 2012). In China, it is officially assumed that allowing sex work management gives rise to exploitation and abuses against vulnerable sex workers (Jeffreys, 2008), and therefore the sex trade must be banned. Although no evidence suggests that the respondents had ever considered these moral debates, it appeared difficult for them to understand why voluntary choice of *xiaojie* and the willingness of the parties involved are immaterial as far as the laws are concerned.

Secondly, there was also an overwhelming ambiguity about the vice laws among the respondents, as WXJ remarked: 'I did not organise *xiaojie* directly. I thought it had nothing to do with me. I thought if I had been held responsible for it as a general manager, it would have been a minor breach of a regulation, not law, not criminal law anyway'. The interviews also reveal that the respondents were commonly unaware of the true extent of the legal consequences of sex work management, according to CL: 'I knew people organising *xiaojie* could be caught by the police, but thought that had I been caught I would have been fined, probably quite heavily. I could not believe I got six and a half years for doing it'. The media distortion may perhaps explain such a lack of awareness. When reporting a *saohuang* campaign, the media are often keen to publicise disproportionately the news footage of *xiaojie* and their clients covering their faces and crawling towards the wall as a result of a police raid. It is not surprising, as 'sex' is deemed newsworthy (Gall, 2006; Jewkes, 2011a). However, news reports of this kind distort the fact that sex work organisers, including the owners of illicit entertainment establishments, would have also been caught in the police operation, but they hardly receive any media coverage (*Xinhua News*, 2014e, f). The false impression for the audience therefore is that only *xiaojie* and their clients are targeted and would be fined as a result.

The third ambiguity relates to the prevalence of sex work management, public tolerance, and inconsistency in law enforcement. The claims commonly aired among the interviewees were that 'it was everywhere'

and ‘a lot of people were doing it’, and these were not exaggerated (see, e.g., French, 2006), as YL explained: ‘The police knew what was going on. So did the general public. Nobody cared... Large entertainment establishments openly provided *xiaojie*, and I did not see any of them being caught. I was unlucky’. As in other cultural contexts, hedonistic business is not the exclusive preserve of illegal enterprise (Hobbs, 2012). In China, as the respondents indicated, reputable businesses also operated illegitimate services to satisfy hedonistic consumer needs to maximise profits. In addition, as discussed earlier, *saohuang* campaigns are launched only intermittently, and outside the campaign seasons anti-prostitution operations are not taken systematically (Zhang, 2011). For general public, including the respondents, sex work management is not always a police priority, and, according to YL, ‘it was almost risk-free’. It was in these situated conditions that the respondents chose to participate in the sex trade as organisers.

In the interviews, the respondents often connected their law-breaking with their own destinies, rather than associate their problems with their marginalised social conditions in the neoliberal society. In fact, several respondents did attempt to change their fate initially through legitimate channels. YL was one of them. While explaining to me that managing *xiaojie* was part of her plan for finding a boyfriend for herself, she remarked:

I believe my boyfriend should have the same social status as me. To find a decent one, I must first have a decent, well-paid job or a stable business. Cinderella is a fairy tale. In reality, before I can find a decent man I must work harder and get better.

When asked whether they would be involved in sex work management again after release, the usual answer of the respondents was, ‘I would not do it again, but I am not sure what else I would do’. Indeed, there are not many options for them.

## Conclusion

Upon the traditional notion, the prostitute is a woman who is controlled by a coercer who forces her into the sex trade and lives on her earnings. Therefore, Chinese vice laws deem any third parties between sex workers and their clients as exploiters, to whom harsh penalties are available. Due

to a lack of research, little is known as to the nature, extent, and impact of sex work management. As this chapter illustrated, international literature on 'street walking prostitution' in the western contexts (see Edwards, 1987; Hodgson, 1997; May et al., 2000; Pheonix & Oerton, 2005) does not fully reflect the reality of the sex trade in post-Mao China, whilst the findings in this study do support the claim that prostitution is not always about victimhood (Hubbard, 1999).

The data shows that the overall profile of the female sex work organisers here differs remarkably from that of the 'hyper-masculinised criminals' – pimps, ponces, and organised criminals – depicted in other social contexts (May et al., 2000; Mckeganey & Barnard, 1996; Phoenix & Oerton, 2005). The sex trade in China is complex, in which individuals' social status and power relation is highly diverse. However, the interviews reveal that the female organisers seemed to share the same social status and life conditions with the female sex workers whom they were organising. As the selling of sex, sex work management is also a response of women to marginalised social conditions. Therefore, the interventionary strategy that aims to suppress the sex trade has not prevented women from entering the illicit business sector. Instead, *saohuang* campaigns render punitive measures against women working in the sex trade palatable.

This chapter has illustrated that economic gain and material consumption were the common motivations for sex work management among the respondents. While the desire of getting rich was the drive for those who played active roles in organising others for prostitution, there were other women who were induced or coerced into the illicit trade by male domination or due to financial hardship. The vulnerability of these women is often overshadowed by the fact that they had contributed 'voluntarily' to the criminal operations and materially benefited from doing so.

In this chapter, I challenge the convenient assumption of the vice laws by arguing that sex workers in post-Mao China are capable human agencies vis-à-vis their organisers and clients. The data suggests that the relationships between *mami* and *xiaojie* are complex and often dubious. No evidence shows that the respondents had deployed instrumental or coercive measures to force, deceive, or overly exploit *xiaojie*. Rather, they and *xiaojie* coexisted, and they relied on each other to make a living in the competitive marketplace where women were expected to make money and look after themselves. However, due to the nature of sex work management, organisers may devise strategies of control to ensure their

income (Sanders et al., 2009), but the data shows that control did not equate to routine use of violence, exploitation, abuses, or victimisation. Although exploitation cannot be ruled out in the sex industry in China, and sex workers may be victimised at the hand of a host of criminals, recognising those is not the same as basing the regulatory framework and policies on the notion that most, if not all, female sex workers always suffer from abusive relationships with those organising them (Phoenix & Oerton, 2005).

This chapter offers a couple of implications for policy and practice. Firstly, raising legal awareness among individuals in the circle of entertainment facilities could be useful. As the findings suggest, the respondents commonly lacked awareness of the nature and consequences of sex work management, but all of them had certain connections with the entertainment facilities prior to engaging in the illicit business, and some actually operated there. Raising legal awareness could serve as a preventive measure and stop some from getting involved. Secondly, it is necessary to recognise that the vice laws are designed to eradicate prostitution, but the goal is unlikely to be achieved in the current social climate. In reality, the interventionary measures motivate individuals to look for alternative channels to operate in the sex trade for money. The sex industry may decrease in size but only when society becomes equal and offers a fair and adequate state welfare system, and there is a long way to go for that to happen. For now, the policy must be shifted to focus on creating opportunities for the female members of the marginalised population and on finding ways of diverting them from the criminal market. At the same time, the law must target the real exploiters who control sex workers and abuse them.