

# Gender, Prostitution, and the “Standards of Civilization”

The importance of gender and sexuality in marking the difference between national self and other, and the power of particular gender constructs in establishing global authority, were made very clear during the imperial era. Their strictures, as defined by the West, shaped international relations into the twentieth century. The establishment of Western authority rested heavily on colonial discourses that marked the differences between Siamese and Westerners in sexualized and gendered terms. Thus, during the imperial era, Siam was represented by Westerners as feminine, or improperly masculine, and, therefore, as naturally subordinate to the “manly” Western states. The importance of proper gender and sexual behaviour to the “standards of civilization” were made very clear in the Western critique of polygamy and extended into the later international campaign against prostitution. Measuring up to Western standards of gender and sexual behaviour, therefore, became a central plank in Siamese/Thai policy as the country fought to maintain sovereign status and international respect; however, this also generated elite male resistance to the imposition of Western sexual standards. Thus, while polygamy was outlawed in 1935 and prostitution was eventually outlawed in 1960, elite men continued to resist these changes.

The accounts of British and American missionaries and diplomats in nineteenth-century Siam make it clear that their imperial status rested upon manipulating categories of gender and sexuality in order to establish Western states (associated with masculinity and sexual restraint) as legitimate and lasting and to establish the Siamese state (associated with femininity and sexual excess) as illegitimate and collapsing. In other words, Westerners pointed to Siamese gender and sexual practices as evidence of the “barbarity” of the Siamese. These characterizations and associations are particularly evident in the obsessive discussions of polygamy that are found in the journals of visiting diplomats and missionaries. It is the discussions of polygamy, rather than the discussions of prostitution (which did not gain momentum until the turn of the nineteenth century), that set the stage for future struggles over prostitution legislation.

### Gender and Prostitution in the Early Modern Siamese State

The polygamous marital system of Siam was an integral part of the national and international politics of the tributary kingdoms of Asia. According to Thongchai Winichakul, the spatial conception of the Siamese nation was utterly different from the Western notion of contiguous boundaries and was, instead, based on a "sacred topography" – the spiritual realm of a king's sovereignty.<sup>1</sup> Rather than borders of defended territory, sovereignties were overlapping spheres of influence (conceived in a spiritual rather than a territorial sense), and relations between spheres were managed through tributary relations of gift giving. In many ways then, the king himself embodied the nation as well as the state, and it was the bodies of women attached to the king that were the ones most closely regulated.

Women played an important role in the harem as consorts and wives of the king, producing both heirs to the throne and staff for the state. As well, elite women provided a bond between rulers and between rulers and nobles in a state and inter-state system based on tribute and alliances. Gifts of women as wives from nobles to the king, and vice versa, cemented ties of loyalty and service between rulers of different spheres of influence. The sexual behaviour of elite women, particularly those within the king's harem, was closely guarded as their bodies marked the boundaries of the state. Thus, control of women's bodies increased with their closeness to the centre of influence, the king himself. One of the earliest available historical sources – the account of a French nobleman, Simon de la Loubère, in Siam on a diplomatic mission in the late 1600s – tells us that elite women were severely punished for adultery and promiscuity. The king's wives were most strictly guarded, being housed in the inner palace, which was peopled entirely of women presided over by the queen or principle wife of the king and guarded by female guards. The penalty for promiscuity on the part of a member of the king's harem was to be sold to a brothel owner or, sometimes, to be killed.<sup>2</sup> Thus, for elite women sexual misbehaviour was punished by being forced into sexual service, although this was most likely understood in terms of concubinage (as discussed below) rather than as prostitution in the modern Western sense of the term.

There was much less control over the sexual behaviour of women outside this immediate sphere of elite power. Marriage and divorce were a matter of relative ease, and virginity was not a requirement before marriage. Women traders exchanged sexual favours as well as goods, often contracting "temporary marriages" with foreigners. While non-elite women appear to have been fairly self-determining in their sexual practices, it is important to remember that Siam was also a slave society. Slavery in Southeast Asia was not the absolute slave system of Europe and America; while there were "absolute slaves" in the European sense (usually war captives), there were also a large number of bonded debtors who sold themselves or were sold

into slavery and could buy their way out again. In the class system of Siam, women and children were not entirely independent actors: they could be sold into debt bondage by their husbands or fathers. Unmarried female slaves often acted as concubines to their masters or their masters' guests.

Commercial prostitution, as opposed to the indigenous practice of concubinage, appeared in Southeast Asia in the late 1600s.<sup>3</sup> According to Barbara Andaya, European disregard for the strictures of fidelity and support of the temporary marriage system rapidly eroded local practices and beliefs, and, with them, women's status. Increasingly, liaisons were contracted between European men and marginalized women (e.g., slaves, ex-slaves, and foreigners) who were far from the protections of home.<sup>4</sup> Within this context, the sexual relations between foreign men and local women began to more closely resemble modern understandings of prostitution as a commercial transaction. The proceeds from brothel prostitution were taxed by the king, but prostitution was not otherwise regulated.<sup>5</sup> In the 1800s, prostitution appears often to have been practised in boats anchored in city harbours, the prostitutes consisting mostly of women who had been sold into debt bondage.

#### Imperial Desire: Sex, Gender, and International Power

Interestingly, it was the practice of polygamy rather than prostitution that captured the attention of the imperialists. While the issue of polygamy had been of some fascination to the European visitors of the sixteenth and seventeenth centuries, it was understood in terms of the practices of the absolutist state. La Loubère explained to the French court that polygamy was not a matter of debauchery but of "Pomp and Grandeur."<sup>6</sup> Such pomp and grandeur were understood at the court of Louis the Fourteenth – the Sun King. By the middle of the eighteenth century, however, profound changes in the conceptualization of proper political rule, and the gendered nature of that rule, had been brought about through the Enlightenment.<sup>7</sup> The new ideas that swept across Europe in the eighteenth century created an association between absolutism, sexual debauchery, and "the feminine." Restrained sexuality, "manliness" defined as the natural opposite of "femininity," and proper rule were the order of the day. With the development of Enlightenment science, the conceptualization of the feminine shifted. Susan Hekman argues that nature as feminine, in the form of "nurturing mother or wild, insatiable *Fortuna*," was replaced with nature as feminine in its "passivity" and its subjection to domination and control by the (male) scientist: "A new image of the female emerged in the modern world, a female to be controlled and dissected. This image legitimated not only the domination of nature but that of women as well."<sup>8</sup> For example, control of female sexuality – through the differentiation of private and public spheres, and women's confinement to the former – was a central part of

French revolutionary and Napoleonic legislation. European literature moved from the celebration of openly sexual heroines like Moll Flanders to the sexually repressed heroines of Victorian novels.<sup>9</sup> Gradually, the division of the sexes into two distinct and hierarchically organized categories came to be viewed as natural and unchanging.

Masculine political rule was constructed and justified in terms of masculine rationality and control – in opposition to feminine disorderliness and emotionality. Masculine character was most specifically marked by rationality, and governance was rewritten as requiring rational control. Excessiveness and lack of restraint – now characterized as feminine – in either sexual or political affairs were expunged from the new ideology of masculinity. The new state in the West, therefore, established itself as manly in a particular sense – heterosexual, rational, and restrained. And, as Connell argues, “with masculinity defined as a character structure marked by rationality, and Western civilization defined as the bearer of reason to a benighted world, a cultural link between the legitimation of patriarchy and the legitimation of empire was forged.”<sup>10</sup> Indeed, gender underwrote the establishment of Empire. The “natural” rule of male over female was extended to the rule over racial others who were characterized as feminine or, alternatively, as hyper-masculine, lacking the self-restraint of civilized manliness. Gender and sexuality, therefore, became important grounds upon which imperialism was legitimized and contested. The imperial era in Siam clearly bore the marks of this gendered struggle.

#### The Imperial Era in Siam and the Struggle over Gender

The beginnings of the imperial, or semi-colonial, era in Siam were marked, through Sir John Bowring, by the signing of a treaty between Britain and Siam. The treaty established immunity from Siamese law for British subjects and guaranteed the latter’s full rights to residence and purchase of property in Siam. Siam signed a similar deal with the United States in 1856 and with several European powers thereafter. Although the treaties did not establish formal colonial rule, their provisions clearly established that Europeans and Americans had distinctive and higher status than did the Siamese and that Western powers had the right to abrogate Siamese sovereignty. Both of these provisions were hallmarks of imperial authority.

The gendered nature of imperialism was made clear in the continuing discussion of polygamy. Polygamy loomed large in the eyes of Westerners who dealt with the elite in Siam in the mid-1800s. The harems of notables were a matter of much concern (and titillation) on the part of missionaries and diplomats alike. The British envoy Sir John Bowring held numerous discussions with King Mongkut (1851-68) – while negotiating the famous trade treaty – on the practice that Westerners found “exotic, self-indulgent, and

uncivilized."<sup>11</sup> Dr. Dan Bradley, the most prominent American missionary in Bangkok, who had a close relationship with King Mongkut, admonished the king in the *Bangkok Calendar* (an expatriate paper published by Bradley), saying, "virtue can never have much sway in Siam, nor any true prosperity, until polygamy is made a crime by the Government."<sup>12</sup> The enormously popular (in the West) accounts of life in the Inner Palace penned by Anna Leonowens in the 1850s often characterized the despair and cruelty of the lives of women "locked away" in the harem. The tyrannical treatment of women that polygamy was presumed to involve indicated to Westerners a lack of the kind of (gentle)manly virtues associated with Western governance. Such representations of native practices were commonplace throughout the Empire, legitimizing the imperial mission by presenting, as Gayatri Spivak puts it, White men saving "brown women from brown men."<sup>13</sup>

Polygamy, to Western observers, evidenced the lack of sexual control among the Siamese (men) and, therefore, in the imperialist ideology, the Siamese lack of "moral character"; that is, the quality that underwrote the imperial right to rule. The sexual excess that was assumed to be represented by polygamy was thought to bring about physical exhaustion, the degeneration of moral and physical character, and, therefore, the inability to govern. In the late 1800s, a memorandum from a British official in Siam who was worried about the likelihood of a French takeover read: "The King, who is honest, after a period of dangerous physical weakness, has regained strength, but is quite incapable mentally, exhausted by women, anxiety and opiates."<sup>14</sup> According to imperialist thought, such dissolute behaviour rendered rational, scientific, and morally upright rule impossible and, instead, led to an excess of cruelty. Joseph Balestier, an American diplomat in Siam in the mid-1800s, brought together the themes of excessiveness and the inability to rule when he remarked in his report to the secretary of state: "The present King of Siam is a *sensualist having no less than a thousand women in his harem* and a devotee of Buddhism with a retinue of forty thousand priests and forty wats or temples ... Upon these he spends the entire income of the kingdom. But *though he reigns he does not govern the State*, the administration of which is in the hands of rapacious and arbitrary lords who, by a heartless and relentless course towards their vassals and serfs and the Chinese are fast bringing about the utter ruin of the country."<sup>15</sup> According to this understanding, only the self-controlled behaviour of Western men could produce governance. Siamese masculinity, on the other hand, led to despotism.

While the critique of polygamy appeared to have the treatment of women at heart, in fact it did not. Throughout the colonial world the focus of such critiques was not the status of women. Indeed, Europeans almost

universally regarded Southeast Asian women as sexually "loose," and the accounts of travellers and traders are full of bawdy stories of Southeast Asian women's sexual behaviour.<sup>16</sup> Westerners were never concerned about the actual daily lives of women; rather, as Lata Mani has argued in the Indian case, what concerned them was the fact that "women [were] the site on which tradition was debated and reformulated. What was at stake was not women but tradition."<sup>17</sup> In other words, the critics of polygamy were concerned with asserting the barbarity of indigenous culture and the superiority of imperial civilization. Indeed, when polygamy was finally rendered illegal in 1936 through, under British legal advice, the rewriting of the marriage provisions in the Civil Code, men were given the right to divorce their wives for infidelity but wives were denied the same right.<sup>18</sup> The focus of these reforms, therefore, was clearly not on providing women with more fair and equitable treatment in marriage customs. Polygamy in Siam, as constructed and represented by Westerners, evidenced Siamese inability to rule due to their lack of proper masculine behaviour and sexual control. Ending the practice of polygamy, therefore, was one of the conditions of Siam's entry into the company of "civilized" nations.

By targeting gender and sexual practices such as polygamy as representative of the essential barbarity of Siamese culture, however, the imperial powers also made gender and sexuality a key terrain of the power struggle between colonized and colonizing countries. Male Siamese elites resisted changes to the polygamous system, even producing a written defence of the practice for the edification of foreigners, defending it as a reflection of Buddhist culture and its particular gender system.<sup>19</sup> Male monarchs made various nods in the direction of changing women's status; however, as groups of modernizing Siamese elites themselves came to question the absolute monarchy and the polygamous system in the late 1800s, monarchs began to defend the practice more vigorously. King Vajiravudh (1910-25), despite his strongly nationalist program, which included making Siamese women appear "respectable" and "civilized" in the eyes of the world, abandoned his initial promise to remain monogamous and began to argue against the adoption of monogamy.<sup>20</sup> He argued, for instance, that polygamy at least provided protections for minor wives, unlike the system under which the so-called "modern elite" easily discarded their mistresses.<sup>21</sup> The monarchs and pro-monarchy elites, not unjustifiably, read the attacks on polygamy as attacks on the entire monarchical system, and the practice took on a certain intractability and importance for the defence of national identity (as viewed by the pro-monarchy establishment). Nonetheless, the monarchs and elites were well aware that changes to gendered practices such as polygamy and, later, prostitution constituted a key element to entering the company of the so-called civilized nations.

## Prostitution in the Imperial Era and the Internationalizing of Western Gender Codes

It is within the context of the struggle over polygamy and gendered practices that the changing policies on prostitution, both national and international, need to be viewed. Beginning in the early 1900s, living up to Western standards of dealing with prostitution and the traffic in women became an important part of the Siamese government's policy with regard to becoming a full member of the international community. While polygamy had been the subject of constant Western condemnation from the early 1800s onward, thus firmly establishing sexual behaviour and gender roles as grounds for differentiating superior and inferior cultures, prostitution was the subject of much less attention – until the turn of the century. In part, this reflected the colonial powers' own awkward position vis-à-vis prostitution, which was generally viewed as a "necessary evil." In mid-eighteenth-century Britain it had been regulated through the highly controversial Contagious Diseases Acts, and, in mid-eighteenth-century France, it was regulated through licensed brothels. While polygamy was easily viewed as a foreign and barbaric practice, prostitution struck too close to home for European elites until the new middle-class imperialism of the social purity movement came to restructure sexual and class relations in the home countries.

In Britain, the Contagious Diseases Acts had touched off a storm of controversy. Josephine Butler and the Ladies National Association had protested the treatment of working-class women and the assumption of male sexual prerogative under the acts, which were designed to ensure soldiers' sexual health by subjecting women, particularly those suspected of prostitution, to examinations for venereal diseases. The campaign gained the support of the religious moral reform movement and, in Britain, managed to bring about the rescinding of the acts by the 1880s. Regulated brothels, which the social reformers linked to the international traffic in women (the forcing or enticing of women into brothels) remained in place in Malaysia and India as a convenient way to service male British nationals while avoiding interracial marriage and concubinage. Nonetheless, the growing political salience of the first wave of feminism and the social purity movement of the late Victorian era in Europe and North America soon put the prostitution problem on the international agenda.

Despite the continued acceptance of regulated brothels by some national and imperial governments, the campaign against the White slave trade eventually resulted in international agreements to suppress the traffic in women. In the hands of early feminists such as Butler the campaign against regulated prostitution had emphasized the economic and sexual power of elite men; in the hands of the popular press the issue of prostitution was

translated into the White slavery panic, which built on stories of innocent (White) women and girls being abducted into the trade by evil (often foreign) traffickers.<sup>22</sup> In response to the panic, a number of international treaties to ban the traffic in women and children were signed in the early 1900s, including the 1904 International Agreement for the Suppression of the White Slave Traffic, the 1910 International Convention for the Suppression of the White Slave Traffic, and the 1921 League of Nations International Convention for the Suppression of the Traffic in Women and Children (see Table 1). According to Deborah Stienstra, these conventions "consolidated many of the gendered assumptions of the time, both about the role of women and men in society as well as about the role of the state in sexual relations."<sup>23</sup> Women were seen as passive victims who required protection from the (paternal) state rather than as social and sexual agents. Accordingly, the conventions criminalized procurement even when it occurred with the woman's consent. The result was the regulation of the travel of women and the careful monitoring of women's migration for employment. Men, on the other hand, appeared either as procurers and pimps or as protectors, the clients being conspicuously absent in the agreements and the discussions around them.<sup>24</sup> The thrust of these provisions, therefore, was not to provide women with social and sexual independence but, rather, to reform them and place them within their proper gender roles as wives and mothers. At the same time, these provisions left men's sexual prerogatives intact.

These treaties were part of the growing web of an international society of civilized nations. The terms of this society were set by the imperial powers and were formalized in the wake of the First World War with the establishment of the League of Nations. In insisting on international adherence to

*Table 1*

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**International conventions on prostitution and trafficking, 1904-49**

1904	International Agreement for the Suppression of the White Slave Traffic
1910	International Convention for the Suppression of the White Slave Traffic
1921	League of Nations International Convention for the Suppression of the Traffic in Women and Children
1937	Draft League of Nations Convention on Trafficking
1949	United Nations Convention for the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others

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this gender code, the Western powers were seeking to impose not a more equitable gender arrangement but, rather, a gender code that reflected Western understandings of civilized gender roles.

#### Prostitution Policy in Early Twentieth-Century Siam

Ironically, it was the adoption of Western social practices, particularly the elimination of slavery in the early 1900s, that contributed to a sharp increase in the numbers of women involved in prostitution in Siam. In its attempt to modernize Siam in the eyes of the West, the reign of King Chulalongkorn (1868-1910) was marked by substantial changes to government and social practice, including the adoption of Western-style bureaucratic and legal procedures. Most important, the eradication of slavery in 1905 substantially reconfigured Siamese society, and the government was now faced with the problem of how to transform its subjects into citizens of a new nation. However, the government was much more concerned about the incorporation of men into the new citizenry, which it achieved through mandatory military service and education (also part of the standards of civilization), than it was the incorporation of women. Despite the warnings of bureaucrats and the queen herself that women now released from slavery would have to be provided with an education so that they would be able to live productive lives, King Chulalongkorn declared that the national budget, already under strain from the restrictions of the Bowring Treaty, simply could not sustain female education. Without education and without the supports of the old feudal system, women were left to fend for themselves.<sup>25</sup> As Suwadee Patana argues, "in [the] early period women were able to earn some money for their families by simply selling themselves into slavery. The process of abolishing slavery in the late nineteenth century made such things more difficult."<sup>26</sup> Sukanya Hantrakul surmises that a large number of women – now no longer the slave-wives of individual men or slave-women who had provided sexual service to visiting guests of their master – drifted into prostitution as a means of maintaining themselves and their families in the post-slavery era.<sup>27</sup> While slave status may have been officially eradicated, the practice of debt slavery, albeit in other forms, remained alive and well among the general populace. In that tradition, women were sold, or sold themselves, into brothel service for an advance, the idea being that they could buy themselves out again. Much to the surprise of Western officials, even when they were "liberated" through marriage, these women often insisted that their debt to the madams be paid off.<sup>28</sup>

To ensure the collection of taxes on this activity and, most important, to control venereal disease in an era of now continuous military training, the Venereal Diseases Act was proclaimed by the Siamese government in 1909. The act closely regulated entry into brothel prostitution, limiting the

anonymity and ease with which women could move in and out of prostitution.<sup>29</sup> It required that anyone wanting to operate a prostitution business or to work as a prostitute must secure a licence (which was to be renewed every three months) from the government.<sup>30</sup> For women to obtain and renew their licences they had to prove themselves free of venereal disease and freely willing to engage in prostitution. Operators, for their part, were to ensure that the area used was clean and out of public view and that no prostitute was either confined or under fifteen years of age. Nor was the operator to accuse prostitutes of theft for losing things that he/she gave to them – a common technique of indebting prostitutes at the time.<sup>31</sup> Although women were not assumed to be enslaved through prostitution, provisions were required to ensure that no one was forced into, or forced to stay in, the trade. Nonetheless, the overall thrust of the legislation was to protect the male citizen-soldier from possible contamination by prostitute women; the act provided only minimal protections for women, while subjecting them to medical examination and control.

During the same period, however, in its attempt to become part of the international society of civilized states, the Siamese government became party to the social conventions on trafficking (which had become such a key part of international society's gender standards). Siam signed the 1904 International Agreement for the Suppression of the White Slave Traffic, which focused on the protection of women and girls, and the 1910 International Convention for the Suppression of the White Slave Traffic, which made procurement a punishable offence (see Table 2).<sup>32</sup>

Siam's international good behaviour did yield results. At Versailles, Siam shed its unequal treaty with Germany. In 1920, the United States relinquished both its fiscal and extraterritorial rights. At the same time, new treaties with Japan and France were under way. The British, however, remained reluctant, especially in regards to relinquishing extraterritorial rights. Britain objected to the "improper" administration of the Siamese juridical system. Chulalongkorn's successor, Vajiravudh (1910-25), advocated doing everything possible to please the British; however, it was only through the appointment of Francis B. Sayre of Harvard Law School as go-between with Britain and other European states that new treaties were finally signed in 1926.<sup>33</sup> The new treaties, which still retained some conditions to protect European nationals from the "not-quite-yet-up-to-standard" Siamese judicial system, were to remain in force for ten years, awaiting the finalization of the codification of Siamese law.<sup>34</sup>

It was within this context of trying to convince the European powers of the soundness of the Siamese legal system and its adherence to the standards of civilization that Siam signed the 1921 League of Nations International Convention for the Suppression of the Traffic in Women and Children. Then, in 1928, under King Prajadiphok (1925-32), Siam instituted its

Table 2

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**Siamese/Thai prostitution policy, 1909-66**

- 1904 Siam signs International Agreement for the Suppression of the White Slave Traffic.
- 1909 Siamese government passes national Venereal Disease Control Act.
- 1910 Siam signs International Convention for the Suppression of the White Slave Traffic.
- 1920 *US relinquishes fiscal and territorial rights.*<sup>1</sup>
- 1921 Siam signs the League of Nations International Convention for the Suppression of the Traffic in Women and Children.
- 1926 *Britain signs new treaties with Siam (some conditions remain in effect for ten years, subject to improvements in Siamese judicial system).*
- 1928 Siamese government passes national Anti-Trafficking Act.
- 1932 *Overthrow of the Siamese monarchy.*
- 1935 *Polygamy outlawed.*
- 1936 Establishment of Committee Considering the Abolition of Licensed Brothels
- 1938 Plan for the Prevention of Venereal Diseases (not enacted). *Siam becomes Thailand.*
- 1941 *Japan occupies Thailand.*
- 1942 Venereal Disease Prevention and Suppression Committee proposes new legislation combining regulation (in necessary cases) and abolition. Not enacted.
- 1950s No further licences issued to brothels. Beginnings of reformist measures and vocational training.
- 1956 Penal Code penalizes procuring for the purposes of prostitution.
- 1957 Prohibition of Prostitution Business Act. Draft legislation to criminalize prostitution and establish reformatories.
- 1958 *Phibun overthrown by Sarit.*
- 1960 Prostitution Prohibition Act.
- 1966 Entertainment Places Act
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<sup>1</sup> Historical markers, unrelated to prostitution policy, are in italics.

own anti-trafficking legislation. The Siamese anti-trafficking act reflected European influences, singling out migrant women as potential victims of traffickers. It empowered officials "to examine all women and girls coming into or departing from Siam"; and, should there be a "reasonable suspicion" that a woman had been brought into or was to be taken out of Siam for the purpose of prostitution, then she was to be detained for investigation and returned to her country of origin (assuming the case were to be proven).<sup>35</sup> That the conventions on trafficking had some effect in at least keeping White women from entering prostitution in other countries appears to be borne out by the disappearance from Bangkok of Russian, British, American, and French prostitutes by the late 1920s.<sup>36</sup> This was no doubt reassuring to the imperial powers, for at least "their" women were no longer so visible in the Siamese trade.

The main target of the Siamese legislation, however, was Chinese women. The 1928 anti-trafficking act came into effect at a time when both the number of prostitutes and the number of immigrant Chinese women appeared to be steadily increasing. Between 1919 and 1929 the female Chinese population increased by 140 percent (however, it still remained well below the male Chinese population). Registered Chinese brothels also greatly outnumbered registered Siamese brothels during this period.<sup>37</sup>

Chinese women were assumed to enter prostitution unwillingly, to have been trafficked either explicitly for the purpose of prostitution or as *mui tsui* (young girls used for domestic service). The discourse around prostitution in China itself was, according to Gail Herschatter, changing rapidly at this time. With regard to prostitution, a discourse of pleasure, associated with the courtesan culture of the early 1900s, was quickly being replaced by a discourse of victimization and national humiliation.<sup>38</sup> Over the course of the early 1900s, the growing international consensus on the prostitute as victim put increasing pressure on states such as Siam to criminalize prostitution activities and to rehabilitate women involved in prostitution.

Post-Absolutist Prostitution Law and the Fight for "Civilized" Status  
In the post-absolutist era, Thailand came under increasing pressure from the League of Nations and then from the United Nations to abolish the system of licensed brothels.<sup>39</sup> Despite the fact that elites continued to defend the licensing system as the best way to control the spread of venereal disease, some government bodies, particularly the powerful Ministry of the Interior, increasingly showed a willingness to entertain the possibility of abolishing licensed brothels. The 1932 overthrow of the absolute monarchy marked the growing strength of a modernizing bureaucratic elite who sought to transform the monarchical state into a modern and efficient administrative state. While attempts at democracy soon gave way to military authoritarianism, modernizing elements within the bureaucracy

continued to push for Western-style social welfare measures, including reformist approaches to prostitution. The militarization of Thai society, however, and the continued elite male defence of the regulation of prostitution, meant that there was still resistance to the abolition of licensed brothels. In post-absolutist Thailand the "woman question" reflected a tension between the desire to present Thai women to the world as modern wives and mothers within an equitable gender system and a continued defence of male sexual prerogative. While polygamy was officially illegal, it continued to be practised with "minor wives" who were now "mistresses" and who had none of the legal protections that went with the polygamous system. The beauty queen became a new national icon. And, in deference to the concern to protect male sexual health and access, until the 1950s government policy on prostitution moved slowly with regard to abolishing regulated brothels and, instead, emphasized venereal disease control.

In 1936, in response to the League of Nations Bandung deliberations on the control of prostitution, Thailand established the Committee Considering the Abolition of Licensed Brothels. However, in line with the concern over disease control, the government did not support the League of Nations Draft Convention of 1937, which called for the "almost immediate eradication of licensed brothels"; instead, the government opted for a policy of "progressive and gradual ... abolition of the system of licensed houses and the adoption of suitable administrative medical and social measures to accompany the same."<sup>40</sup> A plan for the prevention of venereal diseases was drawn up in 1938 (although not enacted), which suggested that the maintenance of brothels and licensed prostitution was important in the fight against venereal disease during a period of economic downturn, when more women were turning to prostitution.<sup>41</sup>

Indeed, the effects of the Great Depression had been devastating in rural parts of the country, and a growing number of women turned to prostitution to support themselves and their families. Since 1928, while the number of registered brothels had declined, the number of women practising clandestine prostitution had been on the rise.<sup>42</sup> In 1939 the issue of the increasing number of unregistered brothels was raised in the National Assembly. One member reported that, while sixty-seven brothels were registered with the police, he had discovered 274 in Bangkok alone. He had also discovered four girls from Denchai under the age of thirteen, despite the prohibitions on underage girls in the 1909 Venereal Disease Control Act. In response to his suggestion that unlicensed brothels be subject to higher penalties, the acting minister of the interior replied that higher fines would likely be ineffective in reducing the trade in underage girls; instead, the ministry made a case for the gradual abolition of licensing. Various attempts were made to control the industry more closely. The government raised the prices of prostitution licenses, put stricter medical examinations

into place, and conducted a series of raids on illegal brothels.<sup>43</sup> Elite male opinion, however, continued to maintain that the abolition of licensed brothels would not be helpful in controlling disease or maintaining decorum. A *Bangkok Chronicle* editorial warned that the abolition of licensed brothels in the Straits Settlements had led to "no appreciable decrease in the spread of disease and 'rickshaw parades,' 'street-corner soliciting,' and other unseemly manifestations."<sup>44</sup> Newspaper articles on the issue often defended a stricter, Japanese style of control as the best response to these problems.

The outbreak of the Second World War in 1939, and the occupation of Thailand by Japanese troops from 1941 to 1945, lent new weight to the argument that disease control must be foremost in considerations of prostitution policy. While it is now well known that the Japanese took sex slaves in occupied Asian territories during the war, there is as yet no available evidence concerning to what extent this occurred in Thailand. Most often, Korean women were brought to "comfort stations" in Thailand to service Japanese soldiers. Nonetheless, the increased mobilization of the male Thai population, the continuing poverty of the rural regions, and the presence of Japanese troops no doubt contributed to a rising concern over prostitution. In 1942, the public health department's newly formed Venereal Disease Prevention and Suppression Committee had proposed a crackdown on prostitution. Its suggested legislation struck a balance between regulation and abolition. It prohibited "sexual relations for money," pimping, and brothel-keeping (which would be punished by stiff fines or up to one year's imprisonment) while allowing for the operation of brothels "in necessary cases," under a local government official, and with the agreement of the health officer and the minister of public health.<sup>45</sup> This legislation, however, failed to be enacted, and, with the end of the war, there was renewed pressure for Thailand to conform to international standards on prostitution.

#### Phibun and the New (Inter)Nationalism

In 1938, a year before the end of the unequal treaties and the outbreak of the Second World War, the Thai government began a nationalist program to modernize the country under the authoritarian leadership of Field Marshal Phibun Songkhram (1938-44, 1948-57). Phibun sought to reconfigure Thai identity in the eyes of the world as well as in the eyes of Thais themselves. To mark the beginning of a new era he changed the name of the country from Siam to Thailand and set about educating Thais in the proper mode of civilized behaviour. When the British and American governments failed to provide support to Thailand during the Japanese invasion of Indochina, Phibun brokered a deal involving guarded cooperation between Thailand and Japan. This cooperation with Japan during the war,

however, meant a renewed struggle to maintain Thailand's sovereignty after the war. Britain demanded that Thailand pay war reparations;<sup>46</sup> the United States, however, blocked the British move. The United States had never received a formal declaration of war from the Thai ambassador in the United States, who instead convinced the American government to fund an underground resistance movement. The American government argued, therefore, that Thailand should not be treated as a defeated enemy. American interest in maintaining Thailand's friendship was heightened by growing concerns over the rise of communism in Asia. With the support of the United States, Phibun returned to power in 1948, reorienting Thai foreign policy squarely in favour of the United States and backing American anti-communist measures in Southeast Asia.

Phibun was determined to establish Thailand as a modern and civilized nation in the eyes of the Western powers, both before and after the war. To this end he and his lieutenant, the propagandist Luang Wichit Wathakan, established a program of national social and cultural renewal that aimed at forcing Thais to meet Western standards of appropriate cultural behaviour, including dress, social conduct, hygiene, and language forms. Proper cultural behaviour was considered key in maintaining the sovereignty of the nation. As expressed by one member of government, improper behaviour could lead to "foreigners ridiculing Thailand as being uncivilized, possessing no high morality and therefore not qualified to the same sovereign status as other nations."<sup>47</sup> Phibun passed a series of Cultural Mandates in the early 1940s, stipulating proper dress and manners. Although the Cultural Mandates were at first based simply on public exhortations by the Prime Minister's Office, after 1942 more coercive measures, involving fines and arrest, were employed, particularly to ensure that proper dress was maintained in public places.<sup>48</sup> According to Kobkua Suwannatha-Piat: "[it] became an offence to act or behave in public in a manner that would humiliate or tarnish the image of Thailand."<sup>49</sup> Foreign observers, such as Sir Anthony Eden, themselves recognized the campaign as an attempt to measure up to Western standards and to maintain world stature: "[the origin of the campaign] is probably to be found in the Thai desire to Westernize and modernize everything Thai[,] which [is] rooted in the inferiority complex of an oriental people which has only recently succeeded in establishing its theoretical equality of status with the European Powers ... [and has been] accentuated in the last year or so in proportion to Thailand's growing prominence in world affairs."<sup>50</sup>

Dress reform, for example, was considered particularly important in maintaining this image. Men, rather than wearing the traditional *pamuang* (a cloth wound around the body and hitched up between the legs) or Chinese silk trousers, were to wear hats, shoes, socks, jackets, and trousers; and women, who sometimes wore only a sarong with a simple cloth wrapped

around the upper part of the body, and who could even go topless at home, were admonished to don a hat, skirt, shoes, and a blouse that covered the shoulders.<sup>51</sup> Phibun blamed France's reluctance to return territory to Thailand to the Thai people's failure to dress properly and to maintain a good image. As Kobkua writes:

Phibun was singularly annoyed with a movie on "Siam" showing Thai women hawkers on the roadside chewing and spitting betel-nut, men crowding around a game of fish-fighting, and people in general going about their daily chores wearing only Chinese shorts ... and no singlet. The Prime Minister felt that such a public image greatly harmed the Thai request for the return of their territory from France. "The French could very well say that if this is what we are, how dare we demand for the return of the territory. It'd be more appropriate that [the territory] remain under their rule. They at least can keep it clean and hygienic."<sup>52</sup>

According to Phibun, maintaining Thailand's sovereignty demanded close attention to the dress and deportment of its citizens because this was what constituted the image of the country relayed to the world audience.<sup>53</sup>

Along with appropriate customs, Phibun sought to enforce proper gender identities. The dress reforms served to heighten gender distinctions in dress. Phibun also took offence at the ambiguous gender of some women's names and insisted that men's and women's names be distinct. He also sought to regulate marital relations between the sexes. Bureaucrats were told to kiss their wives upon leaving for, and returning from, work (in presumed Western fashion).<sup>54</sup> Wives were encouraged to join their husbands on healthy walks and to "improve relations with [their] husband[s'] friends."<sup>55</sup> Throughout this post-imperialist era, maintaining proper gender relations and gender identity in the eyes of the West remained an important part of negotiating Thai sovereignty.

In its drive to become a respected member of the international community the Phibun government enthusiastically involved itself in the United Nations. In the mid-1950s, Thailand was a hive of UN activity. UN organizations working in Thailand by that time included the Economic and Social Council for Asia and the Far East (ECAFE), the Food and Agriculture Organization (FAO), the UN Children's Fund (UNICEF), the World Health Organization (WHO), the UN Educational Scientific and Cultural Organization (UNESCO), the International Labour Organization (ILO), the International Civil Aviation Organization (ICAO), and the UN Technical Assistance Board (UNTAB).<sup>56</sup> This period also marked a rise in interest in human rights issues around the globe. Concern about the treatment of women and the problem of prostitution became a central part of the agenda of UN social agencies, which actively sought adherence to the new 1949 Convention for



the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others.

The 1949 convention was based on the 1937 League of Nations Draft Convention, which had died with the League itself, and echoed its moral reform approach (see Table 1). In particular, the new convention, like the old, excluded the possibility of prostitution as a choice (limited or otherwise); rather, the prostitute was viewed as a victim of pimps or procurers. It was assumed that no "normal" woman would choose to enter prostitution and that women required (male) protection and social/psychological reform. While the language of the convention was liberalized to reflect the aims of the 1948 Universal Declaration on Human Rights, the rights that were protected under its aegis were the moral rights of the community. As Deborah Stienstra argues:

The 1949 Convention uses human rights language and conveys that "prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community." With these words, the Convention suggested that the protection of individuals, families and the community outweighs the rights of individuals to engage in prostitution. The rights to be protected are those that are judged "moral" by the international community.<sup>57</sup>

The predominant understanding of prostitution in the postwar period also leaned heavily on psychoanalytical models of human behaviour. Prostitutes were presumed to be sexual deviants who had an inordinate propensity for promiscuity, which required psychological treatment. The prostitute was now an object not only of medical, but also of psychological, concern. She needed to be readjusted, to be inducted into "normal" sexual behaviour. Thus, the convention emphasized the punishment of those who led others into prostitution. At the same time, it discounted the consent of the woman involved, who was presumed not to be able to choose; instead, it advocated the "rehabilitation and social adjustment of the victims of prostitution."<sup>58</sup> In other words, the convention positioned prostitutes as objects of reform rather than as acting agents.

Of particular concern was the "normalization" of women's sexual behaviour, the channelling of it into an appropriately passive sexual role. While the 1959 follow-up to the convention, *Study on the Traffic in Persons and Prostitution*, did not support the imposition of rehabilitation measures on unwilling subjects (those who are "not in the least victims of circumstances"), it did assume that many would benefit from, and take advantage of, facilities for rehabilitation, including those who may not be prostitutes per se but who "engaged in notorious promiscuity." The study argued that

"promiscuity often leads to prostitution – in fact, it is often argued that between promiscuity and prostitution there is a difference only of degree," and it recommended "early detection and treatment of promiscuous propensities and mental deficiencies."<sup>59</sup> The 1959 study preferred to adopt the liberal language of "re-education" (as promoted by the International Abolitionist Federation), noting that, "in recent years, the process of rehabilitation of persons engaged in prostitution has been characterized by an increasing trend towards re-education; that is, rehabilitation through education to discipline the mind and character and to develop and cultivate the personality both mentally and morally." Re-education was meant to emphasize voluntary participation and the respect of the "liberty and dignity" of the person concerned, but it also emphasized the need to reattach women to the family unit – "the development of new psychological and family roots in preparation for married life." Difficulties in re-education were understood to derive from "the fact that these women generally show weakness of character, lack of will-power, instability, impulsiveness, suggestibility, etc. They have generally no aptitude for work, not even for domestic work, and some of them are physically sick or mentally deficient."<sup>60</sup> In other words, the rehabilitationist approach clearly viewed women in prostitution as social deviants rather than as women trying to survive, and it aimed to "normalize" women who did not conform to the Western middle-class norm of female social and sexual behaviour – the virtuous wife and mother.

In its effort to bring about greater cooperation with the convention, which had few signatories in its early years, in the late 1950s the United Nations launched investigations into the traffic in persons and the exploitation of prostitution. National committees to investigate prostitution and to establish prevention and suppression measures had been established in India, Sri Lanka, Burma, the Philippines, Indonesia, and Japan in the late 1940s and early 1950s.<sup>61</sup> Thailand came under renewed pressure to reform its prostitution laws as, by the late 1950s, it was the only Asian member of the United Nations to have legalized brothels.

In the aftermath of the war, however, as a step towards full abolition, the Ministry of the Interior had disallowed the opening of any new brothels.<sup>62</sup> Further steps were already well under way by 1956 (see Table 2). A small number of government officials and elite women were at work on the issue of prostitution – people such as Dr. Khun Pierra Veijabul, a member of the Ministry of Public Health (Venereal Diseases Division) since 1937, who had trained in medicine in France and established the Foundation for the Welfare of Women in 1956.<sup>63</sup> Dr. Pierra was representative of the small coterie of elite, professional women who studied abroad in this early period and who were part of the Women's Cultural Club. She sat on the Committee

Considering the Abolition of Licensed Brothels in the late 1930s, and, at the same time, she established the Maternity and Child Welfare Foundation. As part of a modernizing state elite, officials like Dr. Pierra sought to promote international standards of social hygiene.

Dr. Pierra made the abolition of prostitution and rehabilitation of prostitutes a personal campaign. In 1956, during a relatively open period of Phibun's government, Dr. Pierra established the Foundation of the Welfare of Women, which listed its purposes as: educating prostitutes to "encourage them to return to a normal life"; providing housing, treatment, education, and training to prostitutes seeking rehabilitation; researching the causes and prevention of prostitution; and researching venereal disease prevention and treatment. The foundation also sought to widen public awareness and involvement by persuading people to "help prostitutes to return to a normal life." Reflecting the growing internationalism of the period, the foundation also proposed to maintain international links with like-minded organizations abroad. Its board consisted almost entirely of government officials, the largest proportion coming from the National Institute of Culture as well as some from the Ministry of Health, the police department, the Department of Public Welfare, and the Municipalities of Thonburi and Bangkok.

The above bodies – the National Institute of Culture, the Department of Public Welfare, and the police department – had begun providing some vocational training to former prostitutes before 1956. They had also cooperated in returning "some newly recruited or prospective prostitutes to their homes."<sup>64</sup> Twenty-two young women were returned to their homes by the Department of Public Welfare in the period between May and December 1956, and a system of warning young girls of the practices of procurers ("often older women with promises of work or schooling in Bangkok") was in place in some provincial railway stations by 1956.<sup>65</sup> A revised Penal Code also came into effect in 1956, which strictly punished procurement, trafficking, and deception or coercion for sexual purposes, including prostitution (see Table 2).<sup>66</sup>

Phibun was anxious to demonstrate Thailand's cooperative international image as part of the "free world." Such an image was important with regard to guaranteeing continued military aid from the United States in the face of growing fear over communist insurgencies in Asia. In 1955, Phibun, along with his wife Lady Laiad, had completed a series of state visits around the world to promote this image abroad. The American public's growing criticism of the use of foreign aid to prop up a repressive regime led Phibun to vow to "democratize" Thai politics. In the 1956-7 period, Phibun legalized political parties, allowed for public discussion of politics, and removed many police and army troops from Bangkok. Lady Laiad and

Phibun also asked that further steps be taken to suppress prostitution, and the government began consultations with the United Nations Regional Social Defence Officer on how to rewrite the prostitution laws.<sup>67</sup>

Despite Phibun's desire to abolish prostitution and so stay in line with Western demands, some elites and the general public continued to be reluctant to do so. Morris Fox, the social welfare advisor to the United Nations who produced a report on prostitution in Thailand for the Thai public welfare department in 1957, noted that Thai men tended to view prostitution as "an accepted part of life," while women viewed it as a "necessary evil." He stated that "only a few persons in official or unofficial circles are working toward its suppression."<sup>68</sup> As a 1958 public relations department publication blithely reported: "To sleep out at night or to stay away from home is neither unusual nor badly regarded for a boy. They generally have their first sexual experience at the age of sixteen or seventeen with a prostitute. There is no stigma attached to the frequenting of prostitutes by either married or unmarried men. Prostitution is legal."<sup>69</sup>

The report goes on to defend the male sexual prerogative by dismissing the concerns of elite women as self-indulgent, stating that only the women of the upper class, "in which the woman regards herself as the equal of her husband, is offended by his extramarital activity, [and] has the leisure to be upset by her emotional difficulties."<sup>70</sup> The same report, however, notes with some discomfort the rapid changes, expressed in terms of young women's social behaviour, under way in Thailand in the 1950s:

Westernization has lately received much comment in Bangkok ... Young girls are feeling the liberative influence of American ideas especially regarding dating and dancing, and this is considered to be affecting morality. The number of virgin brides in Bangkok where Western influence is strong, for example, is estimated 15% lower than in the country, and the wildness of Bangkok society girls imitating Western fashions taught by Hollywood films is notorious.<sup>71</sup>

"Westernization" was read in very gendered terms, reflecting the importance of women's behaviour to national identity.

The 1950s and 1960s in Thailand – a period of increased American presence – were marked by this tension over the maintenance of male sexual prerogative and the desire to maintain female purity in the face of foreign influence. Certainly the changes of the 1950s were provoking some concern among the urban population. Millions in American military aid had been poured into the Thai economy since 1950. American military and government advisors had swarmed the city, and the Thai military had ballooned in size and expense. The outpouring of criticism during the relaxation of media control in 1956 and 1957 testified to this concern.<sup>72</sup> For

example, the public relations report noted that the demand for material goods that would enable Thais to live like Westerners was, according to its authors, leading to stress, family disintegration, and corruption as well as to "large numbers of nearly destitute people living in the worst kinds of slums" in the city.<sup>73</sup> Fox noted increasing coverage of the issue of prostitution in the newspapers in the late 1950s – "some devoting considerable space to it" – as well as the existence of an "almost universal concern for the young innocent girls who are tricked or 'seduced' into prostitution" and the influence of prostitution on children in the immediate neighbourhood (where children earned money by running errands for the brothels). There was also some fear that the growing "wildness" of Bangkok girls would lead them into prostitution. The "taxi dance halls," where young women went to dance and socialize, were considered a site where girls and women were procured for prostitution.<sup>74</sup> These concerns were translated into a need for increased control over female sexual behaviour.

In 1957 new prostitution legislation was proposed, and it echoed these concerns, emphasizing the reform of women engaged in the sex trade (see Table 2). Indeed, the first sections of the proposed act, which wished to abolish prostitution, dealt with the establishment and responsibilities of reform institutes, which were to be under the authority of the Department of Public Welfare. The building of a rehabilitation institution for those who sought to leave prostitution voluntarily was already under way, and plans for another institution were in the works. The legislation proposed that the institutions provide medical treatment, vocational training, and "placement in a suitable job."<sup>75</sup> The proposed legislation stated that "whoever habitually consents to be hired for sexual relations for compensation shall be deemed to be a prostitute," clearly defining a "problematic personality" that required treatment. Indeed, the legislation anticipated difficulties with inmates of the reformatories and so provided stiff penalties for whoever "willingly avoids going, violates the order or runs away." The bill did allow that not all prostitutes entered the trade willingly, providing punishment of up to seven years in prison and/or up to 10,000 baht<sup>76</sup> for whoever "treats any girl with any deceptive methods or threatens, compels, or forces her in any way in order to attract her into the prostitution business."<sup>77</sup>

Although the legislation appeared to reflect a strong commitment to abolitionism, the public remained ambivalent towards, and elite males continued to resist, the criminalization of prostitution. Indeed, in its rationale for the legislation the government emphasized that the public did not yet take the problem seriously. Government direction, therefore, was felt to be needed. The government was careful, however, not to use too heavy a hand in imposing penalties. The penalties for procuring were lighter than those listed in the 1956 Penal Code.<sup>78</sup> Clearly, there were continued tensions over the imposition of Western codes of behaviour, including sexual

behaviour – tensions that were exploited by the Sarit government, which overthrew Phibun in 1957.

#### Thailand under Sarit: The Criminalization of Prostitution

Before the proposed prostitution legislation could go much further, the Phibun government was overthrown in a military coup led by Field Marshal Sarit Thanarat (1957-63), a long-time rival of Phibun. Sarit built his legitimacy on the growing resentment towards Western interference in Thailand – interference that Phibun had supported. Sarit described the kind of democracy brought in after the war as an attempt to impose foreign institutions on Thailand, and he appealed instead to what he defined as “traditional Thai values”: social orderliness and proper conduct. According to Sarit, what the Thai people really wanted was strong leadership and progress rather than democracy in the Western sense. Sarit used this reformulation of traditional Thai values to underwrite the legitimacy of his dictatorship. Despite his anti-Western rhetoric at home, however, Sarit maintained Thailand’s policy of cooperation with the West, particularly with the United States (i.e., regarding opposition to communism), in order to receive American military aid. His brand of nationalism continued to appeal to Western notions of civilization. Sarit resolved the tension between a pro-Western foreign policy stance and his anti-Western domestic rhetoric through the manipulation of class, gender, and sexuality; he built up his legitimacy through an appeal to the traditional Thai practice of polygamy, while imposing moral discipline on lower-class men and women, particularly through new legislation criminalizing prostitution.

In representing himself as a legitimate leader, Sarit styled himself a *nakleng* – a “hooligan” – drawing upon the imagery of the gangs of young men who were used to protect the villages from elite/administrative intrusion in the 1890s and who, in the 1950s and after, were often recruited by the communist movement in the face of Thai/American military intrusion.<sup>79</sup> Sarit became (in)famous for surrounding himself with beautiful women. He was “widely admired for having the effrontery to acquire mistresses on such a grand scale” as part of his *nakleng* image.<sup>80</sup> Sarit was known to maintain a “house-cum-harem” (as it is referred to by Thak), where he spent time among his mistresses; he also had houses built for several other mistresses in Bangkok. The year after he died, Sarit’s affairs were the topic of two books, which discussed his liaisons with eighty-one women. The women were known to include “beauty queens, movie stars, night club hostesses, university and secondary school students, young and not so young. His elaborate network of procurers was the envy of many.”<sup>81</sup>

Charles Keyes argues that there was a political motive to Sarit’s affairs, that he “often chose as one of his mistresses a member of a family or group

he wished to control politically," thus furthering his legitimacy as a great man by emulating the harems of past rulers.<sup>82</sup> Indeed, Sarit also fostered marital links among the elite and would get members of the royal family to sponsor elite marriages, gradually integrating bureaucratic, royal, political, and business families and conferring them with legitimacy.<sup>83</sup> Among those so joined were the daughter and son, respectively, of Sarit's two lieutenants, Thanom Kittikachorn and Praphat Charusathian (1963-73), the son being widely understood to be the heir to political power. Sarit's *nakleng* image was indeed a rejection of the outlawing of polygamy during the early years of constitutional monarchy as well as of the Western standards of proper marital behaviour espoused by Phibun, and it appealed to the common practices of elite men.

At the same time, while espousing these behaviours for himself, Sarit initiated a campaign of "social orderliness" that targeted the street *nakleng* of the cities, which Sarit now designated by the more negative term *anthaphan*, and prostitutes. These new urban poor were in fact a product of increasing migration into the city. The migration reflected the changing reality of rural Thailand, where, since the early 1950s, roads built by the military and funded by the Americans were changing the economic and migration patterns of the countryside.<sup>84</sup> Peasants increasingly responded to the pull of Bangkok, now labour-poor in the aftermath of crackdowns on Chinese immigration.<sup>85</sup> Sarit painted the migration as a sign of social disintegration and a failure of proper behaviour. (Those intellectuals who criticized the elite exploitation of the peasants and rural labour, such as the famous Thai Marxist critic Jit Phoumisak, were branded communists – a term that was already well established as a dirty word and as "un-Thai.")<sup>86</sup> Prostitutes, *anthaphan*, and pedicab drivers were symbolic of "improperness" and disintegration. The government sought to reintegrate into the rural areas the young men who had left the productive work of agriculture "in favour of the unproductive profession of pedicab driving."<sup>87</sup> The unproductiveness of such activity was underscored by the link Sarit drew between it and opium smoking and between opium smoking and communism. Sarit maintained that the communists sought to undermine the free world through such things as addictive drugs. Accordingly, in 1959 he announced that opium use in Thailand would terminate on 1 July, after which

we will be able to fully state that we are a civilized nation and national prestige will be liberated from international criticism ... the sale and use of opium is illegal, and I maintain that it is a major crime and whoever resists will be severely punished. Alien offenders will be deported and Thais will be marked as traitors who refuse to make sacrifices for the nation.<sup>88</sup>

However, rather than punishing those who failed to conform to his ideal of a people "agrarian in outlook and condition, leaving the government to look after their material needs," and who were "contented to remain on the land and go about their daily tasks in an orderly and proper manner," Sarit used his role as "father of the nation" to reform his wayward children.<sup>89</sup> In this fatherly role he attacked the problem of pedicab drivers and prostitutes through rehabilitation. He banned pedicab drivers from the capital in 1959 and organized rural communities to reorient these people to agricultural life; he also provided them with loans to start up new lives in agriculture. Prostitutes, on the other hand, were to be rehabilitated into "domestic" roles. Rather than recognizing the role of peasant women in the economic sustenance of the family, Sarit's program sought to reform these women, turning them towards the proper middle-class female roles of wife and mother. The tool for their rehabilitation lay close at hand in the proposed guidelines for a new prostitution law.

The Prostitution Prohibition Act, 1960, defined prostitution as the "indiscriminate acceptance of sexual intercourse or acceptance of any other act or the performance of any act for the satisfaction of the sexual desire of another for hire whether the acceptor of the act and the performer of the act are of the same or different sexes" (see Table 2).<sup>90</sup> As Sukanya Hantrakul has pointed out, this definition of prostitution emphasized the promiscuity of the act – that is, women's sexual behaviour – rather than the monetary exchange. The 1960 law outlined much more precisely the acts that constituted the offence of prostitution, penalizing street solicitation as well as brothel prostitution.<sup>91</sup> It was sufficient for a person to "wander" or "loiter" about the streets or public places in a "manner or way which *appears* to be an appeal to communicate for prostitution purposes" for her or him to be charged – a reflection of Sarit's concern to "clear the streets" for public approval.<sup>92</sup> Those convicted of prostitution were expected to pay a fine of up to 2,000 baht or to serve a prison term of up to six months. The legislation clearly targeted prostitutes as the source of the problem. The 1957 proposal's provisions pertaining to deceiving and forcing a person into prostitution were dropped, and the punishments for owners, procurers, and pimps were lightened, being now much lighter than those in the Penal Code.<sup>93</sup> While the modernizing bureaucrats who wrote the 1957 legislation had some concern that women in prostitution may have been victimized, the new law reflected Sarit's desire to reform the behaviour of lower-class women.

Accordingly, as with the 1957 proposal, prostitutes were also subject to remand to a reformatory for up to a year for "[medical] treatment and/or vocational training."<sup>94</sup> The women were not expected to submit to this training willingly, so provisions were made to punish those who escaped or broke the "disciplinary rules and work regulations" set by the Department



of Public Welfare. The disciplinary function of the centres – to turn problem women back into good women – underwrote their “vocational training.” Sukanya Hantrakul quotes from a 1963 Department of Public Welfare document on the Pak Kred reformatory: “Vocational training ... is designed to afford recreation and to keep the trainees occupied with work to such an extent that there is not much time for idle thoughts and emotional disturbances which may lead to the difficulty in administration.”<sup>95</sup> Indeed, prostitute women did resist the discipline of the reform homes: accounts of escapes (by swimming across a 200-metre-wide canal) have circulated since the establishment of the Pak Kred reform home in 1960.<sup>96</sup>

The disciplinary programs of the reform system were designed to domesticate women rather than to train them for new occupations. Sukanya Hantrakul’s study of the reform institutions set up under this law showed that they “equip[ed] most reformees for nothing better than employment as domestic servants.”<sup>97</sup> The final training period before discharge involved:

- 1) Training in regard to the proper arrangement of sleeping quarters and methods of child care by officials specialising in health and sanitation.
- 2) Training in regard to proper home care and cooking by officials specialising in home economics.
- 3) Training in regard to proper codes of conduct in relations to morals and mannerisms by qualified personnel.<sup>98</sup>

There was also “follow-up after discharge to ensure resumption of a normal and decent way of life.”<sup>99</sup> Even in the 1980s the occupational training provided consisted of “weaving foot-rugs, sewing and weaving clothes, laundry work, book-binding, beauticians (manicures) and cooking.”<sup>100</sup> The domestic emphasis of the provisions is clear, as is the concern to “tame” unruly women into engaging in proper sexual and cultural conduct.

The training in “morals and mannerisms” reflected Sarit’s campaign for traditional Thai values, but the new law also satisfied the international community’s desire to abolish prostitution and to reform female moral and sexual behaviour. Sarit, meanwhile, could maintain his legitimacy through more traditional modes of male sexual prerogative. In other words, the appeal of this reconfiguration of gender identity and sexual relations was not widespread. It is not surprising, therefore, that a mere six years after the 1960 law was put into place, Sarit’s heirs to power, Thanom and Praphat (1963-73), proclaimed the Entertainment Places Act, which effectively reinstated a regulated form of prostitution (see Table 2).

## Conclusion

Prostitution policy in pre-1960 Thailand was clearly shaped by international pressure to conform to Western standards of gender and sexual behaviour. According to these standards men should maintain monogamous

marital relations and women's sexual behaviour should be carefully controlled, particularly through legislation that punishes prostitution. Such standards demanded that prostitution be considered a criminal activity, that prostitutes and operators (although, significantly, not clients) be subject to punishment, and that prostitute women be subject to behavioural reform programs. Changes in the gender order did produce resistance. Some male elites resisted both limitations on male sexual access and Western intervention in the indigenous gender order. Various governments walked a fine line between maintaining the country's status in the eyes of the international community (and the indigenous modernizing elite) and maintaining the support of resistant elite men. Within this context prostitution policy became a marker of whether one was or was not conforming to international Western gender standards.

Resistance also came, albeit more subtly, from the women who continued to enter into prostitution in order to survive – women who, in the early 1900s, refused to operate within the brothel system and who, in the later 1900s, refused to submit to the disciplinary programs of reform and rehabilitation. Their resistances and demands, however, were inaudible in the debate between elites and the international community over prostitution policy, and they remained inaudible in the following period as prostitution became a nationalist symbol of foreign intervention.