

GENDER AND THE POLITICAL ECONOMY OF SEX
TOURISM IN KENYA'S COASTAL RESORTS¹

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Introduction

“Sex tourism requires Third World women to be economically desperate enough to enter into prostitution; having done so it is made difficult to leave. The other side of the equation requires men from affluent societies to imagine certain women, usually women of colour, to be more available and submissive than women in their own countries. Finally, the industry depends on an alliance between local governments in search of foreign currency and local foreign business willing to invest in sexualised travel” (Enloe, 2000:36)

Otherwise known as tourism prostitution, sex tourism may be defined as tourism for which the main motivation or at least part of the aim of the trip is to consummate or engage in commercial sexual relations (Graburn 1983; Hall 1991; Ryan and Hall 2001; Truong 1990). Studies indicate that in recent years, the number of men (and women) travelling to foreign destinations usually in the Third World seeking sex tourism has increased tremendously (Herold *et al.* 2001; Ryan and Hall 2001). In the past, notorious destinations for sex tourism have been mainly the Southeast Asian countries such as Bangkok (‘the red light capital of the world’), Thailand (sometimes called ‘Thighland’), the Philippines, Indonesia, South Korea and Sri Lanka (Enloe 2002; Hall 2001; Lim 1998; Robinson and Bishop 1998).

Today, sex tourism has spread to other regions of the world including Goa (a coastal state of India), Cuba, the Dominican Republic, Brazil, Costa Rica, Eastern Europe and a number of African countries such as Kenya, Tunisia, South Africa and The Gambia (Ryan and Hall 2001, Enloe 2002; Chissim 1996;). Sex tourism is thus steadily increasing as the tourism industry expands. However, little information is available on its nature, magnitude and the factors promoting it in Kenya and in Africa in general.

This paper discusses gender and the political economy of sex tourism on the Kenyan coast, its health and socio-economic impacts and the government policy on sex work.

International Tourism and Sex Tourism In Kenya

Globally, international tourist arrivals have been increasing steadily from 69 million people in 1960 to 160 million in 1970, 458 million in 1990, and 625 million

in 1998 (WTO, 1999) and this increase has included the increase in sex tourism through mass tourism, as many tourists visit new destinations (Cater 1989; Harrison 1992). In Kenya, international tourism has grown tremendously and is currently one of Kenya's leading and most well established industries. Most tourists travelling to Kenya are mass tourists coming to seek the five "S"s. Hence, the expansion of mass tourism in Kenya is also directly associated with the increase in sex tourism in the country. This is evidenced by the inclusion of Kenya among the world's leading sex tourism destinations (Vatican 2003; Boston Globe 1995; East African Standard 1995; Migot-Adhola *et al.* 1982; Sindiga 1999; and Chessim 1996).

Why Tourists Visit Kenya

A number of reasons have been documented in the official statistics as the reasons why tourists visit the country. First is Kenya's natural beauty and its landscape, which makes it one of the most beautiful and interesting places in the world. Second is the country's wildlife Safari. Kenya has immense biodiversity in flora and fauna, which makes it an ideal spot for tourism. Within an area of 582,664 square kilometres of which 8% is protected and designated as national parks and reserves, Kenya has 309 known mammal species and 1067 bird species (Weaver, 1998). The first protected area, the Nairobi National Park, was established in 1946 and today, Kenya has 59 National parks and reserves each of which differs in its offering of diversity and attractions. Apart from its natural beauty and wildlife safari, white sand beaches, good climate and cultural activities are the other reasons why tourists visit Kenya.

Although not officially stated, a good percentage of foreign tourists who visit Kenya often indulge in sex tourism or at least as part of the activities during their trip (Chissam 1996; Sindiga 1999). The majority of the tourists visiting Kenya are mainly from Germany, the UK, Switzerland, Italy and France. Others are from North America, Japan, Australia, New Zealand and European countries such as Spain, Sweden and also from the Scandinavian countries. Many of these countries have been generating sex tourists to some of the world's renowned sex tourism destinations such as Thailand (Ryan and Hall 2001). Hence, we can conclude that they are likely to engage in the same activity while in Kenya.

As common with most developing countries, Kenya is primarily an agricultural country where agriculture contributes 24.0% of GDP. Overall, Kenya's economic performance has been declining. The country's per capita is about US\$ 260 and more than 50% of the Kenyan population currently lives below the poverty line; the worst hit are women (CBS 2001).

The Economics of Tourism and the Sex Industry

At independence in 1963, Kenya relied on cash crop exports, and so the government quickly set about trying to diversify the economy by implementing an

'open door' economic policy aimed at attracting foreign investment. However, recognition of the limitations of the agricultural and manufacturing sectors, coupled with the appreciation of employment potential meant that the Kenyan government had to turn to tourism as a central industry. The numbers of tourists and earnings from tourism have been increasing steadily since independence; although some fluctuations (including some downtrends) have also been recorded.

Between 1965 and 1972, the number of people visiting Kenya rose by 132%, (Chissim1996) which lead to further investment in the industry, such that the sector is creating employment more rapidly than any other.

Since 1987, tourism has been Kenya's leading foreign exchange earner, (CBS 2001) surpassing the traditional export crops of coffee and tea (Gakahu1992; Weaver 1998 and CBS 2001). The industry employs about 1.3 million Kenyans, approximately 8% of wage earning labour force (Weaver, 1998 and CBS 1999). In addition, Tourism is also linked to many domestic industries and is a potentially useful tool for generating development in neglected areas. The industry also contributes substantially to government revenues through taxes, import duties, licenses and fees. Tourism is therefore officially promoted in Kenya as the main foreign exchange earner, source of employment and general development. Its significance on the Kenyan economy has a lot of bearing on tourism policies; including those related to sex tourism.

Gender and The Political Economy of Sex Tourism In Kenya

This section presents an overview of the gender and political economy of sex tourism in Kenya. It is argued that sex tourism represents an unjust social order and an institution that economically exploits women (Awanohara 1975; Cohen 1988; Montgomery 2001). Sex tourism should be viewed within the context of structural inequality and gender imbalance that is often unfair to women and constructs women, especially African women, as exploitable and submissive (Ennew 1986; Young 1973; Sindiga 1999).

This inequality is reinforced through many promotional brochures that associate men with action, power, and ownership, while women are represented as passive, available and as objects to be owned. Sexual and exotic images of women in the tourism industry are used to market destinations and these often reinforce patriarchal powers. Patriarchy and sexuality of women operate on the principle that the male shall dominate the female and that the older male shall dominate the younger male. Man therefore controls female sexuality and the social institutions through which this control is exercised, the family. So through prostitution female sexual desirability is being promoted but at the same time it is also being stigmatised as sexual deviance (Ryan and Hall 2001; and Troung 1990).

Like all transactions, sex tourism is both an economic and political phenomenon because it must have a market and the transactions must be considered socially and politically legitimate (Fish 1984; Richter 1995). Sex tourism in Kenya like in other parts of the world is not promiscuity and/or a crime but a response to the political economy and women's sexuality. Prostitutes (women) are sexual victims while the men are empowered sexual actors because males often use their economic power to perpetuate their gender roles (maleness) and to reinforce power relations of male dominance and female subordination. The prostitutes are often poor victims of circumstances acting to the dictates of the rich, powerful male tourists exploiters and deviants (Collins 2000; Ryan and Hall 2001; Troung 1990). These relationships lead to the objectification and commodification of women's bodies. It is however important to note that even though the general feeling is that women are exploited, there are some sex workers who have a sense of power over males (Ryan and Hall 2001).

Market for Female Tourists

Sex tourism is now taking different forms. First is the reality that there is a sex tourism market for female tourists. Female tourists are also coming to Kenya to meet with the local beach boys and promoting male prostitution. In this case, European women imagine black men (or men of colour) to be stronger and active in bed compared to the men back in their home countries.

Studies of relationships between female tourists and local males have been conducted in Jamaica and other parts of the world (Chissim 1996; Ryan and Hall 2001). One such a study was by Pruitt and LaFont (1995) in which they studied female tourists in Jamaica. In their study, they coined the term, 'romance tourism', which they used instead of sex tourism. Based on their observations, it appeared that both the female tourists and the local males saw their relationship more in terms of romance and courtship rather than an exchange of sex for money. The actors were seen as being emotionally involved with each other and desirous of long-term relationships.

Also, Third World women are now migrating to foreign countries as entertainers and brides for these foreign men. This is the latest step in making world travel different. Men in Scandinavia, Germany, Australia, Britain, the U.S.A. and Japan now want to have access to Third World women not just in the Third world tourism centres, but they want to enjoy their services at home.

Child prostitution is also emerging in Kenya involving young boys and girls. This was previously not very common in Kenya but with HIV/AIDS, many orphaned children are now turning to prostitution.

The Different Forms of Sex Tourism

The sex tourism industry takes different forms. Sometimes it involves the

production of videos featuring nude-dancing in which no direct physical contact occurs; the tourists engage in voyeurism. There are also the 'casual prostitutes' or freelancers who move in and out of prostitution depending on their financial needs. In this situation sex tourism may be regarded as incomplete commercialised and the relationship between sex worker and client may be ridden with ambiguities (Cohen 1982; Ryan and Hall 2001), particularly if the relationship shifts from an economic to a social base.

There is also the more formalized form of prostitution where the workers operate through intermediaries. Since sex tourism is generally illegal, prostitutes are often forced to use entertainment establishments such as clubs, bars or other retail outlets in order to operate. Yet, another form of sex tourism is that of bonded prostitutes. This type of prostitution is a form of slavery because it is enforced by other people such as family members or through abductions and kidnapping.

Sex Tourism Market on the Kenya Coast

The Kenya Coast along the Indian Ocean is notorious for sex tourism. It caters for about 66% of Kenya tourism activities and although no precise figures are available, sex tourism is one of the main activities at the coast (Sindiga 1999, Migot-Adhola et al 1982; Bechmann 1985,). The Kenyan coast as a tourist destination came into play in the early 1920s attracting mainly the white settlers and colonial government officials who sought holiday excitement there.

Major tourist attractions at the coast include the wildlife, white sandy beaches, sun, sea, sex, scenic features, diverse cultures, hospitable people, historical sites, national museums, national parks and reserves near the coast and tourism facilities of international standard such as hotels and the airport.

The high demand for the coast as a tourist site is evident in the higher numbers of hotel spaces occupied at the coast compared to other regions in the country. (Table.1) There are 412 registered hotels at the coast, majority of which are beach hotels developed in the last 25 years. Much of the tourism activities at the coast are centred on the major beach towns of Mombasa, Malindi, Lamu, Kilifi and Watamu (Map.1). It is at these hotels that visitors indulge in their main activities of sun bathing, swimming, organized excursions into the game reserves and visits to museums and the surrounding villages.

The expansion of tourism at the coast has also been encouraged by the improvement of Mombasa airport to an international standard; the airport is currently receiving direct charter flights from Europe. The flights are a cheaper way to make the long-haul trips to Kenya. With the introduction of these kinds of flights, mass tourists from Germany, Switzerland, Italy and other parts of Europe have increasingly been able to land directly in Mombasa.

These activities have in turn, had profound socio-economic impact; including the

emergence of sex tourism. The presence of Americans, Britons, Germans and others in Mombasa and other coastal areas in search of rest and recreation has also been a factor attracting Kenyan girls to become involved in sex work (Sindiga 1999 and Chissim 1996).

In addition, women of multi-racial and ethnic communities often perceived as more submissive by foreign sex tourists, are also found in these coastal areas

In summary, the main features that have made the Kenyan Coast a popular sex tourism destination include (1) the high concentration of tourist facilities and the activities that occur at the coast (2) tourist attractions such as sand, sun, sea and sex (3) foreign military bases at the coast (4) Mombasa International Airport (5) the presence of women who are perceived to be more submissive (6) and the presence of a cruise-ship landing base. As a result of these factors, sex tourism facilities such as brothels and private cottages have mushroomed on the coast, owned largely by foreigners (Jommo 1987; Sindiga 1999; Migot-Adhola et al. 1982).

MAP.1: THE KENYAN COAST: SUN, SEA, SAND AND SEX.

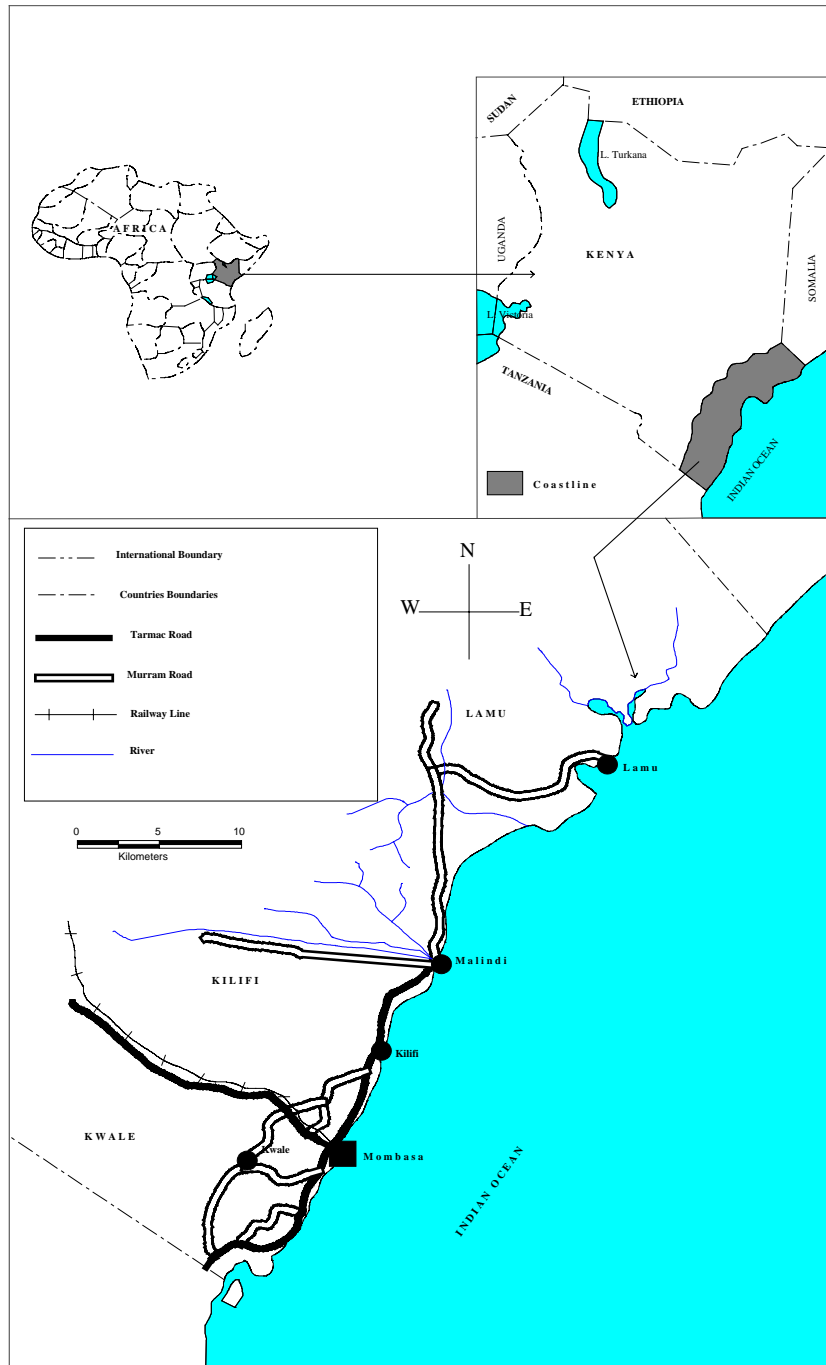


Table1: Hotel Bed-Nights Occupied By Zone, 1997-2001

ZONE	1997	1998	1999	2000	2001
Coastal-Beach....	3074.4	1505.3	1625.2	2065.2	1872.5
- Other....	71.5	109.1	73.9	85.8	137.9
Coast	59.0	43.9	48.7	76.3	56.5
Hinterland..	801.5	655.6	685.5	836.1	681.3
Nairobi-High	311.8	178.0	173.2	167.2	138.2
Class	218.1	92.9	77.5	145.7	83.1
- Other...	215.0	85.2	84.3	141.5	138.3
Central.....	88.2	110.8	110.1	87.3	107.1
Maasailand.....	64.3	27.3	69.2	72.4	98.8
Nyanza Basin...	6.5	4.9	3.4	10.3	41.2
Western.....					
Northern...					
TOTAL- OCCUPIED	4910.3	2813.0	2951.0	3687.8	3354.9
TOTAL- AVAILABLE	9516.6	7975.7	8711.4	9382.3	8327.8

Source CBS 2002

Motivation Factors: Why Do Tourists Look for Sex?

There are many factors that appear to motivate and promote sex tourism in the Third World countries including Kenya. When tourists go to a destination, there is the assurance of anonymity, which releases them from the usual restraints, which determine their behaviours in their home countries. A person's behaviour is often different when they are away from home. Tourism allows people "to lose their identity" and gives them the freedom to escape realities and to live their fantasies. Most tourists will behave differently when on holiday. They will spend more money, relax more, drink more, eat more and they will allow themselves pleasures that they would not at home. Men who would never visit brothels in their home countries for example, will end up doing so in a foreign country where there is a negligible chance of detection and (or) penalty.

Tourists also seek commercial sex in a place like Kenya because sexual services in Kenya are cheap compared to what the tourists may have to pay in their home countries. Tourists travelling to Kenya are able to enjoy a lifestyle that they could never have at home. Perhaps, some of the tourists may hold menial jobs in their industrialized home countries but because of the disparity in salaries and high exchange rates; they may appear comparatively rich when they are in a poorer country like Kenya. They would therefore tend to spend their money in sexual activities that they associate with the rich and the famous in their home countries. Chissim has illustrated this from an interview with a German tourist in Kenya (Chissim 1996:18)

“...Marco said he was in Kenya for a month but within 4 days, he boasted of already fucking 5 girls. He said he fucked one girl on the beach but pretended that he had no money, so he got that one for free. Another girl he fucked on the beach for 100/- (less than \$2) and told her that he did not have any more money than that. The others he had to pay 200/- (about \$3.50) ...”

The other reason, which can explain sexual exploitation of women in the Third World countries including Kenya, is the desire on the part of tourists to try something “nouveau” with a different race. Some tourists who visit Kenya may have travelled to other destinations like Thailand renowned for their sex tourism industry and since Kenya is very different from these other locations it may represent another race to be sampled.

For some of these tourists, Kenya represents Africa where life is perceived as raw and wild and a place where people are uncontrolled, liberal, and polygamous. These reasons can partly explain why some European women visit Kenya to look for sex. Actually it is estimated that 5% of all European women who visit Kenya go in search of sex with a higher ratio from Germany and Switzerland (*New York Times* Feb.14, 2002).

Some African ethnic cultures also place a high value on virginity. This notion, thus, increases the desire of the tourist to have sex with younger girls; in the anticipation of having sex with a virgin. There is also the added belief that the younger girls are likely to be free from HIV/AIDS.

Some tourists engage in sex tourism because they may be fleeing from unhappy relationships at home and, perhaps, from women who may tend to question male domination. One cannot rule out the fact that some men are unable to accept the decline in the privileges that patriarchal societies traditionally bestowed on men, which is becoming the reality in many parts of the world.

Power of Advertising

Tourists also visit Third World countries because of the many promotional messages and advertising that feature romantic images of women’s bodies around swimming pools or other bodies of water. Tourism brochures are

swamped with images of African women at the tourist sites who are portrayed as sensual and available. Such images may act to reinforce the tourists' feeling of having complete control over a sex worker's body just because he has paid some money.

Sex tourism also thrives along the Kenyan coast simply because the infrastructure to facilitate this is in place. The Kenyan coast has a number of hotels, nightclubs, bars, and beaches where prostitutes' and clients' relationships can be formed and sexual relations consummated. This has also been made easy by the laxity on the part of the police officers who easily succumb to bribes and are inclined to turn a blind eye on such activities.

There also exists along the Kenyan coast, a Mafia-style drugs and sex industry. These are people with a lot of money capable of bribing their way out of trouble. They also have the capacity to organise services for clients outside the country (Sindiga 1999; Chessim 1996 Migot-Adhola et al 1982).

"Most fundamentally, however, the motivations for sex tourism are an outcome of a desire on the part of the tourist for self gratifying erotic power through the control of another's body" (Ryan& Kinder 1996:516)

Male supremacy is perceived as a natural kind of authority in many cultures and world religions. Cultural values that define traditional male sex roles are power, dominance, strength, virility and superiority and those that define female roles are submissiveness, passivity, weakness and inferiority. In many legal systems, and in social and religious thinking, women are perceived as the property of men and sex as the exchange of goods, which further entrenches male supremacy. The notion of male supremacy also teaches boys and men that females are worthless and less deserving and may be treated poorly or less than males.

Supply Factors – Why Do Sex Workers Get involved?

"Often times I don't feel anything during sexual encounters. There are times when I am hurt. If I keep doing it, it is because I need money for my self and my children. I have learned to do motions mechanically in order to satisfy my customers. If you do it very well they will come back- and that means money" (Lin Lean Lim 2000:74)

This Filipino woman quoted by Lin Lean Lim has expressed the reason why many Third World women are in the sex tourism business and their feelings about sex work. For many, the number one reason is poverty. Some Kenyan women and women in other Third World countries are 'economically desperate'. Prostitution is therefore considered the only available option for them to ensure their survival and that of their families. They migrate to the coast with hope of finding a white tourist who can pay more or who might marry them and take them to the West; or at least who might become their boyfriend.

Some of the girls who are involved in prostitution apparently come from broken homes, or are street children, or orphans. The increasing poverty and the profitability of prostitution makes the traditional societal ethics and the codes of sexual conduct almost irrelevant for many people; including the parents of the prostitutes.

One would then wonder why women are generally poorer compared to men in many African countries including Kenya. The following are some of the major reasons.

Women have limited access to productive resources such as land, capital, farm equipments and agricultural inputs. Land has historically remained outside the control of women. Inheritance practices in most African communities favour the male gender who can acquire land mostly through inheritance and to a lesser extent through purchase. A woman's right to land is usually limited to user rights only. This implies that males can easily have access to other productive resources because they can use land as a security to borrow money if needed to purchase other productive resources. This option is not usually available for women

Women relatively enjoy lower levels of education and have limited training opportunities compared to their male counterparts. This again is because parents give priority (although, this is slowly changing) to boys' education particularly if the resources are inadequate. Other factors that affect the education of females include unwanted pregnancies and the fact that they may be forced into early marriages by their parents for economic gains.

Many Kenya women are also overburdened by high fertility rates and lack of family planning services. This situation is exacerbated by poor maternal health and nutritional status. Thus, women have family care burdens including caring for children, which makes it very difficult for them to engage in any meaningful economic activity. Women also have a poor perception of themselves and their abilities. Added to this is the lack of knowledge about both their rights and the resources that are potentially available to them. The situation is further compounded by the prevailing attitudes of the society to women's abilities and socio-economic roles.

The other factor contributing to women's poverty is the 'fallen woman' concept; that is, any woman who has suffered from seduction, rape, been jilted or left a male partner, is often cut-off from other employment or even marriage because of their sex history. This leaves such women with limited choices and as such may opt for prostitution in the search for viable livelihoods.

Women are also discriminated against in most areas of formal employment and are often left with the worst paid jobs or no jobs at all. Lure of easy and plentiful

money coupled with new social norms (the relative anonymity and freedom from familiar and village surveillance in the tourism locations) makes prostitution an alternative source of employment for many young women.

HIV/AIDS

The HIV/AIDS scourge is a big problem in many developing countries. In Kenya it is estimated that 500 people die of AIDS or related illnesses every day, leaving many orphans. In the majority of cases, these young children become the heads of households and must therefore find ways and means of taking care of their siblings. For the girls, the easy alternative is to turn to sex work in order to get some income.

Many Third World countries are also experiencing a crisis within the agriculture sector which forces rural folks, including young women, to move to urban centres in search of employment. Not everybody can get jobs in these urban centres; but once you are there, you must meet your basic living expenses. For many women, sex work is the answer.

Spread of new forms of consumerism, growing materialism and the increasing cost of living a more conspicuous life-style are a motivation for some young female migrants to enter prostitution. In addition, the benefits of remittances from sex workers is an incentive for other family and community members to get involved or to encourage girls to go into sex work.

Impact of Sex Tourism In Kenya – Benefits or Blight?

Sex tourism can be seen as both a risk and an opportunity to acquire resources. Because of the risks involved, many women prefer to attach themselves to pimps or other 'traders' for safety and security reasons and in the end get less income. Alternatively, they may decide to go it alone and get high incomes but with this also comes a great risk. Most women in sex work face the risk of material loss because they may not be paid by their clients after offering sexual services (ref. The Marco case). Women are generally helpless against such exploitation and take them as part of their business.

The other material risks is the money that they must give to the police in exchange for liberty to operate and especially since the work is mostly done at night. The women also risk losing their money to theft.

Women can sometimes face attacks by dissatisfied customers. They may face physical attacks in the form of cruelty, violence and rape and in extreme cases even pay with their life, as did one woman in 1980.

"Monica Njeri was a 32-year-old mother of two and a prostitute in Mombassa with

a bias towards male clients. She was brutally murdered by Frank Sundstrom a 19 year old USA navy service man who wanted the kind of sex that Monica could not provide. When he was not satisfied with merely sleeping, he woke up and tried to steal back the money he had given to Monica plus her own money but she woke up and caught him in the act. In the ensuing struggle, he broke a beer bottle to make a weapon and repeatedly stabbed her until she died.” (Migot-Adhola 1982:74)

Although, Sundstrom admitted the offence, his only sentence was to sign a bond of 500/- (equivalent to US\$46 at that time) to be of good conduct.

Health Problems

Women in prostitution also face health problems. They are exposed to sexually transmitted infections including HIV/AIDS. It is worth noting that as much as the women would like to use preventive measures such as condoms, not many tourists will accept this. The reasons that have been given by some tourists is that it interrupts the flow of sex and that carrying it may imply that one is promiscuous (Clift & Grabowski 1997). The other health danger with sex work is the susceptibility to anal or cervical cancers. Additionally, since many women are forced into sex work, some may only be able to work under the influence of drugs and/or alcohol. These can in turn lead to drug and alcohol addiction as well as mental depression.

Due to its nature, sex tourism has been perceived largely as having a negative impact on society. However, there is another side to it. Sex tourism can generate income. Some women that have risked prostitution have been able to build better houses and have invested in urban plots and houses. This is largely because earnings from prostitution are often more than from other alternative employment opportunities open to women with low levels of education. Although some girls state that they would like to move from prostitution to other jobs, they are conscious of the income that they are likely to lose.

Sex workers contribute to the national economy by boosting the profits of many transnational hotels and airlines, small street vendors who sell ornaments, hotel staff, taxi drivers, brothel owners, and many other intermediaries. The police, the state, as well as local and international enterprises are all aware that sex has a market value even though they proclaim that prostitution is immoral (Ryan and Hall 2001).

Sex tourism can also contribute to cultural exchange. Many sex workers are forced to learn foreign languages; for without such skills they cannot perform their work well. There are also occasions when these temporary relationships have led to more permanent unions such as marriage, which in turn have removed the girls from everyday prostitution. The other positive impact is that health workers are encouraged to pay more attention to their health due to the nature of their work. These girls must go for check ups regularly and should any

problem be detected it can be treated in time.

Policy Issues: Precisely, what is the Kenyan Government's Position?

"This new form of slavery is as a result of apathetic policy, the economic greed of local privileged classes, the poverty of certain countries and the struggle for survival of some sectors of the population" (The Vatican's Permanent Observer at the World Tourism Organization April 2003).

The section discusses policy issues relating to the sex tourism market in the country, and in particular, explains various attempts by the Kenyan government to control what is called "sex safari".

The legal viewpoint on prostitution has been expressed at various levels. At the international level, various policies have been formulated and adopted, for example, the United Nations Convention for the Suppression of trafficking in Persons and the Exploitation of the Prostitutes by Others in 1949. Subsequently, UN member states, Kenya inclusive, are expected to adopt domestic legal measures to criminalize prostitution and to curb syndicates. However, evidence shows that such measures have brought about few changes in so far as suppressing the practice of prostitution and the trafficking of women and children are concerned.

This is as a result of the poverty levels in certain nations as expressed by the Vatican representative to WTO. In my view, governments of poorer countries such as Kenya cannot be expected to regulate the sex industry merely for moral reasons especially if the industry is bringing in the much-needed foreign exchange. What these countries can do at best is to enact laws so as to appear concerned but would do very little if anything to enforce such regulations.

The law that currently exists in Kenya with regards to prostitution is found in CAP 63. S.153–S.156 Laws of Kenya. The law specifically states:

*S.153 (1) "every male person who -
(a) Knowingly lives wholly or in part on the earnings of prostitution; or (b) In any public place persistently solicits or importunes for immoral purposes, is guilty of a misdemeanour"*

S.153 (2) prohibits any man from living with a prostitute or to control or help a woman into prostitution with the aim of living on such earnings.

S.154 "Every woman who knowingly lives wholly or in part on the earnings of prostitution or who is proved to have, for the purposes of gain exercised control, direction or influence over movements of a prostitute in such a manner as to show that she is aiding, abetting or controlling her prostitution with any person or generally, is guilty of a misdemeanour"

S.156 prohibits any person from owning, managing or being the leaser of any premises to be used as a brothel

This law therefore does not make prostitution illegal as such; but only living on the earnings from prostitution is illegal. By implication therefore only loitering, pimping and ownership, management or occupancy of a brothel is illegal. It is important to note however that only women sex workers have occasionally suffered from this law and not the men (prostitutes) or owners of brothels who in most cases are influential people and can buy their way out of trouble.

Sex tourism in Kenya has also been given semi-official recognition. For example, the City Council of Mombasa issues cards to bar girls to work in these places but the media and the government alike have neglected to bring this issue to light despite the knowledge of the existence of this practice (Migot-Adhola et al. 1982 and Sindiga 1999).

Discussions

Sex tourism has developed and is increasingly becoming a complex global phenomenon. One can only wonder why despite the health risks and other problems that are associated with this trade, that tourists and the sex workers like are still engaging in sex tourism.

The major part of this discussion will consider whether sex work should be legalized or criminalized in Kenya and the various programmes that can help to rehabilitate sex workers. Criminalisation of prostitution would be highly unfair since in most cases prostitutes are themselves victims of highly organized institutional structures and arrangements.

Criminalisation may punish the prostitutes, but not necessarily stop them from such work, especially if there are no viable alternatives. Such a ban would only serve to drive the sector underground. In which case, those in need of protection would become more marginalized. Should sex work be declared illegal, prostitutes may be discouraged from openly seeking safer sex education and health services, thereby merely exacerbating the health threats both to themselves and the larger population.

Criminalisation also has been very selective because the law and its enforcement mainly affects women, while clients, pimps and brothel owners have remained relatively untouched (Truong 1983; Sindiga 1999). This could be seen in The Contagious Diseases Act in Britain (1864) that was established as a state policing system for compulsory periodical genital examination of women suspected to be prostitutes. Butler, a feminist who led the fight against this Act claimed that it subjected women to men's control. She documents a bitter complaint by one of the women who was picked up by the police (Enloe 2002:57)

"... it is men, men, only men, from the first to the last that we have to do with! To

please a man, I did wrong at first, then I was flung about from man to man. Men police lay hands on us. By men we are examined, handled, doctored...In the hospital, it is a man again who makes prayers and reads the Bible for us. We are had up before magistrates who are men, and we never get out of the hands of men till we die!" And as she spoke I thought, " And it was a parliament of men only who made the law which treats you as an outlaw. Men alone met in committee over it. Men alone are the executives. When men, of all ranks, thus band themselves together for an end deeply concerning women, and place themselves like a thick impenetrable wall between women and women...it is time that women should arise and demand their most sacred rights in regard to their sisters."

What existed in Britain in the 1860's is not any different from what we have in Kenya today. For example out of 222 members of parliament, only 17 are women and this is virtually the same in the other professions mentioned above: magistrates, police, doctors, religious leaders etc men are the majority and can be estimated to be somewhere between 70-100%. Criminalizing sex work will only hurt women.

The best alternative would probably be to allow adult women to engage in sex work if they so wish. However, since sex tourism is an important source of commercial sexual exploitation of children it is necessary to introduce provisions for extraterritorial application of laws, so that perpetrators from other countries can be brought to justice for criminal acts committed in other countries. This should also apply to international trafficking of women and children since trafficking is done against the victims' will. Immigration laws should also be reviewed to take these problems into account.

Legalizing sex work would be more beneficial to women as they will be able to have better working conditions and they would also earn more as they will not need the services of middlemen. However, the Kenyan society is very "religious" and coupled with the fact that over 90% of parliamentarians are men, such a law can never be passed. With this scenario it appears that sex tourism is here to stay whether criminalized or otherwise because the structures are in place to ensure demand and supply to sustain the trade.

Conclusions

The solution to the sex tourism problem in Kenya is, therefore, not to criminalize or legalize it but rather to investigate the root causes and sort out the problem from the root. Rather than continuing to conduct futile seminars and conferences, these victims need practical, viable, tangible and sustainable interventions. There is need to formulate a law that would regulate sex tourism and the sex industry in the country; this must be supported with a range of social/economic policies and programmes.

Since poverty is the major reason why women go into tourism, women need to be empowered economically. They can be encouraged to start income

generating activities and the younger ones can be advised and supported to go back to school. The victims should be offered long-term rehabilitation programmes that include care, love, medical and legal services as well as guidance and counselling.

All stakeholders including government agencies, NGOS, the private sector, the media and communities should be involved in these programmes. The Sex tourism programmes should also be monitored regularly through follow-up and after-care activities. There is also a need to educate the Kenyan society about providing equal opportunities for both sexes. The government must address the problem rather than deny the existence of sex tourism in the country. Women groups in the Third world countries including Kenya should also liaise with their counterparts in western countries to protect women from sex tourism and trafficking.

Since, we can no longer deny the existence of sex tourism in Kenya, there is urgent need to carry out systematic research to answer certain fundamental questions such as: How big is the sex industry in Kenya? How many women and how many tourists are involved? Is sex tourism in Kenya unique to the country or are there similarities with the trade in regions like Southeast Asia? To what extent is the African culture and beliefs keeping sex tourism in check? What is the precise government position on sex tourism? What tangible, reliable and sustainable programmes can be implemented to rehabilitate and re-integrate sex workers back into the society?

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