MONGERS IN HEAVEN: SEXUAL TOURISM AND HIV RISK IN COSTA RICA AND IN THE UNITED STATES



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Methodology

In a talk given at the Albany campus of Massey University of New Zealand on the epistemology of research, Chris Ryan and C. Michael Martin (2000), authors of **Sex Tourism: Marginal People and Liminalities**,¹ provided a metaphor likening research truths to an onion. In their study of prostitution in Thailand, they found that the women involved in the industry of sexual tourism had different answers to questions posed by different people in different circumstances. They described this as being like a sheet of an onion, which has its own truth, and its own logic that changes each time you peel it. They postulate that, as sex researchers, we confront partial truths. The truth lies in the whole onion rather than at a "core" or at one single layer.

Sexual work aims to please others and offers a theatre where fantasy and reality intermingle. This is the reason why sex researchers, who enter a brothel, nightclub or massage sauna, will receive a variant representation, generally the type of information they themselves want to hear. "Are you doing STI prevention?" our ethnographer asks a prostitute. "Yes, we are all concerned here and use condoms all the time," she responds. Yet, later she charges a client double to perform sex without a condom.

If the people who work in the sexual industry know that researchers belong to a nongovernmental or private organization in the health prevention field, they will probably say when questioned that safe sex is generally practiced, that the consumption of drugs is low or nonexistent, and that they work inside the industry because of harsh economic difficulties. Although we found other realities in our 2000

¹ Chris Ryan and Michael Hall, Sex Tourism and Liminalities, Routledge, New York- London, 2001, p.xiv.

survey with sex workers, it is very probable that most of them underreported the amount of unsafe sex, drug consumption and misrepresented their reasons for engaging in sex work.

We did not find in our 2000 Survey a total commitment to safe sex. As a matter of fact, unsafe sex was high. Nevertheless, it is to be expected that if we factor in the underreporting – especially with regard to condom and drug use - the risk index would have been much higher.

Information-gathering and illegality

In Costa Rica, sex work is legal and the country has a strong tradition of tolerance toward prostitution. In 1894, the first laws (*Ley de Profilaxis Venérea and Reglamento de Prostitución*) were enacted to regulate and control the activity under the rationale that it was important for guaranteeing "hygiene and public morals." From then on, sex workers were subject to a weekly medical check-up in order to detect sexually-transmitted diseases (STD's). Prostitutes had to register with the police and those who failed to do so, could be sentenced to a maximum of 10 days in prison. Women who were infected were forbidden to work and were subject to longer prison terms. Sex workers were prohibited from living 200 meters from schools and in cases of scandalous behavior, were expelled from their neighborhoods. Sex workers were listed in the public registry and could only be removed if they were married or had proof of a "respectable job." In the 1943-1944 Penal Code, supervision of sex workers was handed to social workers. This proved to be problematic as the sex workers evaded the officials. In the present Penal Code of 1970, it is again the Ministry of Health that is responsible for periodically testing registered sex workers. Those who do not comply are subject to arrest by the police. ²

The Costa Rican Penal Code of 1894 was emulated by the Netherlands in its 1911 Code that legalized prostitution. The Dutch penal code defined the broader context for prostitution laws and regulations in their colonies: brothels were banned throughout the kingdom and the active promotion of prostitution, as in Costa Rica, was criminalized. Nevertheless, prostitution was considered a necessary social evil, and sex work itself was not criminalized, allowing some forms of tolerance of sex work and the legal existence of the social category of the prostitute. In Dutch colonies such as Curazao and Aruba, there was greater tolerance than in the Netherlands, and brothels –like the famous Campo Alegre- were set up. This led to government intervention in and regulation of prostitution and provided an active role for the police in guaranteeing that sex workers were "free of disease." Thus, the states that legalized prostitution and took it upon themselves to protect "society from prostitution's evil influence," became directly involved in the sex trade.³

² Asamblea Legislativa de Costa Rica. <u>Código de la niñez y la adolescencia</u>. Ley N° 7739. San José, Costa Rica, 1998.

^{. &}quot;Código Penal", Ley Nº 4573. San José, Costa Rica, 1970.

³ Kamala Kempadoo, **Sexing the Caribbean. Gender, Race, and Sexual Labor**, Routledge: New York and London, 2004, ebook, p.1652.

Although prostitution is legal in Costa Rica, pimping⁴ (*proxenetismo*) is not. Many practices can be considered pimping and thus be illegal. According to a strict reading of this law, an individual who owns a nightclub that promotes prostitution can be prosecuted for pimping. Massage parlors, hotels that cater to prostitutes, and bars with private rooms, can all be legally prosecuted as well. Furthermore, the manner in which sex workers are paid can determine what is considered legal and illegal. Dildoman, for example, explains to other sex tourists that Art y Sauna, a massage parlor, was closed by a "technical" interpretation of the Law: Since the receptionist would "collect all the money from the client and then pay the *'chicas*' the authorities considered that as pimping."⁵

In addition to pimping, establishments and individuals are often prosecuted for other reasons. The police and the Ministry of Health may crack down on places that employ HIV-positive sex workers and illegal residents, detain American tourists who do not have their papers at hand and imprison owner and managers if there is a minor on the premises. This vulnerability to police harassment and blackmail is one of the worst fears among those involved in the sex industry.

The first warning usually comes from newspaper articles. A.M., a newspaper, tells mongers that the Ministry of Health will make sure that the Massage Parlors are not being used for prostitution and that it will take measures to "avoid the camouflage of places of prostitution that function under the name of massage parlors." ⁶ A few days later, the police raid the Massage Parlors and their clients are imprisoned. In other circumstances, the arrival of a questionable individual is the trigger. Jeff99 –for example- is aware of the danger that "Easy", a sex tourist, is in San José. This man is looked for the police for "his Sex Wax scam he perpetrated last November". Since he is in town he thinks, "new raids are to be expected this week." Mongers or sex tourists –he believes- will pay collective punishment. "The smart thing to do" he adds "is to remember that Easy is a long time member of this Forum" and to "carry your passports this week if you are in town, especially if you're in the vicinity of Mr. Easy. Easy arrives on June 28th. Be on the lookout. Be careful out there gentlemen." ⁷

The manner these mongers act reminds us of the homosexual harassment in the 1970's. In that decade, the police used to have periodic raids on gay bars. Once the police was spotted, bar owners would turn on a red light to warn their customers. Gay couples were to immediately stop dancing with each other and run to the exit doors. Twenty-years later, straight heterosexual American males are the ones who run away for their lives.

Romulus, for example, is coming to town and wants to know if there have been any raids recently. If the answer is affirmative, he asks other mongers what to do: "Do you run for the elevators or exit doors? How about stairways or inside the kitchen downstairs?"⁸

Paco Loco, another sex tourist, does not understand why there are raids if prostitution is legal in Costa Rica. ⁹ Romulus explains to him that the harassment is "irrational" and that American tourists are not

 ⁴ Pimping: the act of a third party benefiting from the prostitution of another individual or group of individuals.
5 http://www.costaricaticas.com/phpbb2/viewtopic.php?t=1176

⁶ http://www.costaricaticas.com/phpbb2/viewtopic.php?t=1399

⁷ http://www.costaricaticas.com/phpbb2/viewtopic.php?t=2651

⁸ http://www.costaricaticas.com/phpbb2/viewtopic.php?t=1399

⁹ http://www.costaricaticas.com/phpbb2/viewtopic.php?t=2651

immunized to police raids.¹⁰ The Government wants, for its part, to show that "they are fighting prostitution."¹¹

There is an ongoing debate among experts on how the illegality of sex work affects both the sex tourist and the sex worker. Ryan and Hall in their work on Southeast Asia view sex tourism as an interaction between two groups of equally positioned yet marginalized people - tourists and prostitutes. They identify three main features common to tourists and sex workers. The first one is the power of dressing, the second involves sensuality or undressing; and the third, the formation of particular spatial communities. The authors argue that tourists and prostitutes both occupy a position of power, the "working girl exercises the power to earn cash; the tourist exercises power due to the possession of money."¹² Conversely, Kempadoo, in her studies of sex tourism in the Caribbean, views sexual tourists as part of a dominating culture treated with respect by the country's police and by everyone in the sex industry. Sex tourists, mostly white, are seen as members of a distinguished and powerful group that provides work for millions of people. She believes the "liminal model" does not apply to the Caribbean:

It is however not an explanation that serves the Caribbean well. The tourist as a marginal person is a questionable notion in the Caribbean context, given the extreme dominance of tourism in the region and the kinds of preferential treatment that tourists receive. Caribbean governments are subservient to the global economy and the foreign exchange brought in by tourists, and a person holding a greenback or Euro commands service and deference. ¹³

The Costa Rican case seems to follow more Ryan and Hall's model of liminality. Sex tourists are afraid of the police and with good reasons. Examples of this are a monger who had to dress as a Chef in a hotel to avoid being taken to prison; another who hid in the garbage to avoid the police; a third jumped over a fence, and broke his leg to avoid being caught inside a brothel. Contrary to the experience in the Caribbean where being white is a historical prerogative, it is not a passport to exercise power in Costa Rica. The Catholic Church has a much stronger influence in Costa Rican politics (It is the State Religion) than the protestant churches in the English Caribbean. Mongers¹⁴ in Costa Rica, may be more apprehensive about publicly participating in the sex trade and do not feel so powerful as to do whatever they wish with regard to sex workers. They know that in case of getting involved with minors, they might land in jail.

The vulnerable sexual industry implies that sex researchers are not welcomed and that none of the club owners are to volunteer information that could eventually put them in prison. Sex workers themselves are afraid of those whose motivations are not sexual. If the interviewer turns out to be a journalist or a policeman and gathers evidence that sex is being performed on the premises, the place can be closed down and foreign sex workers can be deported. In the case where the sex worker is a mother, she can lose custody over her children.

Nevertheless, with the present situation it is impossible to tell who is a researcher and who is an undercover agent and anyone who asks too many questions might be either one of them. We get evidence of the sex industry's fear from one of the sex forums when sex tourists discuss over an

¹⁰ http://www.costaricaticas.com/phpbb2/viewtopic.php?t=2031

¹¹ http://www.costaricaticas.com/phpbb2/viewtopic.php?t=2031

¹² Chris Ryan and Michael Hall, Sex Tourism and Liminalities, Routledge, New York- London, 2001, p.4.

¹³ Kamala Kempadoo, Sexing the Caribbean. Gender, Race and Sexual Labor, London: Routledge, 2004, ebook, p. 2024

¹⁴ Mongers: name that refers to sex tourists

invitation by a Chicago journalist to do a piece on them. King Kosta thinks this is "a very lousy idea... please." ¹⁵ Dboy agrees with him and considers the thought of helping write such an article something "ridiculous."¹⁶ Tman asks others who might consider to participate: "Do we really need to parade around the fun things we do in the dark to everyone in the world...including wives, mothers and Ch*ldren? Dont think so." (sic) An article such as the one proposed is, for him, a "public scrutiny and knowledge that bring out the witch hunts and double standards of government types to limit the personal freedoms of pleasure seekers." Journalists and researchers only want "sensationalism and anything 'shocking' to sell newspapers, mags or get eyes on TV in Jerry Springer-like fashion." For these reasons he suggests that "The last thing I want to see is some of my favorite Ticas brought into the States, paraded on Springer and other like shows, and fighting on live TV over whether they both slept with me or not." Finally, his recommendation is fierce: "I encourage you guys NOT to spill the beans..."¹⁷

Monger's fear makes it difficult to gain accessibility to the world of Costa Rican prostitution. The RAPID ASSESSMENT or RAP¹⁸ is a good tool to counteract the tendency to lie since it approaches this universe from different angles and different sources of information. By using triangulation it lessens the distortions expected from a community that is liminal, hidden and secretive, and wants to remain as invisible as possible. Despite our efforts, the RAP is a short intervention that lasts a couple of months and aims at gathering as much information as possible. The number of informants, focus groups, ethnographic observations and in-depth interviews are kept small.

THE SURVEYS

In 1997 and in 2000 ILPES (The Latin American Health and Prevention Institute) carried out a Survey funded by USAID/PASMO on Central American and Costa Rican sex workers. The objective of the research was to study the use of condoms and related factors. The Surveys provided invaluable information on sex workers from brothels, nightclubs, massage parlors and from street workers. It did not include sex workers who work at the major hotels that cater to American tourists. Nevertheless, 75% of sex tourists in the poll taken at <u>www.costaricaticas.com</u>, a sex forum, also cater to the places studied in the ILPES surveys.¹⁹

The sample size was established according to time and economic constraints. It was agreed to have a sample of 400 female sex workers both from the street and from brothels, bars or discos in San Jose, Costa Rica.

¹⁵ http://www.costaricaticas.com/phpbb2/viewtopic.php?t=1423

¹⁶ http://www.costaricaticas.com/phpbb2/viewtopic.php?t=1423

¹⁷ http://www.costaricaticas.com/phpbb2/viewtopic.php?t=1423

¹⁸ Sex- RAR Guide, The Rapid Assessment and Response Guide on Psychoactive Substance Use and Sexual Risk Behavior, Mental Health: Research and Evidence, Department of Mental Health and Substance Dependence, World Health Organization, Geneva, 2002.

¹⁹ http://www.costaricaticas.com/phpbb2/viewtopic.php?t=1863

An estimate was made of the number of sex workers who work in the establishments and in the streets. ²⁰ The random nature of the sample was established by the choice of hours for interviews. ²¹ Finally, 400 interviews were carried out at the different social centers in San Jose.²²

Focus group discussions

A sample of 10 sex workers were invited to participate in focus-group discussions held at ILPES in San Jose, Costa Rica. These were carried out on July 29, 2000 from 8 pm to 10:30 pm. ²³ The discussions focused on participants' perception of the data gathered with regard to sexual risk-taking in association with substance use and possibilities of behavior change. ²⁴

In depth- interviews

A sub-sample of 20 sex workers was invited to take part in individual semi-structured in-depth interviews about their perceptions and behavior concerning psychoactive substance use and sexuality. These interviews had an average duration of one hour and were conducted in three nightclubs in San Jose, Costa Rica. Five interviewers participated during the month of September 2000. ²⁵

Con formato: Inglés (Estados Unidos)

²⁰ The estimates cannot represent an exact number of sex workers since the women who frequent these places are not always the same, nor do they arrive with the same frequency. In addition, the opening hours of these places differ, and the number of sex workers can fluctuate due to the clients' patterns of attendance.

²¹ Once an hour was randomly selected, the interviewer had to interview the first five sex workers that walked in the establishment. In the case of those who worked in the streets, different spaces and times were selected randomly and the interviewer had to select the sex worker who was present at that specific time.

²² In this case, the sampling procedure was applied with probability proportional to the size of the establishment (number of people visiting a given place-PPS). For this reason, each woman was weighed up in a proportionally inverse relation to the number of times she frequents the place. This variable was included in the questionnaire: "How many days a month do you attend these premises?"

²³ The group was briefed on the purpose of the discussion, the background of the study, benefits to participants and others, the time it would take to take part in the discussion, steps taken to protect anonymity, how to access psychosocial support during and after the discussion, and whom to approach to discuss and explain details of the study. Participants were asked to put down a 'code-name' on the informed consent sheet instead of signing it personally. They were also handed out a copy of the informed consent sheet that did not specify their code name.

²⁴ Two interviewers received special training on how to respond to potentially sensitive information given by the participants. They used participatory methodology to conduct the sessions. Focus group discussions were taped and transcribed. All tapes were erased after the conclusion of the study. There were no material inducements for participants, beyond free refreshments.

²⁵ Participants were asked to put down their 'code-name' on the informed consent sheet instead of signing it personally. They were also given a copy of the informed consent sheet that did not specify their code name.

Another five interviewers (not the same ones conducting the focus-group interviews) received special training on how to respond constructively to possible sensitive information given by the participants and possible feelings of embarrassment and shame. ²⁶

Ethnographic Observation

In 2000 two nightclubs were selected for ethnographic observation: Puro Placer and Elías²⁷. Puro Placer is a club located near the Coca Cola Market in San Jose, Costa Rica. The area is part of San Jose's red-light district. The observation took place on March 24, 2000 and was conducted by two ethnographers, one male and one female. They spent five hours in this bar. Elite is a similar club located in Paseo Colon, a more commercial section in the city of San Jose. The same ethnographers conducted the observation during May 26, 2000 from 10:30 pm to 1 o'clock in the morning.

The nightclubs have approximately from 20 to 40 female dancers and a clientele of approximately 100 to 200 men per night. The bars are meeting places for prostitutes and their clients who, after several drinks, retire to nearby motels, private apartments or houses. The main activity in both places is dancing and drinking.²⁸

2004 RAP

To update the data, another RAP was conducted in 2004, during the months of September, October and November. This time the emphasis was placed on sex workers who cater to American clients and on the clients themselves. The following interventions took place:

- Mapping of the most important sexual establishments in San Jose and in Jaco Beach that cater to American tourists.
- A study on sex forums and websites that promote sexual tourism to Costa Rica in Internet.²⁹
- In-depth interviews with 10 sex workers at Hotel Del Buey and Tea Amargo.
- Ethnographic observation in Hotel Del Buey and Tea Amargo
- In-depth interviews with 15 waiters and taxi drivers.
- Ethnographic observation in massage parlors and nightclubs.
- Two focus groups with 10 sex workers.
- In depth-interviews with 10 sex workers in Tango India nightclub.
- Five in-depth interviews with Ministry of Health officers.

Quotes

²⁶ Interviews were recorded and transcribed following the strict safety procedures outlined above (including erasure of tapes after transcription, coding of names of other individuals mentioned in the course of the interview). There were no material inducements for participants, beyond the offer of free refreshments.

²⁷ These are not their real names. All bar, hotel, night-club and Massage Parlor's names have been changed.

²⁸ Confidentiality was maintained through the use of code names when writing field notes, storage of data in lockable filing cabinets, and limiting data-access to the research team.

²⁹ We decided to leave the citations from the sex forums just as they were, without changing the spelling and the grammar.

We opted to leave the posts from the Internet just as they are found, with typos, misspellings and words in Spanish.

BACKGROUND

In general terms, Costa Rica is definitely the nation with the highest rate of development in Central America. It has the best reputation on many levels to that of its neighbors³⁰. With a long history of democracy, tolerance, republicanism and pacifism, Costa Rica offers a level of education, economic development and better standard of living than the other countries in the area. Since its origin as an independent nation, Costa Rica wanted to isolate itself from the social and political torment of its neighbors. For decades it was an oasis of relative tranquility and stability in the midst of a region torn by militarism and war, and played a fundamental role in the pacification process that spread through Central America beginning in the middle of the '80s. Since the 19th century, Costa Rican leaders have been concerned about how to capitalize on the social advantages of the country, whose attributes have become part of traditionally accepted mythology, illustrated in names describing Costa Rica as "the Switzerland of Central America" and the "Garden of Peace."

Having been part of the Spanish Empire for close to three centuries, Costa Rica gained its independence in 1821. At the time of initial contact with the European colonizers, the indigenous population of what is now Costa Rica did not exceed 25,000 souls, making it one of the most sparsely populated regions of Central America. ³¹ During much of the Colonial period Roman Catholicism enjoyed a monopoly over the minds and souls of the country's inhabitants, as it was the only religion tolerated by Costa Rica's Spanish rulers.³² In the field of economics, the era of Spanish rule was characterized most notably by chronic poverty, with a lack of human resources and mineral wealth ensuring that there was little in the way of sustained growth. This placed the country in the same disadvantaged position as other regions in Latin American without mineral. ³³

The country's peasant-based economy did establish sporadic links with the world market thanks to crops such as cocoa and tobacco. During the cocoa "boom" in the XVII Century, Black-enslaved labor was brought in from the Caribbean. Nevertheless, once the exports started to fall, these workers were freed and let to marry within the mostly white population. Both Indians and Blacks, as it happened in the rest of Latin America, saw intermarriage as an avenue for upward social mobility. "Whitening" became part of the sexual culture as it provided the key to obtain better jobs and access to the dominant Spanish society. ³⁴

With the advent of widespread coffee cultivation in the mid-nineteenth century, Costa Rica was integrated into the global chain of commodity production and consumption on a more permanent basis. Costa Rica for one had some of the fastest growth and development in Latin American during the nineteenth century. In the post-World War II period, government policies of import substitution galvanized the industrial sector while attracting large numbers of European immigrants, whose presence contributed in turn to an expansion of the country's ethnic and religious composition. At present, roughly 85 percent of Costa Rica's population calls itself Roman Catholic, while the rest self-identify with a range of Protestant and non-Christian religions. The population is mostly white and

³⁰ Costa Rica, for example, has a reputation for being a safe and peaceful country with an educated population.

³¹ León Fernández, Historia de Costa Rica, San José: Imprenta Lehman, 1939.

³² James Backer, La Iglesia y el sindicalismo en Costa Rica, San José: Editorial Costa Rica, Second Edition, 1975.

³³ Charles F. Denton, Patterns of Costa Rican Politics. The Allyn and Bacon Series in Latin American Politics. Boston: Allyn and Bacon, Inc., 1971.

³⁴ León Fernández, **Historia de Costa Rica**, San José: Imprenta Lehman, 1939.

mestizo, with the exception of those descendants of Jamaican immigrants who came in the late 19th Century to work in the banana plantations and a small native aboriginal population.

The country today has a higher standard of living than many Latin American nations. Its per capita income is six times larger than Nicaragua, three times larger than Bolivia's and two times larger than the Dominican Republic's. Costa Rica has one of the highest literacy percentage rates in Latin America, one of the lowest children's mortality rates per 100,000 people and one of the highest life expectancies in the world.³⁵

Despite the undoubted contribution made by coffee to Costa Rica's economic growth, it also served to make the country extremely vulnerable to the boom and bust cycle of the world commodity market. Economic recessions led to the famous military interventions during the 1900s in numerous Latin American republics such as Mexico and Peru. This was not true of Costa Rica, where the existence of an agricultural frontier zone until roughly the middle of the twentieth century contributed to the emergence of a large middle class and to the establishment of a democratic tradition that was interrupted only twice in this century. In 1948, following the second of these interruptions, Costa Rica's government abolished its armed forces.

In this way, the country was able to weave a social fabric where polarization and anomie were never permitted to reach the levels seen in other parts of Latin America, where military dictatorship was the rule rather than the exception. The program of social reform first embarked upon by the government of Calderón Guardia in the 1940s, subsequently deepened and strengthened by José Figueres Ferrer's Social Democratic Party, laid the groundwork for a welfare state that put Costa Rica on par with First World countries in such areas as literary and health. Notwithstanding the good achievements in health and social security, approximately one-third of Costa Rica's population lives bellow the poverty line. The country shares problems with the rest of the region such as unemployment, urban decay, increasing crime rates, and drugs.

Sexual Culture

When the American sexual tourist writes that Costa Rican sex workers act "irrationally" or "lie compulsively", there is a hermeneutic problem. Latin American sexual culture is different from her Anglo- Saxon counterpart and it can be misunderstood by those who ignore its history. First, we need to take into account that Spain was able to dominate Latin America for three centuries without having to use a strong military force. Notwithstanding the imposition of high taxes and of prohibitions against developing local industries, there was little political armed resistance against Spain. The reason was simple. The Spanish Crown might have wished to exploit her American colonies, but in reality she was a declining power, unable to compete with England and with other European rivals, and incapable of supplying the New World with the needed industrial goods. She did not take advantage of such captive markets development, and instead of investing in her own the Spanish Crown squandered her wealth on European military interventions.³⁶

³⁵ Jacobo Schifter, **The Construction of Latino Youth. Implications for the spread of HIV/AIDS**, New York: Haworth Press, 2000, p.8.

³⁶ Hugh Thomas, **Rivers of Gold: The Rise of the Spanish Empire, from Columbus to Magellan**, New York: Radom House Publishing Group, 2004.

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