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Analysis Vered Lee

Stripping 'sex entertainment' down to its bare, ugly bones

The precedent-setting ruling issued Monday by Tel Aviv District Court Judge Michal Agmon Gonen that shut down a strip club in Ramat Gan puts an end to the whitewashing of prostitution and strip clubs, and aims to remove the camouflage and expose the hellish reality that's existed in the heart of the city's Diamond Exchange district for over 20 years.

Agmon Gonen's ruling takes aim such euphemisms as "peep shows," "strippers" and "sexual entertainment," and she stresses that such terms "seem cleaner and more neutral, but choosing [them] hides what is really done there and primarily the fact that women are presented to arouse men's sexual desire." What is really happening is "that women are presented as objects," and the demeaning objectification in such venues for the sake of sexual arousal is "not entertainment at all," the judge states.

In her decision, Agmon Gonen did not just uproot the so-called wild weeds from our language, but also from the public domain. Since the 1990s, trafficking in women began to flourish and found a niche, among other places, in the area of the Diamond Exchange. The municipality has been fighting the phenomenon for years but has been unable to uproot it totally; meanwhile, prostitutes and strip joints are openly in evidence there, operating in the light of day. The judge's courageous declarations could finally get rid of this industry and allow the area to be developed as the city wishes – as a business and high-tech center, alongside a residential area for students and assisted living facilities.

It's no coincidence that this humanistic ruling began with a quote from philosopher Immanuel Kant, because it is based on his moral perception, as expressed in his "Groundwork of the Metaphysics of Morals," that a human being should not be seen as an object and should not be used to serve the goals of another person. ("Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only.")

With great courage the judge has based her ruling on feminist literature, which introduced the concept of "objectification," including the approach of feminist theorist Prof. Catharine MacKinnon toward pornography, women performing in strip clubs, and their resulting objectification. In the statement by Agmon Gonen, we see recognition of the fact that women – and men – trapped in the sex industry are human beings, not objects, and that the very existence of such "businesses" humili-

ates and degrades them, and undermines their humanity.

Her ruling is based on human rights principles, the Basic Law on Human Dignity and Freedom, and is bolstered by a brave feminist viewpoint that conveys a sharp, clear message: Israeli courts and society cannot turn a blind eye to the exploitation and objectification of women, men and minors.

Agmon Gonen also offered a survey of how these issues are handled in such countries as Canada, England, the United States, France, Germany and Iceland – which totally banned strip clubs in 2010. She also touches on the tension between respecting the women's autonomy and right to choose how to use their bodies, and human dignity, human rights and the lack of real choice for women in the sex industry.

Moreover, the judge addresses the argument that women who perform at these clubs "do not feel humiliated, perhaps even the opposite; they chose to do this of their own free will," by declaring: "One can establish that a certain action or behavior objectifies women and diminishes their dignity, even if they don't see it that way. This is for two reasons. One, because there's no place for the subjective feeling of someone whose human dignity is diminished, because as with choice, what counts is our values as a society, since the subjective experience differs from woman to woman."

In her ruling, Agmon Gonen touches on the tension between women's right to choose how to use their bodies, and human dignity.

"In addition, as courts in Germany and France have determined, permitting such activities harms all human beings, because the boundaries regarding the basic essence of human dignity are breached."

This ruling is infused with the spirit of change heralded by proposed legislation that would prosecute patrons of prostitutes and provide for the rehabilitation of prostitutes – a bill that has passed a preliminary reading in the Knesset. The strength of Agmon Gonen's landmark ruling is in the understanding that strip clubs and similar "businesses" are a crime against human rights, and that as a society we must act to eliminate them.