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## European citizenship unbound: sex work, mobility, mobilisation

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### **Abstract**

In October 2005, 200 delegates from 28 countries in Europe gathered in Brussels to take part in an event for sex workers' rights, which involved a three-day conference, the presentation of a *Declaration on the Rights of Sex Workers in Europe* in the European Parliament, the drafting of a *Manifesto*, Recommendations for policy makers, a party and a demonstration. The sex workers' mobilisation appears, at first sight, as an exemplary form of active citizenship. Nevertheless, despite engaging European institutions, being active participants and making use of the language of rights, we argue that the sex workers mobilisation challenges the conception of active EU citizenship. In particular, we show how sex workers activists question territorially and culturally bounded practices of EU citizenship by enacting mobilities that exceed the instituted forms of free movement and that bring to bear a mode of sociality that is enacted through exchange relations between strangers. Specifically, we suggest that the concept of 'acts of citizenship' is better equipped than juridical or practice-orientated accounts of citizenship to engage a critical analysis of the ways that European citizenship is made and remade by the sex workers. Furthermore, we claim that the case of the sex workers demands attention be paid to the complex ways in which 'mobilisations of mobility' entail the disruption and enactment of European citizenship 'on the ground', rather than a simple extension of European citizenship beyond its existing bounds.

## Introduction

In October 2005, 200 delegates from 28 countries in Europe gathered in Brussels to take part in an event for sex workers' rights. Over the three days of the event (15-17 October), delegates took part in the *European Conference on Sex work, Human Rights, Labour and Migration*. During this time they discussed and worked on two documents, a *Declaration on the Rights of Sex Workers in Europe* and the *Sex Workers in Europe Manifesto*. On 17 October, they presented the Declaration and a set of Recommendations on sex work for policy makers in the European Parliament. The session at the European Parliament was followed by a demonstration in the streets of Brussels, where the delegates displayed red umbrellas; a symbol used at various marches across Europe to make visible sex workers' presence and their political demands.

The sex workers' mobilisation appears, at first sight, as an exemplary form of active citizenship. In recent years, much emphasis has been placed in Europe on active citizenship, in particular with regard to citizens' participation and engagement with European Union (EU) institutions. EU officials continue to stress the importance and urgency of citizens' active participation in order to overcome the EU's democratic deficit and stimulate democratic renewal. Since the Lisbon Treaty, the terminology of 'active citizenship' has been increasingly adopted by the EU to legitimate new interventions and projects across Europe (Official Journal of the European Union 2007). EU institutions are particularly concerned with the lack of active citizenship and aim explicitly to foster it through education, funding, research and civil society interventions. 'What do you need to be an active citizen?' is the main question on the portal dedicated to active citizenship; 'Do you need to be informed? Do you need to be trained? Do you need to know how to participate? Do you need to know where to participate?' (European Commission 2011a). These questions are indicative of the participative drive of active citizenship, specifically as it relates to nationals of the EU Member States.

If we focus on the people involved in the mobilisation of October 2005, we see that they are a mixture of migrants, regular and irregular, Third Country Nationals (TNCs), and EU citizens involved in issues of sex work. Because of their nationality, status, or the type of work they perform, these groups do not easily fit into the category of 'citizen' that is assumed in the set of questions listed above. However, if we put that momentarily aside and look at what these activists actually *did* in Brussels, we can see that their actions are all forms of active political engagement and participation. Sex worker delegates taking part in the conference planned well and thoroughly their interventions in Brussels. They spent the previous year and a half preparing the conference, learning about rights they are entitled to and training each other in the language of rights. The *Declaration on the Rights of Sex Workers in Europe*, a unique document of this sort, works with existing formal rights in order to bring attention to the violations of sex workers rights. It contains thirty articles, and is structured in twelve different sections covering issues such as life, liberty and security, privacy and family life, freedom of movement, and work and working conditions, just to give a few examples. The process of planning was overseen by an Organising Committee. Importantly, they decided to hold the event in Brussels, the institutional capital of the EU and made their claims heard in the European Parliament, the symbolic centre of political representation in Europe.

Nevertheless, despite engaging European institutions, being active participants and making use of the language of rights, the sex workers' mobilisation challenges the conception of active citizenship as it is manifest in the EU. In particular, the activists question territorially and culturally bounded practices of EU citizenship by enacting mobilities that exceed the instituted forms of free movement, which define some of the most central rights of EU citizenship. EU citizenship is, at least in part, derivative of the status of national membership, and this explains why active citizenship is primarily limited to the interaction between citizens of Member States and EU institutions. National citizenship is scaled up to a territorially bounded EU – the polity – and to a nationally defined EU membership, with EU citizens defined as citizens on grounds of their nationality. As a result, active citizenship is unable to encompass political action by non-citizens, as well as the process through which political subjects become citizens, since it addresses primarily those who already are defined as EU citizens. This is the case even when non-citizens undertake actions that are in many senses exemplary forms of active citizenship. Drawing attention to the limitations of such a conception of active EU citizenship, we show that such an approach fails to take account of the important role *mobility* plays in the constitution of European citizenship, in particular when this is seen as a form of cross-border mobilisation.

By placing mobility at the heart of European citizenship, this article argues that the significance of the sex workers' mobilisation lies in the way in which it challenges territorial and culturalist conceptions of citizenship as bounded community, precisely through the enactment of mobility. However, we do not conceive mobility here simply in terms of movements across EU's borders, but rather we draw on the work of Georg Simmel in interpreting this as a *mode of sociality* that is enacted through exchange relations between strangers (Aradau and Huysmans, 2009; Aradau, Huysmans and Squire, 2010). Such a reading of mobility allows us to examine the various ways by which citizens and non-citizens mobilise and claim European citizenship (both from 'inside' and 'outside' the EU), and in the process enact themselves as citizens. We use the term 'enact' here to indicate a sociological or performative process that mediates between political and legal constitution of citizenship. In this regard, we explore the ways in which those who are marginalised from active EU citizenship, non-citizens and citizens of the EU alike,<sup>1</sup> challenge the existing reach of citizenship. This leads us to expose the limitations of an institutionalised regime of EU citizenship that remains bound to the twin legacies of nations and states. In so doing, we suggest instead a way of thinking about European citizenship that does not assume this to be a status that is granted by the state, limited to the territory within the EU borders or acted out by people who are already citizens.

Taking this conception of citizenship enactment as a starting point, the question becomes 'How do the sex worker activists enact themselves as European citizens?' The key issue then is not to think the 'doer' prior to the 'deed', but rather to examine the process and the acts through which subjects are constituted as such. To this purpose, we base this paper on interviews conducted with sex workers who organised the Brussels mobilisation. We proceed as follows. In the first section, we offer a reading of the sex workers' mobilisation as a form of active citizenship to illustrate the limits of political engagement entrenched in existing conceptualisations of

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<sup>1</sup> A number of sex workers are in this case qualified formally as EU citizens.

European citizenship. In the second section, we show how the sex workers' mobilisation exceeds existing institutional frameworks and conceptions of what it means to be an active citizen by contesting identity and bounded community as the main determinants of mobilisation for citizenship rights. In the third section, we discuss how this contestation enacts a collectively mobilised political subjectivity through relations of exchange and numerical abstraction. This 'new' subject of European citizenship, we argue, mobilises exchange relations in terms that challenge the cultural and territorial conceptions of citizenship that rest on notions of communitarian and identitarian forms of bonding. In conclusion, we suggest that the concept of 'acts of citizenship' (Isin 2008, 2009) is better equipped than juridical or practice-orientated accounts of citizenship to engage a critical analysis of the ways that European citizenship is made and remade by the sex workers mobilising in Brussels in 2005. Furthermore, we claim that the case of the sex workers demands attention be paid to the complex ways in which the sex workers' 'mobilisation of mobility' entails the disruption and reconstitution of European citizenship 'on the ground', rather than a simple extension of European citizenship beyond its existing bounds.

### **Enacting active citizenship in Europe**

Heightened concerns about the 'democratic deficit' in the EU have been raised in relation to the low levels of political participation and citizenly engagement with European institutions, prompting the EU to foster active citizens by engaging citizens in the construction of Europe. The European Commission's action programme on active citizenship advocates civil dialogue, bringing citizens closer to the EU and promoting sustained exchange with the civil society (European Commission, 2007). The concept of active citizenship varies in its definitions and practice, ranging from support for exchanges and debates between European citizens across borders to information about the activities of the European institutions and the consultation of European citizens on new policies.<sup>2</sup> Active citizenship is not an invention of EU institutions – it has been increasingly promoted in different national contexts. For New Labour in the UK, for example, 'active citizens' 'volunteer' and create mutual self-help as the basis for community activation and regeneration. They embrace the spirit of Do-It-Yourself, from staying active in old age to dealing with the annual tax returns for the Inland Revenue (Clarke 2005, p. 448). The EU version of active citizenship both resonates with and refines national formulations of active citizenship.

One of the first elements of active citizenship is to become engaged and involved with the institutions and the policy-making process in Europe, as is apparent in many of the definitions of active citizenship in Europe addressed to particular citizens of Member States. For example, the spirit of contribution is central to the invitation extended toward German citizens, who are told that: 'In order to contribute to a lively democracy, you need to become active'. Thus, citizens are encouraged to: 'Find support for projects and links to both non-governmental organisations and smaller groups. Being active does not necessarily mean being member of a political party. You can get involved everywhere... You decide!' (European Commission 2011b) To

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<sup>2</sup> One of the most recent initiatives concerning the promotion of active citizenship is the so-called 'citizens' initiative' (Council of the European Union 2011).

be an active citizen in this regard is to become visible to European institutions, to self-organise and attempt to implement ideas and claims. Indeed, it is exactly in this sense that sex workers would seem to appear to engage with EU institutions as active citizens:

So we had 2 days of hard work in a hotel basement, before we went to the Parliament ... We had our Manifesto and our Declaration endorsed, and it really was laying down the challenge to the politicians, saying: we are here; we are popular; we are citizens (Morgan Thomas, 2009).

Being here, being popular, being citizens: this is the quintessence of active citizenship. Coming together to collectively present the *Declaration on the Rights of Sex Workers in Europe* to the European Parliament, to draft a Manifesto, and to demonstrate in the streets of Brussels are claims to a political voice for sex workers that clearly resonate with the EU's concern to foster the participation of European citizens.

Active citizenship also emerges out of dissatisfaction with processes, modes of organisation and institutions. Thus, young citizens of Europe are asked: 'Are you a satisfied citizen? Do you think your opinions are considered? Are you active in the decision-making process?' (European Commission 2011c) The need for active citizenship emerges in this regard out of a sense of injustice or a dissatisfaction that needs to be put right. This is also the drive behind the *Declaration on the Rights of Sex Workers in Europe*, which sets out the context of injustice – through discriminatory practices and legislations in health-care, social-security, housing, education, employment and criminal justice systems that target sex workers – which needs to be challenged (ICRSE 2005a). Although developed more critically in the *Sex Workers in Europe Manifesto* (ICRSE 2005b), indicating concern about the limitations of contemporary rights regimes, the injustice to be 'put right' is clearly elaborated in the *Declaration on the Rights of Sex Workers in Europe* in terms that could be conceived of as running in line with the active EU citizenship agenda. Nevertheless, we detect here also a more critical dimension that also starts to push at the limits of active EU citizenship. It is here that the issue of free movement becomes important.

Despite the emphasis on the free movement of workers within the Union and the importance of this to the development of citizenship in the EU, the legitimacy of EU citizens who are sex workers is put under question. This is the case since sex workers are unable to exercise a free right to movement within the Union on the basis of their work, and their mobility is often restricted within individual member states. The *Declaration on the Rights of Sex Workers in Europe* reminds us, for example, that the Romanian government put pressure on the Austrian government to terminate the permits of Romanian sex workers who were working legally in Austria (ICRSE, 2005a: 2). Similarly, it reminds that in the UK so-called Anti-Social Behaviour Orders (ASBOs) were used to restrict sex workers' freedom of movement by banning individuals from certain activities or places (ICRSE, 2005a: 3). We can also go further to indicate that these limitations of the free movement of sex workers are further corroborated at the EU scale. For example, given their frequent inability to qualify for the residency requirements due to the delegitimation or criminalisation of sex work at a national scale, sex workers fall out of consideration for schemes such as

the 2003 Directive which grants European resident status to third country nationals who have resided legally and continuously within the territory of any Member States for five years (Council Directive 2003/109/EC). The limitations of free movement are thus of particular significance in relation to sex work.

Importantly, sex workers who are third country nationals are also often disqualified from freedom of movement through the suspicion of having been trafficked for the purpose of sexual exploitation. The way in which this is bound up with the delegitimisation of sex work and the depoliticisation of sex workers is described by one of our interviewees as follows:

When we started to organise the Brussels conference, by that time the trafficking issue had backlashed all over Europe in terms of trafficking being used as a political justification for anti-migrants and anti-sex work measures. It is such a 'nice' justification, you know, as trafficking is portrayed as a horrible crime and so we need to combat it all (Wijers, 2009).

Bolstered by anti-trafficking discourse in Europe, the freedom of movement to which many EU citizens are entitled is not fully extended to sex workers; neither to those who formally qualify as EU nationals nor to those who do not.<sup>3</sup> Challenging this limitation, the *Declaration* states that: 'No restrictions should be placed on the free movement of individuals between states on the grounds of their engagement in sex work' (ICRSE, 2005a). Indeed, it is no coincidence that the *Declaration* emphasises rights of free movement, including the right of migrants to move across borders in order to work in the sex industry, in claiming political voice. To compromise sex workers' rights to free movement is to reduce their capacity to access the rights associated with citizenship that are available for those whose work is deemed legitimate. This is particularly important given that citizenship rights in the EU are primarily activated through practices of free movement, rendering the mobility of citizens central to the effective institution of EU citizenship (Guild, 2004; Maas, 2008).

Drawing attention to these critical dimensions of the mobilisation, we can interpret sex workers as enacting themselves as 'active citizens' in terms that challenge restrictions on freedom of movement as well as a range of more pervasive injustices embedded within the European context. The *Declaration* challenges the discriminatory legislation and practices, which it is argued 'cannot be justified on the grounds of protecting public health or combating organised crime, [and which] restrict the fundamental rights and freedoms of sex workers, at local, national and international levels' (ICRSE 2005a, p. 1). This is developed as a less legal and more overt political statement in the *Manifesto*, which was drafted during the conference. Here sex work activists explicitly claim 'active citizenship' as a way to open up the ossified systems of consultation and representation which have de-legitimated sex workers' political agency. This is of particular importance in light of the problematic

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<sup>3</sup> The restrictions on freedom of movement emerge out of the problematisation of human trafficking as 'security continuum' of illegal migration, organised crime, prostitution, and most recently terrorism (see Aradau, 2008).

tendency to consider sex work through the lens of victimhood.<sup>4</sup> The assumption that women working in the sex sector cannot speak for themselves, and that they cannot access or make clear their interests and experiences is countered by the activists who adopt what is termed a ‘sex workers’ rights’ perspective. The sex workers mobilising in Brussels largely articulate sex work as a service sector job, while problematising the criminalisation of sex work and the victimisation of sex workers in relation to the denial of the human right to self determination of those who make an individual choice to enter prostitution (see Delacoste and Alexander, 1988; Thorbek and Pattanaik, 2002).

The *Declaration* makes use of existing formal rights both to highlight the violation of sex workers’ rights and in order to make the claim for rights to which sex workers are entitled under existing United Nations, International Labour Organisation and European treaties and conventions. The *Declaration* was first drafted on the basis of a consultation process. Individuals and groups involved in campaigning and advocacy work across a range of EU and non-EU states provided information on the instances when sex workers’ rights were violated or not recognised, and made suggestions for possible actions that would amend these situations. The collated document was then finalised with the help of human rights lawyers and experts working at the Organisation for Security and Cooperation in Europe, the UN’s Office of High Commissioner for Human Rights, the International Commission for Labour Rights, and Columbia University.

In the first instance, the *Declaration* exemplifies how a claim to rights is used by the sex workers as a means to enter the EU as an institutional site. Universal rights claims have legitimacy within the EU and therefore can be deployed for the purposes of making political claims aimed at changing policies. The historical importance of the *Declaration* lies in the claims of human rights for sex workers specifically:

I think the *Declaration* is the first document that systematically and consistently translates existing and accepted human rights into what it means for sex workers. We have accepted the concept of human rights and the idea of them being universal, so that means that sex workers can claim them and nobody can say ‘You are not entitled to them’. I think the importance of the Declaration is its saying ‘We have human rights, they are universal, they are there for everybody – also for us’ (Wijers, 2009).

Written with the aim of driving institutional changes, the *Declaration* provides sex workers with some legal tools through which they are able to engage with existing institutions. This is indicative of the way in which rights claims are conducted through legalistic means in the EU, as well as more widely. Rights claims that refer to formalised legal instruments are central to claiming political voice and to enacting oneself as a legitimate citizen whose voice is institutionally recognizable (see Bellamy, 2001).

The sex workers’ mobilisation in this regard shows that political action is dependent on established modes of participation and recognised institutions. In such an

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<sup>4</sup> This is the position most often associated with the work of the feminist abolitionists such as Kathleen Barry (1995) and challenged by a wide literature: Doezema (1998); O’Connell Davidson (1998); Sharma (2003); Andrijasevic (2010).

institutional setting, political claims need to be embedded within and expressed through already institutionalised legal instruments. In creating this institutional intervention, the *site* of enunciation (the European Parliament, in this case) becomes equally important as the *form* in which one enunciates (i.e. the rights language referring to existing documents). This is indicative of the *political* significance of the mobilisation:

I think the European Parliament is symbolic in order to take up the space of important people in Europe and in order to say that we [sex workers] matter, both in terms of saying that this is an important political issue, that we too are important people, and that we are here because we deserve it, and also in order to get publicity and to be mediatised (Garofalo, 2009).

As the centre of political and democratic representation and an important site of claims-making in the EU, the enactment of the mobilisation at the European Parliament represents a tactical move that helps sex workers to present their claims in democratic terms.

This process of self-inscription into an institutionalised body of rights functions as a way of legitimising the claims of sex worker, which is a contentious move in itself in a context marked by the criminalisation and victimisation of sex workers. One interviewee describes:

I think, strategically, the *Declaration* is really important because it didn't try to create something new, it really just took what was there and in a very clear way said: this is the right, this is often where it's being stepped on in the context of sex work, and this is the demand from sex workers (Timmermans, 2009).

The organisers of the conference had sent invitation letters to MEPs to join them for the presentation of the Declaration. However, only two MEPs were present, arguably indicative of a lack of institutional recognition of the sex workers mobilisation. Moreover, the sex workers' presence was noticed by a group of Swedish women who were holding a conference on human trafficking at the same time, whose response to the sex workers' cause was less than supportive. At one point, the sex worker activists were almost removed from the European Parliament when participants from the trafficking conference protested against the sex workers' presence and mobilised the security staff on grounds that the sex workers had set up an 'illegal' demonstration in the European Parliament (Morgan Thomas, 2009).

In 2005 sex workers in Brussels strategically enacted themselves as 'active citizens' in order to make their political voices heard in a context whereby they are marginalised from the rights associated with free movement across the EU. That this can be understood as challenging the limits of EU citizenship would seem to be evident in the responses – or lack thereof – outlined above. However, this is only part of the story. As we will show in the next sections of this article, the sex workers' mobilisation went beyond an expression of active citizenship and the attempt to raise awareness among MEPs about rights violations and intervening in debates on human trafficking. They simultaneously challenged the ways in which active citizenship is formulated and practiced in the EU. In particular, they did this in their contestation

around who can practice active EU citizenship, and around how active EU citizenship can be practiced.

### **Citizens and non-citizens: contesting boundaries**

In this section we consider how the sex workers' mobilisation challenges the limitations of EU citizenship, and in so doing exceeds the bounds of the active citizenship agenda. Specifically, we do this by considering how the sex workers' mobilisation contests distinctions and levels hierarchies that cut across gendered identities, types of sex work, and immigration status. We conceive this process as critical in challenging discriminations embedded within citizenship practices and modes of governing sex work, while at the same time refusing the communitarian and identitarian bounds of territorially and culturally defined membership. Rather than simply referring to border crossings and freedom of movement, mobility becomes a more important challenge to territorial, cultural and identitarian limits. This process of reaching across boundaries was evident from the preparations for the conference. The conference Organising Committee (OC) consisted of 15 members from different European countries, and engaged sex workers and sex-work projects from across Europe in a six-month long consultation process on the content of the *Declaration* and the *Manifesto*. These were subsequently translated into thirteen languages in order to solicit Europe-wide participation, before being discussed once again and finalised by the Conference delegates.

In order to reach out to and engage sex workers and sex work projects in drafting the *Declaration* and the *Manifesto*, significant work went into challenging categories that differentiate and separate sex workers in terms of their gender and sexuality, immigration or nationality status, and corresponding rights entitlements. This required that the OC actively contests hierarchical arrangements concerning citizenship status. In respect to issues of gender, the Brussels conference differs considerably from two previous Congresses, namely 1<sup>st</sup> and 2<sup>nd</sup> World Whores' Congresses, held respectively in Amsterdam in 1985 and Brussels in 1986. Contrary to the previous two events which were attended exclusively by female sex workers, the Brussels conference delegates were female, male, and transsexual sex workers. In making this decision, the OC challenges existing exclusions:

Despite that we all recognise that the vast majority of people engaged in the industry are women, we wanted very clearly to show solidarity with male and transgender sex workers and that the issues were very much the same, so we decided to set up our own foundation to enable us to move away from a woman's only perspective (Morgan Thomas, 2009).

Within the context of sex work activism, the 2005 mobilisation in this respect represents an important move in challenging the gendered and sexualised norms that are embedded within citizenship practices and that are central to the governing of sex work, while retaining an understanding of their significance in diagnosing the limitations of citizenship practices in the first place.

The move to include male and transgender sex workers is of particular significance in the light of the tendency to consider sex work as the violence and victimisation of women. This is not to say that inequality and discrimination against women in the sex

industry is unimportant: it clearly is, given the persisting patriarchal social relations as well as the importance gender and sexuality norms hold in the governing of sex work. This is best visible from the feminist work that challenges the 'whore stigma', which draws on gendered and sexualised norms to install constructions of femininity based on the distinction between decent and indecent, the chaste and unchaste, the worthy and unworthy women (Pheterson 1996). However, restricting the sex workers mobilisation only to women would have meant to privilege gender identity which in turn would have excluded male and transgendered sex workers, and would have not reflected the reality of contemporary sex work. While alliances across genders have been part of sex workers mobilisations in various countries (see Kempadoo and Doezema, 1998), this position is not the one all sex works activists agree on. In fact, the OC's insistence to include male and transsexual workers led to a conflict with the sex workers' body that organised the previous two conferences on sex work. In order to counter these exclusionary tendencies, the activists in Brussels invested strongly in the move away from gender identity as the main axis of organising and towards a renewed emphasis on sex work as labour. It is exactly this emphasis that allowed for the demand to protect the rights of all workers, whether migrant or not, and to call upon EU member states to finally ratify 2003 *UN Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families*.

To open up the category of who is a sex worker means that the emphasis is not simply on the power men exercise over women, and hence on the protection of women through a whole series of security measures, from surveillance to criminalisation and risk management. Rather, the emphasis is on sex workers as protagonists of their own struggle, which challenges both the pathologisation of sex work as well as the forms of domination, inequality and discrimination entailed by the governing of sex work and the institutionalisation of citizenship.

The challenge to embedded distinctions and hierarchies is extended to the cultural differences between different forms of labour:

When I came up with the idea of the Conference it was two things: to have a conference which was dominated by sex workers instead of sex workers being invited by an academic or a social services conference (...) We had the idea that it should be the other way around, it should be a sex workers' conference where academics were invited (van Doorninck, 2009).

In order to resist the tendency whereby sex workers are positioned primarily as informants or objects of academic inquiry, or as de-personalised victims who cannot speak for themselves and hence need to be assisted or rescued, the OC adopted a deliberate strategy of selecting whom to invite to the conference and on basis of what requirements:

We actually said to most of the national groups: you can send only one [delegate]. [S]ometimes we even said to organizations that worked with sex workers: 'You can only come if you bring a sex worker' (van Doorninck, 2009).

However, it is not simply the way in which the sex workers mobilisation challenges gendered and sexualised norms or intellectual divisions that is critical for us, but also

the way in which the mobilisation ‘levels’ hierarchies in terms that refuse the limits of territorially and culturally bound membership.

Indeed, to position sex workers as protagonists is particularly important in relation to the trafficking rhetoric that was heightened at the time of the mobilisation, and which is based on the distinction between ‘voluntary’ and ‘coerced’ prostitution. Anti-trafficking discourse brings gendered discriminations to bear on territorial practices of citizenship in ways that allow us to see how different hierarchies and forms of discrimination are played out in the governing of sex work. Consensual prostitution is often assumed to be performed by Western sex workers capable of self determination, while situations of coerced prostitution are more likely to be seen to affect ‘passive’ or ‘inexperienced’ third world and migrant women (Doezema 1998; Kapur 2008). This differentiation has often led to the delegitimisation or dismissal of sex workers’ claims for rights as a class-based issue pertaining to the rich Western countries. As one of our interviewees explains:

[P]reviously we have been accused ... [by people] within the sex workers rights’ movement of saying: sex workers rights are an issue for people from the global north countries, for rich, Western, primarily ethnically white countries. But, what we wanted to try and say is that actually there were in Brussels women, men, and transgender from many more countries, that this is not a rich western European issue, and that it concerns sex workers throughout Europe (Morgan Thomas, 2009).

In response to this critique, as well as against the attempt to differentiate sex workers’ agency on the basis of their nationality, the Brussels conference emphasised particularly heavily the problem of restricted mobility:

Already the 1986 conference, they had discussions on trafficking and already then had a good analysis saying that the problem was actually a difficulty of migrating from poorer to richer countries. The change with this conference was that migration and mobility became THE issue. (Garofalo, 2009)

The activists in Brussels here engage the issue of freedom of movement beyond the right of EU citizens to work in the sex industry; they also claim a right of migrants to move across borders and take up sex work. The contestation of boundaries is both a diagnosis of the constitutive role of mobility for the very possibility of being an active citizen in the EU and a claim for mobility to transcend instituted limitations to free movement.

The OC was clearly aware of the restrictions imposed on non-EU nationals’ labour and mobility. Thus, there was an attempt to overcome the distinction, and level the hierarchy between EU and non EU citizens by inviting sex workers and allies from countries outside the EU. The decision to put particular effort in reaching and enabling sex workers who were non-EU nationals to attend the Brussels conference was deemed even more acute due to the anti-trafficking rhetoric that identifies non-EU women as ‘victims of trafficking’, and that identifies trafficking as a criminal activity that is geared towards circumventing EU immigration and visa regulations and fostering ‘illegal immigration’ (Andrijasevic, 2009). Anti-trafficking measures are effectively implicated in controls that aim to ‘deter’ irregular migration across a range of ‘borderzones’ such as those of the EU (Squire, 2011). The mobility and

access to the labour market of non-EU sex workers' is thus severely restricted, with many being arrested and deported if apprehended within the EU without adequate legal documentation. In response to this, the *Declaration* states that: 'No restrictions should be placed on the free movement of individuals between states on the grounds of their engagement in sex work' (ICRSE, 2005).

By giving primacy to the issue of mobility, the mobilisation critically works against the delimitation of European citizenship to citizens of EU member states. In so doing, the *Declaration* shifts the debates from questions about the criminalisation or regulation of sex work to questions about citizenship. The need for this is expressed in the statement of one interviewee:

For example for me is incredible that the tendency in Europe is of considering criminal someone who is not legally in one country, this is against the rights of citizenship, to move and to travel, this is against the basic rights. For me the concept of citizenship is independent from migration law and from the social exclusion factor based on legislation and national laws. (Brussa 2009)

Bringing to bear a conception of citizenship that refuses the criminalisation and exclusion of sex workers works to level existing hierarchies between different workers within the EU and to refuse distinctions based on gender and legal citizenship status. Indeed, by mobilising mobility on the grounds of the rights of sex workers, the mobilisation challenges the definition of Europe as a geographically-bound and predefined legal-political site, and extends the understanding of who can be conceived as a legitimate political actor.

It is not simply the contestation of boundaries that is important in the sex workers' mobilisation of mobility, however. Neither is the simple extension of active citizenship the outcome of the mobilisation. Rather, the *collective* dimension of this struggle in levelling hierarchies challenges the uneven constitution of active EU citizenship in its institutional formation. The mobilisation of sex workers is interesting as a political challenge to the EU citizenship regime, precisely because it uses the rights framework in order to hold various subjectivities together across different genders, types of sex work, and immigration status. Thus, it is suggested:

...the human rights system as a formal matter tends to divide rights according to categories, not exactly divide the rights, but divide the structures that apply them, which in some cases divides the rights. It was incredibly interesting and I thought innovative and difficult for the Declaration to hold out to that diversity while using the rights claims (Miller, 2009)

This particular holding together of diversities, we argue in the next section, is made possible by the politicisation of mobility that enacts a collective political subjectivity based on exchanges with strangers.

### **Collective political subjectivity: mobilising mobility**

We suggest that the sex workers' mobilisation is most significant in challenging the limitations of active citizenship when understood as a collective process of coming together. Coming together across borders through exchanges and collaboration is an

important mode of citizenship practice in the EU context. The right to free movement is a central right in the original conception of EU citizenship, as defined in the Treaty of Maastricht (1993). Supporting economic growth and social welfare through economics of scale and creating a bigger internal market have been key objectives of the free movement regime. Yet, from early on in the European integration process, the significance of cross border movement went beyond simply enhancing economic exchange. The economics of free movement had an explicit political significance. Bringing citizens from Member States in contact with one another by stimulating cross border movement was meant to create solidarity and a collective consciousness among these citizens. Increasing exchange relations was expected to scale up political identification from the nation to an institutional, territorial, and hoped-for cultural Europe (see Aradau, Huysmans and Squire, 2010).

While much of the literature on citizenship and mobility today reads EU citizenship from the standpoint of migration and restrictions on mobility as a limiting and exclusionary practice, we engage this problematic slightly differently here by analysing mobility not just as physical movement but also as a form of sociality that has the potential for creating citizenship ‘anew’. Free movement concerns the crossing of national borders as well as the facilitation of European wide transactions of goods, services, and labour, and can be understood as conditions of possibility for EU citizenship. Yet we do not bring to bear an integrative account of EU citizenship here, since our understanding of mobility as sociality differs significantly from integration-through-mobility idea in that we bring into focus. Our interest is – by means of the case of mobilisation of sex workers in Brussels – the collective *political* relations that can emerge out of such exchange relations, which come into tension with an integrative model of EU citizenship. Our argument is neither that exclusionary practices are absent as dimensions of EU citizenship nor that exchanges bring to bear an inevitably inclusionary European citizenship. Rather, we argue that exchange relations serve as the conditions under which a form of political subjectivity can be collectively enacted which is vested in relations that are abstracted from identitarian or communitarian relations and which thus challenge territorial and cultural conceptions of EU citizenship.<sup>5</sup>

In making this argument, we move from an analysis of physical mobility to an analysis of the ‘sociality of mobility’ (Aradau and Huysmans 2009; Aradau, Huysmans and Squire 2010). This can be understood by drawing on Simmel’s (1978) analysis of the transformation of European societies, which he theorises in terms of the increasing mediation of social exchanges through money. Simmel suggests that money can establish new relationships between elements that would otherwise have no connection. Money-mediated exchanges, he claims, render everything quantifiable according to one scale and thus permit previously unthinkable comparisons among objects, persons, and activities. As such, they form the basis for depersonalised social relationships; relationships which from the point of view of communitarian interests emerge as abstract because they arise neither from belonging to the same community or tradition, nor from being linked to the same bounded territory.

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<sup>5</sup> This approach to mobility and its difference from much of European integration studies has been extensively developed in *Acts of European Citizenship. A Political Sociology of Mobility* (Aradau, Huysmans and Squire 2010).

Money and the transformation towards depersonalised exchange relations in this regard has an affinity with a form of sociality that Simmel associates with ‘the stranger’ (Simmel 1950). The stranger refers here not to a particular kind of person but to a particular form of sociality, which is defined by a paradoxical relation to community. This form of sociality emerges through relations that are not constituted in an ‘organic’ community, but are enacted through transactions that exceed a culturally and territorially bound community. In such cases, people can potentially form relations, since they are connected to a specific community or communities (strangers live in relations with others, in neighbourhoods, etc...), while simultaneously being freed from any specific ties to the fixed communities (strangers do not belong to the community in an ‘organic’ way). In Simmel’s more abstract terminology, the stranger unites the opposites of being fixed to a point in space and being free from any given point in space. In this regard mobility is neither simply a form of disconnectedness, fluidity or nomadism nor cross-border movement or any economic exchange relation, but a particular form of sociality or interaction that is constituted through depersonalised exchange relations that place people simultaneously within and without community.

If mobility and exchange practices in Europe have generally been conceived as leading to substantive integration following pre-defined territorial lines (the boundaries of member states) and nationalities (national citizenship of EU member state is pre-condition for EU citizenship), then the sex workers in Brussels make citizenship ‘strange’ by claiming to be within the EU but not of the EU. Sex workers participate in service industry, and partake in various exchanges (for example, language classes and using health care services) as does any other citizen. Indeed, one could say that, according to the logic of mobility in the EU, there is nothing unusual in their enactment of exchange relations in which people become detached from community-based bonds and come together through relations with strangers.<sup>6</sup> However, as we have argued in this article, sex workers enact themselves as political subjects in terms that challenge the limits of EU citizenship, and this occurs not simply through contesting boundaries, but also through the creation of a collective political subject. In the case of sex workers, the sociality of mobility refers to the emergent properties of exchange relations between and among sex workers across Europe, broadly defined. It entails the constitution of a collective political subject that is non-identitarian and non-communitarian. Coming together through economic transactions is thus not sufficient to challenge the limitations imposed on sex workers. Such a challenge also requires the political appropriation of transactional relations, as pointed out in the *Manifesto*: ‘... [W]e are part of society with needs and aspirations who have the potential to make a real and valuable contribution to our communities.’ (Manifesto, 2005, page 5) This emphasis on the constitutive role that sex workers play in the formation of social life across Europe is critical to how they legitimise their claim to political voice in terms that both fit within, yet also challenge the limitations of a European citizenship that is pulled between free movement and national membership.

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<sup>6</sup> This is not to say that sex work exchanges are not moralised, securitised or criminalised, as is the case of those forms of mobility and exchange which are not sanctioned by the EU or national definitions of ‘good’ circulation.

Various rights claims politicise the exchange relations of which sex workers are part. Yet moving from exchange relations to their politicisation is not self-evident, as expressed by one of our interviewees: ‘a lot of people would sacrifice a few days of income to be at a conference to talk about their rights’ (Marieke van Doorninck, 2009). Indeed, rights claims as expressed in the *Declaration* relate ambiguously to abstract economic transactions. They can be seen to politicise and thereby exceed economic transactions, while depending on the latter to enact them. Thus, one needs money to move across borders and engage in transnational political exchanges. At the same time, however, the demonstration is also a way of exceeding monetary relations and engaging in political exchanges with strangers. The engagements through which the mobilisation is built are not reducible to exchanges associated with professional interactions or the provision of impersonal sexual services, but are political, as they are intimated by the sacrifices of income and money that are required to create a new political subject.

Of particular importance in enacting a collective political subject in the sense explained above is the definition of the numbers of sex workers involved. Alongside rights, numbers are a second dimension of the politicisation of social relations of exchange. The *Declaration* and the *Manifesto* speak for a political subject who is no longer held as non-representative on the basis of small numbers.<sup>7</sup> The sex workers’ conference in 2005 opposes the logic of large numbers to that of small numbers:

So, very often, people say: you are sex workers activists, you are a small group of middle class privileged people who do this for fun, you are not the real sex workers. That's why I think numbers are important. After the show I felt so empowered... I felt the power that we had, so many of us, from so many different countries (Lopes, 2009).

The Brussels Conference also differs from previous Whores Congresses through the numbers of sex workers coming together. However, the more radical issue concerns the specific reinforcement by the organizers of the politicisation of sociality implied by larger numbers. While small groups rely on personal and cohesive relations, larger groups no longer result from direct relations among members (Wolff, 1950) They are super-individual, meaning that they are characterised by relations with strangers and processes of ‘abstraction’ rather than face-to-face identitarian representation, and in this regard can prompt forms of organisation that challenge communitarian ties. The appeal to abstraction through numbers links in critical ways to the Simmelian notion of mobility, conceived as a form of sociality that detaches from communal and identitarian bonds.

The numbers of sex workers in the Brussels mobilisation are not a simple aggregate of individuals. In aggregate terms, they are ultimately not that large. However, for sex workers, 120 does not refer to isolated individuals, to the sum of ‘1’s, but to their synthesis. In Simmel’s terms, this is beyond mere sum and reflects ‘the function of interactive togetherness of the group’ (Wolff, 1950). The abstract numerical relation

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<sup>7</sup> Understood in non-identitarian terms, the citizenly collective unsettles that dichotomy of majorities and minorities in liberal thought. Arjun Appadurai (2006) associates the ‘fear of small numbers’ in liberalism to a challenge discourses of national belonging and homogeneity. Yet, the sex workers’ mobilisation shows that particular collective subject also challenge national and identitarian narratives of majorities.

of the group is one which involves the diminution and even supersession of specific and concrete characteristics of individuals. As articulated by the *Manifesto*, sex workers claim that: 'Our experiences are diverse, but all are valid, and we condemn those who steal our voice and say that we do not have the capacity to make decisions or articulate our needs'. The appeal to abstract numbers here is crucial in constituting a collective subject that mobilises mobility through claims to exchange relations that are not simply socio-economic in nature, but that also have a distinctly political dimension.

The collective subject that is vested in numerical abstraction and not just rights claims is important politically specifically because it cannot be dismissed on the basis of particularity. Rather, the collective subject is constituted through the mobilisation of a claim to universality, which in this case is based on a claim to the equal validity of diverse experiences and the equal relations of strangers based on a synthesis of abstract numbers. As we have indicated already, the organisers explicitly work this process of abstraction through mobilising around exchange relations that challenge instituted discriminations and level the gendered and sexualised hierarchies associated with the legacies of nations and states, and that challenge the culturalist and territorialising distinctions implied in communitarian and identitarian conceptions of EU citizenship. Together, these discriminations and hierarchies work against the sex workers' ability to legitimately claim a mode of sociality based on exchange as grounds for political action. To use Etienne Balibar's distinction between extensive and intensive universality, one could say that citizenship is not so much enlarged or extended to the sex workers as a particular group, but is rather *intensively universalised* in the sense that it becomes linked with the principle of unconditionality (i.e. citizenship as claim of equality of rights and people rather than an institution turning universal rights into privileges for certain groups of people). Indeed, this always entails claims that challenge the limits of any institutionalisation of citizenship (Balibar, 1995).

Coming together in larger numbers is also important practically in order to ensure continuity, because smaller particularised groups can dissipate quite quickly and run out of energy. In contrast, larger groups can sustain themselves through mobilising their latent power. As Simmel notes: "Small and centripetally organized groups usually call out and employ to their full extent the energies available within them; in greater groups, on the other hand, much more energy, not merely absolutely but also relatively, remains in a latent state" (Simmel, 1902, page 7). This process of mobilising latent energy is evident after the mobilisation in the formation of new sex workers' rights oriented groups such as Les Putes in Paris as well as in the continuation of political work through networks:

I would say that what really changed [after the Conference] was the level of networking. There were quite a few of us there from the IUSW and some of us created strong links to people in the European Network, to projects and other organisations, so I think when we came back we all felt: we have all links, it's not just ourselves in our little country doing this little thing, we are part of a bigger movement (Lopes, 2009).

The Brussels conference thus mobilised abstract numbers in terms that created a new collective subject with dynamic political form: "... what we got back from

participants from the conference is that they were really touched and encouraged and empowered... It gave energy, and the idea that you are not on your own and that there are rights to claim, and the *Declaration* is also a symbol of that” (Wijers, 2009).

Being part of a larger movement based on abstract numbers is not a pre-given or ‘natural’ consequence of being a sex worker. It requires mobilisation and political work that creates new relations through rights claims and numbers, and that thus constitutes a ‘new’ collective political subject. That the sex workers mobilise the numerical relations of the collective subject alongside rights claims that politicise exchange relations is important, because it serves to question discriminations and limitations that are instituted both in existing European citizenship regimes as well as through the active EU citizenship agenda. This is important politically because it renders number counting a qualitative process of ‘counting’ as a political subject, which in the case of the sex worker’s mobilisation questions existing legal and social distinctions and exceeds forms of sociality associated with nations and states. On our reading of the sex workers’ mobilisation, this entails a subversion of the limits of EU citizenship by means of its ambiguous grounding in mobility. Specifically, it entails the subversion of these limits by an intensification of the tensions that the institutionalisation of free movement triggers, which the sex workers mobilise through a politicisation of exchange relations with strangers by means of rights claims and abstract numbers.

### **From active citizenship to acts of citizenship**

As we have shown, the mobilisation of sex workers in Brussels in 2005 can be understood as constituting a ‘new’ collective political subject at the European scale. Although many of their actions and rights claims might be understood in terms of active EU citizenship, we have argued that they effectively exceed the limits within which active citizenship is instituted in the EU and thus enact European citizenship ‘anew’. The sex workers mobilisation may contain elements of active citizenship in its drawing on instituted statuses and in its attempt to extend and properly implement given rights. However, it simultaneously *disrupts* active citizenship by questioning the distinctions and levelling the hierarchies embedded in the institution of EU citizenship, and by challenging the limitations of citizenship in its territorial or culturally bounded form. Sex workers enact a collective political subject that politicises exchange relations between strangers, thus detaching political being from communitarian and identitarian forms of bonds. In this sense, we suggest that the sex workers’ mobilisation is better conceived of as ‘an act of European citizenship’ (Isin 2008, 2009) rather than as ‘active citizenship’.

The notion of ‘act of citizenship’ was introduced by Engin Isin precisely to bring into view rupturing actions that are reducible neither to expressions of an existing citizenship status or a governmental programme, nor to extensions of existing citizenship rights to new subjects. An emphasis on acts of citizenship differs both from analyses of the governing of active citizenship and from wider social and political analyses of citizenship practice in the EU. The latter tend to treat EU citizenship as a status defined by national membership, as a practice of making rights effective, and/or in terms of an enlargement of the bundle of rights (see Wiener 1998). Even when the tension between mobility and national status in the formulation of EU citizenship is acknowledged, mobility is often reduced to a limited series of rights

which are still derivative from appurtenance to a national community (Maas, 2008). In that sense, they share an orientation towards citizenship that emphasises order and status quo, valuing ‘routine over rupture, order over disorder, and habit over deviation’ (Isin, 2008, page 20). By contrast, the notion of ‘acts of citizenship’ seeks to emphasise the constitutive role of the subjugated terms – rupture, disorder, deviation – for the political terrain through which European citizenship is constituted. While the EU’s ‘active citizens’ are supposed to follow already given scripts, ‘acts of citizenship’ leads to the articulation of new scripts as well as to the emergence of new actors (Isin 2009). The concept of ‘acts of citizenship’ challenges the assumption that citizenship is a fixed category and instead explores its making, unmaking and remaking as contingent, contested and in flux (Isin 2009, page 17).

In developing an analysis of the sex workers mobilisation as an ‘act of citizenship’ that creates a collective political subject on the basis of mobility as a form of sociality, we have developed a slightly different perspective on citizenship than those that emphasise discrimination and exclusion. This difference in perspective is not one that denies that gendered, sexualised and racialised distinctions are embedded within institutionalised conceptions of EU citizenship. Various scholars have importantly pointed to the ways in which such norms are embedded in citizenship practices, while a range of feminist writers have pointed as to the ways in which exclusions are compounded through multiple intersecting marginalities (Morokvasic 1984; Crenshaw 1991; Yuval-Davis, 1997; Hill Collins 2000). Sharing a sensibility to contestation and struggle with feminist and postcolonial work, this article offers a particular reformulation of contestation from the perspective of mobility. In that sense, our analysis is orientated more toward how questions of contestation and change relate to the transformative potential of mobility as a form of sociality and its politicisation. It takes its cue from the tensions and ambiguities that freedom of movement inserts at the heart of EU citizenship and shows how mobility is taken on, mobilised and reconfigured politically. In that sense, we also differ from approaches that emphasise struggles for citizenship and change in terms that are orientated toward the progressive inclusion of the marginalised into a polity (see e.g. Lombardo and Verloo, 2009). Such an approach would seem to fit more closely with the EU’s active citizenship agenda than the analysis developed here. Our analysis looks toward those contestations that challenge the very limits of active EU citizenship by mobilising mobility, which is both already integral to its constitution and can become unexpectedly disruptive. This also moves away from the literature on citizenship and mobility that emphasises habitual practices, but rather brings to bear a critical account of citizenship and the mobilisation of mobility that refuses the limitations of EU citizenship in its communitarian and identitarian formulations. In this account, sex workers do not only *exceed* the limits of citizenship but so also are they *disruptive* in their collective constitution as ‘new’ subjects of European citizenship.

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